

APRA: from Emma Fleetwood, APRA Theatrical Licensing Representative

OneMusic is a joint licensing initiative between APRA (Australasian Performing Rights Association) who represent composers/songwriters and music publishers and RMNZ (Recorded Music NZ) who licence those that represent the sound recording e.g record labels and recording artists.

Foyer Music - licence issued by OneMusic

Music played in a theatre foyer requires a OneMusic Licence, either a Hospitality or Retail & General Licence in order to play music in a theatre Foyer.

A Retail & General Licence is for a Foyer that doesn't serve drinks or food and depends on the size of the Foyer as to the cost.

The smallest size of up to 49 square meters would be \$303.59 per annum (incl GST).

A Hospitality Licence would be where a Foyer has a bar and/or serves food, and again depends on size and type, the minimum would be up to 49 square meters classified as a restaurant/café and would be a minimum of \$340.01 (incl GST).

The owners of the theatre are responsible for obtaining the annual OneMusic licence which covers all other users and hirers of the theatre.

See link for application forms - <https://www.onemusicnz.com/music-licences/>

Incidental Background Music - licence issued by One Music

This is music played in the auditorium where the audience sit after their ticket is clicked, with the house lights on, waiting for the presentation to start. This includes back ground music played pre-show, during an interval and after-show. All when the house lights on.

The licence to play this Incidental/Background music is a OneMusic Background Music Licence but is not normally applied for separately if a Dramatic Context Licence is issued for music played as part of the presentation.

Music in Dramatic Context - issued by APRA

A Dramatic Context means the performance of any theatrical presentation that is live on stage with a storyline and has one or more narrators or characters (and also includes Ballet).

A Dramatic Context Licence is required whenever a piece of music, recorded or live, is used during a theatrical presentation from when the house lights go down to when they come up and includes a specific piece of music specified in the text, background music during the presentation and during scene changes when the house lights remain off.

The cost of a Music in Dramatic Context Licence varies but the main costing criteria is for those theatrical presentations where the gross box office is less the \$20,000.00 (at maximum capacity)

The Licence Fee (incl GST) is the greater of i) 6.9% of gross box office, ii) \$17.25 per work or iii) \$103.50 (incl GST) minimum fee per show season or tour licence.

Further information and application forms can be found on the link - <http://apraamcos.co.nz/music-customers/licence-types/theatre/>

Use of recorded music out of copyright

This is when the written music is out of copy right such as that of Bach and Beethoven. If the recording is of the original composition, then application is made to RMNZ for the use of the recording, and not to APRA as the musical work is in the public domain. APRA can confirm whether a work is out of copyright in New Zealand or not.

If the recording is an arrangement of the original composition then an application is made to APRA for a licence to use the arrangement and RMNZ for the recording. APRA can confirm whether a work is a registered copyright arrangement or not.