

APRA AMCOS Festival Licence Factsheet

Details of new scheme effective 1 January 2016

Following an extensive negotiation and Member consultation LPA and APRA AMCOS have now finalised the new terms and tariff rates for Festivals and Concerts ('promoted music event').

Festival licence – what has changed?

LPA and APRA AMCOS have defined what constitutes a Festival and the terms of the Festival Licence.

From **1 January 2016** Festivals that meet **ALL** the following criteria will be classified under the scope of the Festival Licence.

- a) occurs on at least one full day (being no less than 8 hours in advertised duration)
- b) at an outdoor place requiring a stage to be erected, or a specific performance area to be created, specifically for the Festival
- c) is advertised as a Festival, in which the staging of the event and all associated advertising is not dependent on any one or two headline acts
- d) includes at least six acts.

Previously, only multi-day regional Festivals were eligible for the Festival Licence. However, LPA successfully negotiated extending the parameters of the Festival Licence to include all music Festivals that meet the above requirements.

LPA also negotiated heavily to ensure the tariff rate for the Festival Licence is lower than that for concerts (covered under the Promoted Music Event Licence). We have agreed to an incremental increase over 4 years as outlined in the following table (incl. GST):

| FESTIVAL LICENCE | | | | |
|-------------------------------------|--|---|--|--|
| | METROPOLITAN | | REGIONAL | |
| For events performed in the period: | Rate (as a percentage of gross sums paid for admission) | Early Payment Rate (as a percentage of the licence fee calculated in accordance with this agreement) | Rate (as a percentage of gross sums paid for admission) | Early Payment Rate (as a percentage of Gross Sums Paid for Admission) |
| 1 January 2016 to 31 December 2016 | 1.65% | 1.485% | 1.2375% | 1.1138% |
| 1 January 2017 to 31 December 2017 | 1.65% | 1.485% | 1.3750% | 1.3063% |
| 1 January 2018 to 31 December 2018 | 1.65% | 1.485% | 1.5125% | 1.485% |
| 1 January 2019 to 31 December 2019 | 1.65% | 1.65% | 1.65% | 1.65% |

Other changes include:

Non-APRA AMCOS controlled works will no longer be included in the calculation of the tariff rate.

[Access a copy of the Festival licence](#)

PROMOTED MUSIC EVENT BLANKET LICENCE AGREEMENT – what has changed?

As previously advised, LPA and APRA AMCOS reached an agreement on increased tariff rates to apply to events that require a Concert Promoters Licence (GCLB). Interim rates were introduced by APRA from 1 January 2015 until the terms of the new agreement were finalised. The new agreement includes the changes to the tariff rate that have already taken effect, as per below (incl. GST):

| PROMOTED MUSIC EVENT BLANKET AGREEMENT | | |
|---|--|---|
| For events performed in the period: | Fee (as a percentage of gross sums paid for admission) | Early Payment Rate (as a percentage of Gross Sums Paid for Admission) |
| 1 July 2015 and 31 December 2015 | 1.815% | 1.6789% |
| 1 January 2016 and 31 December 2016 | 1.925% | 1.8288% |
| 1 January 2017 and 31 December 2017 | 2.035% | 1.9841% |
| 1 January 2018 and beyond | 2.2% | 2.2% |

The following Licence types will be eliminated from 1 January 2016, and any events that fall under the scope of these licences will require a Promoted Music Event Blanket Licence:

- Dance Party (GCDP)
- Featured Music Events (GCFM)

[Access the Promoter Music Event Blanket Licence Agreement](#)

APRA AMCOS' Alternative Dispute Resolution Scheme

In response to feedback regarding the APRA AMCOS' complaints handling process, as a condition of APRA AMCOS' reauthorisation the Australian Competition and Consumer Commission (ACCC) has mandated that APRA AMCOS must set up an independent and transparent Alternative Dispute Resolution procedure for the resolution of disputes between APRA AMCOS and licensees. Further information can be found [here](#).

Further information on licensing matters from LPA

LPA considers this negotiated position for both the Festival and Promoted Music Event licences a significant achievement on behalf of its Members. The extensive negotiation period initiated by APRA AMCOS in January 2013 has continued over two years, throughout which LPA has managed to negotiate acceptable incremental tariff fee increases while avoiding the Copyright Tribunal. We are also pleased that APRA AMCOS has agreed to extend the application of the discounted Festival Licence to a wider range of festivals.

For More Information

Should you have any queries, concerns or feedback, please contact LPA email at info@liveperformance.com.au or phone 03 8614 2000.