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NOTIFIKAZZJONI TAL-GVERN

Nru. 118

ATT DWAR ID-DRITTIJIET TA' L-AWTUR
(KAP. 415)

IL-BORD dwar id-Drittijiet ta' l-Awtur jgħarraf li fi żmien sittin (60) ġurnata wara l-pubblikazzjoni fil-Gazzetta tal-Gvern tat-talba u tat-tariffi proposti pubblikati hawn taħt, utenti prospettivi jew ir-rappreżentanti tagħhom jistgħu jippreżentaw bil-miktub lill-Bord imsemmi l-oġġezzjonijiet tagħhom għat-talba jew għat-tariffi abbażi tad-disposizzjonijiet tar-regolament 4(3) tar-Regolamenti ta' l-2004 dwar il-Kontroll tat-Twaqqif u l-Operazzjoni tas-Soċjetajiet għall-Amministrazzjoni Kollettiva tad-Drittijiet ta' l-Awtur (Avviż Legali 425 ta' l-2003).

Bord dwar id-Drittijiet ta' l-Awtur
Ministeru għall-Kompetittività u Komunikazzjoni
Diviżjoni għall-Kummerċ
Lascaris, Valletta CMR 02

Talba ta' The Performing Right Society Limited

Rikors tas-soċjetà The Performing Right Society Limited, ta' Londra, l-Ingilterra, kif debitament rappreżentata hawn Malta mill-aġent tagħha s-soċjetà Dingli Co. International Ltd.

Tesponi bir-rispett:-

Illi s-soċjetà esponenti hija assoċjazzjoni ta' kompożituri, awturi u pubblikaturi tal-mużika debitament reġistrata fl-Ingilterra bħala kumpanija limitata bil-garanzija, u ilha hekk stabbilita sa mis-sena 1914, u cioè ftit wara l-promulgazzjoni tal-"Copyright Act" 1911 fir-Renju Unit illi l-effetti tiegħu għal xi żmien kienu anke ġew estiżi għal Malta sakemm sussegwentement ġie fis-seħħ f' Malta l-Att Dwar id-Drittijiet ta' l-Awtur tas-sena 1967.

GOVERNMENT NOTICE

No. 118

COPYRIGHT ACT
(CAP. 415)

THE Copyright Board gives notice that within sixty days after the publication of the request and proposed tariffs hereunder published, prospective users or their representatives may file with the said Board written objections to the request or the tariffs on the basis of the provisions of regulation 4(3) of the Control of the Establishment and Operation of Societies for the Collective Administration of Copyright Regulations, 2004 (Legal Notice 425 of 2003).

Copyright Board
Ministry for Competitiveness and Communications
Commerce Division
Lascaris, Valletta CMR 02

Request of the Performing Right Society Limited

Application of the company The Performing Right Society Limited, of London, England, as duly represented in Malta by its agent the company Dingli Co. International Ltd.

Respectfully submits:-

That the applicant company is an association of composers, authors and publishers of music registered in England as a company limited by guarantee, and has been so established since the year 1914, that is to say shortly following the promulgation of the English "Copyright Act" 1911 the effects of which were for some time also extended to Malta until the enactment of the Copyright Act in 1967.

Illi s-soċjetà esponenti ilha topera hawn Malta, tramite diversi aġenti tagħha, għal dawn l-aħħar sebgħin (70) sena u cioè sa mis-sena 1934, meta Albert V. Mallia kien ġie appuntat bħala l-ewwel aġent tagħha. Illum, u sa mill-1 ta' Lulju tas-sena 1986, l-aġent tas-soċjetà esponenti f'Malta hija s-soċjetà Dingli Co. International Ltd., kif rappreżentata mill-Avukat Dott. Kevin F. Dingli, illi għandha l-uffiċċju tagħha fil-fond 18/2, South Street, Valletta.

That the applicant company has been operating in Malta, through various agents, for the past seventy (70) years and that is since the year 1934, when Albert V. Mallia had been appointed as its first agent. Today, and since the 1st July 1986, the agent of the applicant company in Malta is the company Dingli Co. International Ltd., as represented by Advocate Doctor Kevin F. Dingli, whose office premises are at 18/2, South Street, Valletta.

Illi s-soċjetà esponenti topera fil-kamp ta' l-amministrazzjoni tad-drittijiet ta' l-awtur fix-xogħlijiet mużikali illi jaqgħu fir-ripertorju tagħha, kif ukoll fir-ripertorju ta' dawk is-soċjetajiet l-oħra kollha affiljati magħha, relattivament fir-rigward tad-dritt esklussiv tal-kontroll f'Malta ta' l-attijiet ristrettivi tax-xandir, tax-xandir mill-ġdid, tal-komunikazzjoni lill-pubbliku kif ukoll tal-wirja lill-pubbliku ta' l-istess xogħlijiet mużikali.

That applicant company operates in the field of the administration of copyright in the musical works which fall within its repertoire, as well as within the repertoire of those other companies affiliated with it, relatively with respect to the exclusive right to the control in Malta of the restrictive acts of broadcasting, rebroadcasting, communication to the public and public performance of the said musical works.

Illi s-soċjetà esponenti, illi tinkludi fost il-membri tagħha l-awturi u l-kompozituri tal-mużika kollha Maltin, u illi għandha fis-seħħ a favur tagħha numru ta' kuntratti ma' soċjetajiet oħra barranin illi joperaw fil-pajjizi rispettivi tagħhom fl-istess kamp ta' l-amministrazzjoni tad-drittijiet ta' l-awtur liema kuntratti għandhom l-għan li tinkiseb ir-rappreżentazzjoni reċiproka (Dok. "PRS-5"), hija fil-fatt l-unika soċjetà illi topera u illi qatt operat hawn Malta f'dan i1-kamp - salv għal perijodu qasir qabel is-sena 1934 meta l-istess soċjetà esponenti kienet irrilaxxjat mandat a favur tas-soċjetà Taljana sabiex din tamministra 1-istess drittijiet fit-territorju ta' Malta.

That applicant company, which includes amongst its members all Maltese authors and composers of music, and which has in force in its favour a number of contracts with other foreign companies which operate in their respective countries in the same field of administration of copyright which contracts are intended to achieve reciprocal representation (Document "PRS-5"), is in fact the only company which operates and which has ever operated in Malta in this field – with the exception only of a brief period prior to 1934 when the same applicant company has granted a mandate in favour of the Italian society allowing it to administer the same rights in the territory of Malta.

Illi in segwitu tas-sħubija tagħhom mas-soċjetà esponenti, u matul iż-żmien kollu ta' tali sħubija, il-membri kollha tas-soċjetà esponenti jassenjaw a favur ta' l-istess soċjetà esponenti d-drittijiet kollha ta' l-awtur tagħhom fuq imsemmija fir-rigward tax-xogħlijiet mużikali kollha tagħhom sew preżenti kif ukoll futuri, u bis-saħħa ta' tali assenjazzjoni għalhekk is-soċjetà esponenti hija fil-qagħda illi tirrilaxxja isimha proprju dawk il-liċenzi meħtieġa skond il-liġi a favur ta' l-utenti tax-xogħlijiet mużikali tagħha, kif ukoll illi tistitwixxi f'isimha proprju dawk il-proċeduri legali kollha opportuni għat-trasgressjoni tad-drittijiet ta' l-awtur fl-istess xogħlijiet mużikali tagħha kontra kwalunkwe trasgressur ta' l-istess drittijiet.

That pursuant to their membership in the applicant company, and throughout the duration of such membership, all the members of the applicant company assign in favour of the same applicant company all their above mentioned copyright with respect to all their musical works both present and future, and in virtue of such assignment the applicant company is therefore in a position to release in its own name those licences required according to law in favour of the users of its music, as well as to institute in its own name such legal proceedings as may be appropriate for the infringement of copyright in its same musical works against any transgressor of such rights.

Illi bis-saħħa tad-diversi kuntratti li s-soċjetà esponenti għandha fis-seħħ a favur tagħha ma' soċjetajiet oħra barranin illi joperaw fil-pajjiżi rispettivi tagħhom fl-istess kamp tal-amministrazzjoni tad-drittijiet ta' l-awtur, 1-istess soċjetà esponenti tingħata liċenza mill-istess soċjetajiet oħra illi

That in virtue of the various contracts which the applicant company has in force in its favour with other foreign companies which operate in the same field of administration of copyright, the same applicant company was granted a licence by the same foreign companies pursuant to which it is

permezz tagħha hija tkun awtorizzata sabiex tamministra skond il-liġi dawk id-drittijiet ta' l-awtur f'dawk ix-xogħlijiet mużikali illi jinsabu vestiti fi-istess soċjetajiet oħrajn barranin.

Illi għalhekk is-soċjetà esponenti għandha dmirijiet u obbligazzjonijiet x'taqdi sew fir-rispett ta' l-awturi, kompożituri u pubblikaturi tal-mużika membri tagħha, fosthom l-awturi u l-kompożituri tal-mużika Maltin, fir-rigward tad-drittijiet ekonomiċi tagħhom; kif ukoll fir-rispett ta' l-amministrazzjoni hawn Malta tar-ripertorju mużikali internazzjonali illi jinsab fdat f'idejha bis-saħħa ta' liċenzji da parti tas-soċjetajiet oħrajn barranin.

Illi l-istess soċjetà esponenti tixtieq illi tibqa' topera f'Malta, bħala *'collecting society'* skond id-disposizzjonijiet rilevanti ta' l-Att dwar id-Drittijiet ta' l-Awtur (Kapitolu 415 tal-Liġijiet ta' Malta), kif ukoll ta' l-Avviż Legali Numru 425 ta' 1-2003, u b'hekk tikkonforma ruħha kompletament ma' 'l fuq imsemmija disposizzjonijiet tal-liġi illi jirregolaw il-*'collecting society'*.

Illi stante illi s-soċjetà esponenti ilha tamministra hawn Malta 'l fuq imsemmija drittijiet, proprjetà tagħha, għal diversi snin kif fuq riferit, it-talba odjerna qiegħda ssir mill-istess soċjetà esponenti mingħajr l-ebda preġudizzju għall-pożizzjoni tagħha skond il-liġi inkluži d-drittijiet proprjetarji tagħha, kif ukoll mingħajr l-ebda preġudizzju għall-operat tagħha hawn Malta sa llum, inkluż il-liċenzi kollha minnha stess maħruġa sa llum skond il-liġi u skond it-tariffi viġenti tagħha hawn Malta.

Illi a kull buon fini s-soċjetà esponenti tirrileva wkoll dik it-tariffa tagħha illi tikkonċerna l-wirja pubblika (ossia l-*'public performance'*) ta' xogħlijiet mużikali fir-ripertorju tagħha fil-ħwienet, storijiet u stabbilimenti oħra simili ("*Shops* & Stores Tariff' - Dok. **"PRS-6D")** ġiet debitament approvata mill-Uffiċċju tal-Kompetizzjoni Ġusta ai termini ta' l-Att ta' 1-1994 dwar il-Kompetizzjoni (Kapitolu 379 tal-Liġijiet ta' Malta); kif ukoll illi dawk it-tariffi tagħha illi jikkonċernaw il-wirja pubblika (ossia "il-*public perfomance*") ta' xogħlijiet mużikali fir-ripertorju tagħha fil-lukandi u stabbilimenti oħra simili ("Hotels Tariff" - Dok. "**PRS-6B")** u fir-ristoranti u stabbilimenti simili ("Restaurants Tariff - Dok. **"PRS-6C")** ġew debitament negozjati ma' u approvati mill-Malta Hotels and Restaurants Association fl-interess tal-membri tagħha.

Illi dana kollu qiegħed jingħad mis-soċjetà esponenti mingħajr ebda preġudizzju għall-fatt illi sa fejn taf l-istess soċjetà esponenti, oltre każ pjuttost antik illi kien ġie riferit quddiem

authorised to administer according to law those copyrights in those musical works which are vested in the same other foreign companies.

That therefore the applicant company has duties and obligations to perform both with regard to the authors, composers and publishers of music who are its members, including the Maltese authors and composers, with respect to their economic rights; as well as with regard to the administration in Malta of the international music repertoire which is entrusted to its hands in virtue of the licences on the part of the other foreign companies.

That the same applicant company wishes to continue operating in Malta, as a collecting society according to the relevant dispositions of the Copyright Act (Chapter 415 of the Laws of Malta), as well as of Legal Notice No. 425 of 2003, and thus conform itself completely with the aforementioned dispositions of law which regulate the collecting society.

That since the applicant company has administered here in Malta the aforementioned rights, pertaining to it in property, for a number of years as above referred, the present request is being advanced by the same applicant company without any prejudice to its position according to law as well as without any prejudice to its operations here in Malta to date, including all the licences issued by it according to law and in accordance with its current Malta tariffs.

That for all intents and purposes applicant company also reveals that its tariff which concerns the public performance of musical works within its repertoire in shops, stores and other similar establishments ("Shops & Stores Tariff" - Doc. **"PRS-6D")** had been duly approved by the Office for Fair Trading in terms of the 1994 Competition Act (Chapter 379 of the Laws of Malta); as well as the fact that its tariffs concerning the public performance of musical works within its repertoire in hotels and other similar establishments ("Hotels Tariff" - Doc. **"PRS-6B")** and in restaurants and other similar establishments ("Restaurants Tariff - Doc. **"PRS-6C")** had been duly negotiated with and approved by the Malta Hotels and Restaurants Association in the interest of its members.

That all of this is being said by applicant company without any prejudice to the fact that as far as the same applicant company is aware, other than for a rather old case which had

dana l-istess Bord skond il-liġi viġenti dak iż-żmien (u cioè l-Att Dwar id-Drittijiet ta' l-Awtur ta' l-1967) mil-lukanda Preluna fis-sena 1988 (Rikors Nru. 1/88) u illi għadu pendenti quddiem dana l-istess Bord sal-ġurnata tal-lum, ma teżisti l-ebda kontestazzjoni skond il-liġi fir-rigward tat-tariffi tagħha, liema tariffi huma għal kollox raġjonevoli u liema tariffi huma applikati f'Malta regolarment u ugwalment *erga omnes*.

Illi ai termini ta' l-artikolu 4(2) tal-fuq imsemmi Avviż Legali Numru 425 ta' l-2003, is-soċjetà esponenti qiegħda tannessi ma' dana r-Rikors is-segwenti dokumenti u cioè:-

1. Kopja ta' l-istatuti tagħha (immarkata bħala Dokument **"PRS-1");**

2. Kopja tar-regolamenti tagħha (immarkata bħala Dokument **"PRS-2");**

3. Kopji tat-tariffi proposti tad-drittijiet kollha li se jinġabru minnha (markati bħala Dokumenti **"PRS-6A"** sa "**PRS-6F")** liema tariffi fil-fatt jikkostitwixxu t-tariffi viġenti tagħha hawn Malta;

4. Dikjarazzjoni ta' l-għadd ta' persuni li fdawha bl-amministrazzjoni tad-drittijiet ekonomiċi tagħhom (immarkata bħala Dokument "**PRS-4");**

u

5. Lista ta' kuntratti ma' *collecting societies* oħra barranin rigward l-amministrazzjoni tad-drittijiet (markata bħala Dokument "**PRS-5").**

Għaldaqstant is-soċjetà esponenti titlob bir-rispett illi dana l-Bord jogħġbu japprovaha bħala *'collecting society',* u dana skond id-disposizzjonijiet rilevanti ta' l-Att dwar id-Drittijiet ta' l-Awtur (Kapitolu 415 tal-Liġijiet ta' Malta), kif ukoll dawk ta' l-Avviż Legali Numru 425 ta' 1-2003.

Avv. Austin Bencini

Avv. Kevin F. Dingli

P.L. Josette Attard

Applikant: Dingli Co. International Ltd.
18/2, South Street,
Valletta VLT 11

Is-16 ta' Marzu, 2004

been referred before this Board by the Preluna Hotel in about 1987 and which is still pending to date before this same Board, no contestation exists according to law with respect to its tariffs, which tariffs are completely reasonable and which tariffs are regularly and equally applied in Malta erga omnes.

That in terms of article 4(2) of the above mentioned Legal Notice No. 425 of 2003, applicant foreign company is attaching with the application the following documents and that is:

1. A copy of its statutes (marked as Document **"PRS-1");**

2. A copy of its regulations (marked as Document **"PRS-2**");

3. Copies of the proposed tariffs of all the rights which are to be collected by it (marked as Documents"**PRS-6A**" to **"PRS-6F**") - and which in fact constitute its current Malta tariffs;

4. A Declaration of the number of persons who have entrusted it with the administration of their economic rights (marked as Document **"PRS-4**");

and

5. A List of contracts with other foreign collecting societies regarding the administration of the rights (marked as Document **"PRS-5**").

Therefore the applicant respectfully requests that this Board be pleased to approve it as a collecting society, and this in accordance with the relevant dispositions of the Copyright Act (Chapter 415 of the Laws of Malta), as well as of Legal Notice No. 425 of 2003.

Adv. Austin Bencini

Adv. Kevin F. Dingli

L.P. Josette Attard

Applicant: Dingli Co. International Ltd.
18/2, South Street,
Valletta VLT 11

16th March, 2004

TARIFFA GENERALI
GENERAL TARIFF

Issehh mill-1 ta' Jannar, 2006
Effective from 1st January 2006

1 KUNDIZZJONIJIET GENERALI
GENERAL CONDITIONS

1.1 Din it-tariffa tapplika ghal wirjiet pubblici ta' muzika tutelata bid-dritt ta' l-awtur fi hdan ir-ripertorju tas-Socjeta' fil-funzjonijiet u avvenimenti go stabbiliment li ma' jaqghux taht li skop tat-tariffi l-ohra pubblikati mis-Socjeta'.
This tariff applies to performances of copyright music within the Society's repertoire at functions and events at premises which are not within the scope of other tariffs published by the Society.

1.2 Meta l-utent tal-muzika jkun applika ghal u jkun ottjena l-licenzja tas-Socjeta' qabel ma jinbdew il-wirjiet pubblici, id-dritt **normali** jigi applikat u mhallas ghall-ewwel sena tal-licenzja.
*Where the music user has applied for and obtained the Society's licence before musical performances commence, the **standard** royalty rate will be charged and payable for the first year of the licence.*

Meta l-utent tal-muzika ma jkunx applika ghal u ottjena l-licenzja tas-Socjeta' qabel ma jinbdew il-wirjiet pubblici, id-dritt l-**ghola** jigi applikat u mhallas ghall-ewwel sena tal-licenzja.
*Where the music user has not applied for and obtained the Society's licence before musical performances commence, the **higher** royalty rate will be charged and payable for the first year of the licence.*

F'kull kaz, wara l-ewwel sena tal-licenzja, id-dritt **normali** jigi applikat u mhallas.
*After the first year of the licence, in either case, the **standard** royalty rate will be charged and payable.*

1.3 It-tariffa hija pubblikata ghall-informazzjoni generali; u l-pubblikazzjoni ma' tikkostitwix offerta sabiex tinghata licenzja. Id-dritt applikabbli ghal kwalunkwe wirja jew sensiela ta' wirjiet ikun determinat mis-Socjeta' a bazi tac-cirkostanzi kollha rilevanti. B'mod partikolari, din it-tariffa mhix intiza li tkun ezawrjenti u ghal dawk il-wirjiet illi fl-opinjoni tas-Socjeta' jaqghu 'l barra minn dawk kontemplati hawn taht, rati jigu kkwotati fuq applikazzjoni.
The tariff is published for general information; publication does not constitute an offer to grant a licence. The royalty applicable to any performance or series of performances will be determined by the Society on the basis of all the relevant circumstances. In particular, this tariff is not intended to be exhaustive and for performances which in the Society's opinion fall outside those contemplated below, rates will be quoted on application

1.4 Applikant ghal licenzja jrid jaghti dik l-informazzjoni kollha mehtiega sabiex is-Socjeta' tkun tista tiddetermina d-dritt, jew skond din it-tariffa jonkella mod iehor jekk ikun il-kaz.
An applicant for a licence must give whatever information is necessary to enable the Society to determine the royalty, either in terms of this tariff or otherwise if inappropriate

1.5 HLAS TAD-DRITTIJIET
PAYMENT OF ROYALTIES

Id-drittijiet jithallsu kull sena bil quddiem fil-bidu ta' kull licenzja imbaghad f'kull data ta' tigdid skond it-tariffa kurrenti tas-Socjeta'.
Royalties are payable annually in advance at the commencement of each licence and then on each renewal date for the licence in accordance with the Society's current tariff.

1.6 **TAXXA FUQ IL-VALUR MIZJUD**
VALUE ADDED TAX

Kull Detentur ta' Licenzja taht it-tariffi tas-Socjeta' jhallas lis-Socjeta', b'zieda mad-dritt dovut, somma import ta' Taxxa Fuq il-Valur Mizjud kalkolata skond ir-rata rilevanti fuq dak id-dritt.
Every Licensee under the Society's tariffs will pay to the Society in addition to the royalty due, a sum in respect of Value Added Tax calculated at the relevant rate on the royalty payable.

1.7 **REVIZJONI GHALL-INFLAZZJONI**
INFLATION ADJUSTMENT

Is-Socjeta' zzomm id-dritt, minghajr avviz, li zzid ir-rati monetarji f'din it-tariffa minn zmien ghal zmien, basta illi kumulattivament tali zieditet ma jaqbzux zieditet kontemporanji fir-rati ufficjali tal-inflazzjoni skond kif mahruga mill-Ufficju Centrali ta' l-Istatistika . (L-Indici tal prezzijiet bl-imnut Frar 2005 = 105.33; Dicembru 2002 = 100)
The Society reserves the right, without notice, to increase the monetary rates in this tariff from time to time provided that cumulatively those increases shall not exceed contemporary increases in the official rates of inflation as issued by the Central Office of Statistics. (Retail Price Index Feb 2005 = 105.33; Dec 2002 = 100)

2	**RATI TAD-DRITTIJIET** ***ROYALTY RATES***	**Dritt oghla** ***Higher Royalty*** **(LM)**	**Dritt normali** ***Standard Royalty*** **(LM)**
2.1	**MUZIKA PPREZENTATA** ***FEATURED MUSIC***		
2.1.1	Fejn il-muzika hija prattikament id-divertiment kollu, bhal f'kuncert il-hlas ikun …….. *Where music is virtually the entire entertainment, as in a concert the charge will be .....*	12% tal- ircevuti tad-dhul *of admission receipts*	6% tal- ircevuti tad-dhul *of admission receipts*
	JEW (jekk id-dhul ma' jkunx jista' jigi accertat il-hlas ikun …. *OR (if receipts are not ascertainable) the charge will be…….*	12% tal-pagamenti lill-artisti *of payments to performers*	6% *tal-pagamenti lill-artisti* of payments to performers
	JEW (jekk il-pagamenti ma' jkunux jistghu jigu accertati) *OR (if payments are not ascertainable)*		
	Il-hlas ghal kull avveniment ghal kull kapacita' ta' 25 persuna jew ghal kull kejl ta' 37.5m2 tal-lokal ikun … *the charge per event per 25 persons capacity or per 37.5m2 of the venue will be……..*	1.38	0.69
	Il-hlas minimu ghal Permess jew ghal serje ta' mhux aktar minn tlett avvenimenti jkun ……. *The minimum charge for a Permit or for a series of not more than three events will be……*	42.60	21.30

2.1.2	Fejn il-muzika hija important izda ma' tkunx l-uniku mezz ta' divertiment bhal fiz-zfin, diskoteki, cinema u ohrajn simili, il-hlas ikun..….. *Where music is important but not the sole entertainment as in dances, discos, cinemas and the like, the charge will be ……*	6% tad-dhul kollu *of turnover*	3% tad-dhul kollu *of turnover*
	JEW (jekk id-dhul kollu* ma jkunx jista' jigi accertat) il-hlas ikun *OR (if turnover * is not ascertainable) the charge will be……*	6% tal-pagamenti lill-muzicisti *of payments to musicians*	3% tal-pagamenti lill-muzicisti *of payments to musicians*
	JEW (jekk il-pagamenti ma jkunux jistghu jigu accertati) *OR (if payments are not ascertainable)*		
	Il-hlas ghal kull avveniment ghal kull kapacita' ta' 25 persuna jew ghal kull kejl ta' 37.5m2 tal-lokal ikun … *the charge per event per 25 persons capacity or per 37.5m2 of the Venue, will be*	0.88	0.44
	Il-hlas minimum ghal Permess jew ghal serje ta' mhux aktar minn tlett avvenimenti jkun …… *The minimum charge for a Permit or for a series of not more than three events will be .....……..*	33.84	16.92
	NOTA: il-'Cabaret' taqa' f' din il-kategorija, izda tista' titqies ghall-hlas taht il-kap 2.1.1 imsemmi aktar il-fuq f'kaz illi jkun hemm uzu sostanzjali tar-ripertorju tal-PRS. *NOTE: Cabaret would come into this category, but could be charged under item 2.1.1 above if there is a very substantial use of the PRS repertoire.*		
	Il-fuq imsemmija rata ghal kull avveniment ghandha tigi applikata ghal klassijiet tal-'aerobics' u tal-'keep fit.' *The above per event rate should be applied to aerobic & keep fit classes*.		
	* "dhul kollu" ifisser id-dhul skond ricevuti mill-ammissjoni u mis-shubija kif ukoll mill-bejh ta' ikel u xorb. ** "turnover" means admission and membership receipts and sales of food and drink*		
2.1.3	Wirjiet tal-'karaoke' u kwizzijiet tal-muzika fi stabilimenti bi: *Karaoke Performances & music quizzes, in premises with:*		
	Sa 15 il-siggu / 30m2 ……. *Up to 15 seats/30m2 .....……..*	112.80	56.40
	Bejn 16-40 il-siggu / 31-100m2 ……... *Between 16-40 seating/31-100m2.....*	225.58	112.79
	Kull 20 siggu addizzjonali / 50m2 …… *Each additional 20 seats/50m2 .....*	112.80	56.40

3	**MUZIKA OKKAZZJONALI JEW GHAD-DIVERTIMENT** (Attivitajiet Socjali, wirjiet tal-moda u wirjiet kulturali) ***OCCASIONAL OR AMUSEMENT MUSIC*** *(Socials, fashion and culture shows etc.)*		
	Il-hlas Il-hlas ghal kull avveniment ghal kull kapacita' ta' 25 persuna jew ghal kull kejl ta' 37.5m2 tal-lokal ikun …… *The charge per event for each 25 persons capacity or per 37m2 or the venue, will be* .....……	0.75	0.37
	Il-hlas minimum ghal Permess jew ghal serje ta' mhux aktar minn tlett avvenimenti jkun …… *The minimum charge for a Permit or for a series of not more than three events will be* .....……	28.81	14.40
4	**MUZIKA INCIDENTALI JEW MEKKANIKA** ***BACKGROUND OR MECHANICAL MUSIC***		
	ID-DRITT ANNWALI GHAL KULL KAMRA GHAL WIRJIET PUBBLICI PERMEZZ TAS-SEGWENTI IKUN:- ***THE ANNUAL ROYALTY PER ROOM FOR PERFORMANCES BY THE FOLLOWING IS:-***		
4.1	Radju ewlieni ta' l-idejn jew 'radio cassette player' minghajr l-estensjoni ta' xi 'speakers' *Single portable transistor or radio cassette player with no extension speakers:*		
	Sa 15 il-siggu / 30m2 …… *Up to 15 seats/30m2* .....……	32.60	16.30
	Bejn 16-40 il-siggu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	70.20	35.10
	Kull 20 siggu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	25.06	12.53
4.2	Televizjoni u/jew Vidjo bi skerma mhux akbar minn 26":- *Television and/or Video with a screen no greater than 26":....*		
	Sa 15 il-siggu / 30m2 …… *Up to 15 seats/30m2* .....……	33.84	16.92
	Bejn 16-40 il-siggu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	70.20	35.10
	Kull 20 siggu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	25.06	12.53
4.3	Televizjoni u/jew Vidjo bi skerma akbar minn 26": *Television and/or Video with a screen greater than 26":*		

	Sa 15 il-siggu / 30m2 ……. *Up to 15 seats/30m2*	70.20	35.10
	Bejn 16-40 il-siggu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	141.61	70.81
	Kull 20 siggu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	51.38	25.69
4.4	'Monitors' bi *Monitors with:*		
	Sa 15 il-siggu / 30m2 ……. *Up to 15 seats/30m2*	70.20	35.10
	Bejn 16-40 il-siggu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	169.22	84.61
	Kull 20 siggu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	70.20	35.10
4.5	Televizjoni terrestriju bis-Satellita/facilita' tal-fili (minghajr vidjo) *Terrestrial Television with Satellite/Cable facility (without video).*		
	Sa 15 il-siggu / 30m2 ……. *Up to 15 seats/30m2*	45.12	22.56
	Bejn 16-40 il-siggu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	90.23	45.12
	Kull 20 siggu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	32.60	16.30
4.6	Apparat muzikali tas-satellita/tal-fili bl-awdjo biss (bi 'speakers' li jinhadmu indipendentement minn kull strument iehor) *Audio only satellite/cable music device (with self-powered speakers independent of any other instrument).*		
	Sa 15 il-siggu / 30m2 ……. *Up to 15 seats/30m2*	125.32	62.66
	Bejn 16-40 il-siggu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	250.65	125.32
	Kull 20 siggu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	90.23	45.12
4.7	'Audio Juke Box' bi *Audio Juke Box with:*		
	Sa 15 il-siggu / 30m2 ……. *Up to 15 seats/30m2*	70.20	35.10

	Bejn 16-40 il-siggu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	140.36	70.18
	Kull 20 siggu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	50.13	25.06
4.8	'Video Juke Box' bi *Video Juke Box with:*		
	Sa 15 il-siggu / 30m2 ……. *Up to 15 seats/30m2* .....……..	92.73	46.36
	Bejn 16-40 il-siggu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	185.50	92.75
	Kull 20 siggu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	66.42	33.21
4.9	Mezzi ohra (jigifieri CD, 'record player', 'tape player', radju) bi*:* *Other means (i.e. CD, Record, Tape Player or Radio) with:*		
	Sa 15 il-siggu / 30m2 ……. *Up to 15 seats/30m2* .....……..	50.13	25.06
	Bejn 16-40 il-siggu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	101.51	50.75
	Kull 20 siggu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	50.13	25.06

BASTA LI:
PROVIDED THAT*:*

Fejn l-udjenza potenzjali hija bil-qieghda, il-kapacita' tas-siggijiet (jew, fil kaz ta' fabbriki jew ufficji mhux miftuha ghall-pubbliku, in-numru tal-impjegati) ikun il-kriterju.
Where potential audience is seated, the seating capacity (or, for factories or offices not open to the public the number of employees) will be the criterion.

Fejn l-udjenza potenzjali mhiex bil-qieghda, jintuza l-ispazju tas-smiegh fil-kamra imkejjel minn hajt sa hajt.
Where the potential audience is not seated the area of audibility of the room measured wall to wall will be used.

Fejn zewg strumenti jew aktar differenti imsemmija f'din is-sezzjoni jkunu jinstemghu **fl-istess kamra,** l-oghla hlas b'rispett ghal dik il-kamra tigi applikata kollha kemm hi izda l-hlasijiet l-ohra jigu ridotti bin-nofs.
*Where two or more different kinds of instruments mentioned in this section are audible in the **same room**, the highest of the charges in respect of that room will apply in full but the other or others will be halved*

Fejn l-istabiliment ikun miftuh biss ghal stagjun limitat matul kull sena, id-dritt annwali jkun aggustat permezz ta' riduzzjoni proporzjonali u b'zdieda ta' 15% fuq l-ammont kif ridot*t*
Where the premises are open only during a limited season in each year, the annual royalty is adjusted by a proportionate reduction and by an addition of 15% of the reduced amount.

5	**MAGNI TAD-DIVERTIMENT.** ***AMUSEMENT MACHINES***		
	Kompjuter, Vidjo u ohrajn, li jdoqqu toni muzikali bla waqfien jew 'stings' muzikali *Computer, Video and other playing intermittent tunes or musical "stings"*		
	ID-DRITT ANNWALI GHAL KULL MAGNA HUWA ***THE ANNUAL ROYALTY PER MACHINE IS***	50.13	25.06
6	**AJRUPLANI** ***AIRCRAFT***		
	Id-dritt ghal kull 500 siegha passiggier ta' muzika mdaqqa jigi kkalkulat bir-rata ta' …… *The royalty per 500 passenger hours of music played is calculated at the rate of……..……..*	8.01	4.00
6.1	**KALKOLU TAD-DRITT** ***COMPUTATION OF ROYALTY CHARGE***		
6.1.1	Muzika fi tlugh u nzu*l* *Take off and landing music*		
	Id-durata tal-uzu tal-muzika wzata waqt it-tlugh u l-inzul jitqies bhala 15 il-minuta ghal kull passiggier *The duration of music usage during take off and landing is taken as 15 minutes per passenger.*		
	e.z. Kalkulazzjoni bl-oghla dritt ghal kull 500 siegha passiggier *e.g. Calculation at Higher Royalty charge per 500 passenger hours*		
	F'kaz ta' ajruplan li jgorr 60,000 passiggier li ghalihom tinstema' l-muzika waqt it-tlugh u l-inzul, in-numru ta' sieghat passiggier ikun :- *In the case of an aircraft which carries 60,000 passengers to whom music is audible during take off and landing, the number of passenger hours would be:-*		
	15,000 (60,000 divizi b'4) u d-dritt annwali jkun:- *15,000 (60,000 divided by 4) and the annual royalty would be –*		
	15,000 multiplikati bl-Oghla Dritt diviza b'500 = *15,000 multiplied by royalty charge divided by 500 =*	240.22	120.11
6.1.2	**Muzika matul it-titjira** ***In flight music***		
	In-numru ta' sieghat imtajjra bil-passiggieri permezz tal-ajruplani matul is-sena jigu divizi bin-numru ta' 'stage flights' biex tipproduci medja ta' hin tad-durata tat-titjiriet, u l-medja tad-durata tat-titjiriet hija mbaghad multiplikata bin numru ta'		

	passiggieri li jisimghu il-muzika matul it-titjira. *The number of hours flown with passengers by the aircraft during the year is divided by the number of stage flights to produce an average flight duration, and the average flight duration is then multiplied by the number of passengers who listen to in flight music.* e.z. Kalkulazzjoni bl-Oghla Dritt ghal kull 500 siegha passieggier *e.g. Calculation per 500 passenger hours* F'kaz ta' ajruplan li jtir total ta' 3,500 siegha f'700'stage flights', il-medja tad-durata tat-titjiriet tkun dik ta' 5 sieghat *In the case of an aircraft flying a total of 3,500 hours, in 700 stage flights, the average flight duration would be 5 hours* Jekk in-numru ta' passiggieri illi minnhom tista' tinstema' l-muzika waqt it-titjira huwa ta'20,000 id-dritt annwali jkun *If the number of passengers to whom in flight music is audible is 20,000 the annual royalty would be* 20,000 multiplikata b'5 u multiplikata bl-Oghla Dritt diviza b'500 *20,000 multiplied by 5 multiplied by royalty charge divided by 500*	1,601.44	800.72
7	**BANED** ***BANDS***		
	Id-dritt annwali li ghandu jithallas ghal kull muzicist fost il-banda hu *The annual royalty payable per performing musician within a band is…*	2.50	1.25
8	**UZI VARJI OHRA** ***MISCELLANEOUS USES***		
8.1	Muzika 'on hold' *Music on Hold*		
	1-5 linja …….. *1 - 5 lines……*	70.20	35.10
	6-15 linja …… *6 - 15 lines.....*	99.01	49.51
	Kull 15 il-linja ohra (jew parti minnhom) …… *each 15 lines (or part thereof) thereafter.....*	28.81	14.40
8.2	'Mobile Disc Jockeys' …….. *Mobile Disc Jockeys……*	85.22	42.61
8.3	Swali ghall-Tigijiet (minghajr zfin) *Wedding Receptions (without dancing)*		

	Ghal kull avveniment ghal kull 400 persuna ta' kapacita' …… *Per event for each 400 persons capacity.....*	7.53	3.77
	Jekk l-element principali jkun iz-zfin allura r-rati that il-kap 2.1.2 ghandhom japplikaw. *If the prime element is dancing then the rates under 2.1.2. should be applied.*		
8.4	Radju u/jew 'tape player' installati fit-taxis jew fil-karozzi ghall-kiri *Radio and/or CD and/or tape player installed in taxis or hired cars……..*	28.81	14.40

DEFINIZZJONIJIET
DEFINITIONS

magni ta' divertiment (kompjuter, vidjo u ohrajn) ifissru magni maghrufa bhala, per ezempju : divertimenti bil-premijiet ; divertiment bir-rigal ; kapacita' bil-premju; magni tal-loghob, loghob iehor, 'quiz jew magni simili, kemm jekk jistghu u kemm jekk ma jkunux jistghu jigu mhaddma permezz tad-dahla ta' munita jew forma ta' munita.
amusement machines (computer, video and other) *means machines known as, for example: amusements with prizes; amusements-with-gift; skill with prize; fruit or gaming machines; games, quiz and similar machines, whether or not capable of being operated by the insertion of a coin or token.*

'audio juke box' tfisser magna (barra minn 'video juke box') ghad-daqq ta' muzika registrata u kapaci li tigi operata bid-dahla ta' munita jew forma ta' munita.
audio juke box *means a machine (other than a video juke box) for playing recorded music and capable of being operated by the insertion of a coin or token.*

muzika incidentali tfisser dik il-muzika li tindaqq permezz ta' 'CD player', 'record player', 'tape player', jew 'video player' hlief ghall-iskopijiet ta' prezentazzjoni, jew inkella 'audio juke box' jew 'video juke box', jew radju, jew sett tat-televizjoni mhaddma fil-post jew diffuzi permezz ta' 'loudspeaker' minn xi parti ohra tal-post jew minn xi sors barra l-istabbiliment.
background music m*eans music when performed by a compact disc ("CD") player, record player, tape player, or video player otherwise than for featured purposes, or radio or television set operated on the premises or diffused through a loud-speaker from another part of the premises or a source outside the premises.*

kapacita' fejn ma' hemmx mezz formali biex tigi kkalkolata l-kapacita' ta' kamra, tali kapacita' tigi meqjusa b'riferenza ghan-numru massimu ta' persuni illi jistghu ragjonevolment jigu akkommodati fil kamra, jew li huwa permess skond xi regolamenti mahruga mill-Awtoritajiet tat-Tifi tan-Nar.
capacity *where there is no formal means of calculating the capacity of a room, that capacity is assessed by reference to the maximum number of persons which can reasonably be accommodated in the room, or which is permitted under any regulation by Fire Authorities.*

muzika pprezentata tfisser muzika murija permezz ta' :-
artisti personalment, inkluzi wirjiet tal-'karaoke', jew,
'record' jew 'tape player' primarjament ghal divertiment bhal permezz ta' diskoteka, tghamir cinematografu jew 'video player'.

featured music *means music performed by:-*
performers in person, or
a record or tape-player primarily for entertainment such as by means of discotheque equipment or otherwise for dancing or in conjunction with cabaret or similar entertainment or
cinematograph equipment or video player.

wirjiet tal-'karaoke' ifissru dawk il-wirjiet moghtija minn kantanti minghajr hlas kontestwalment ma' muzika registrata prodotta specifikament, bi jew minghajr il-provizjoni ta' lirika sinkronizzata pprezentata vizwalment.
karaoke performances *means those performances given by unpaid singers in conjunction with specially produced recorded music, with or without the provision of video presented synchronised lyrics.*

centru tal-muzika jew radju 'cassette player' ifissru kombinazzjoni ta' bicciet ta' apparat kapaci li jirriproducu hoss minn aktar minn sors wiehed permezz ta' sistema wahdanija tal-hoss.
music centre or radio cassette player *means a combination of units of equipment capable of reproducing sound from more than one source through a single sound system.*

muzika 'on hold' tfisser muzika li tindaqq b'mezzi mekkanici imqabbda ma 'switchboard' tat-telefon b'tali mod li tkun tista' tinstema' minn min icempel qabel ma jitqabbad ma' estensjoni interna. Ma testendix ghal xi muzika li tista' tinstema' fuq xi numru ta' xi 'Premium Rate Service'.
music on hold *means music played by mechanical means attached to a telephone switchboard so as to be audible to incoming callers before they are connected to an internal extension. It does not extend to any music audible on any Premium Rate Service number.*

siegha passiggier ta' muzika tfisser siegha ta' muzika li tkun tista' tinstema' minn passiggier wiehed.
passenger hour of music *means one hour of music audible to one passenger.*

artisti jfissru kantanti u artisti ta' strumenti muzikali u jinkludu s-surmasti jew il-kundutturi ta' l-orkestri, irrispettivament minn jekk jikkombinaw fil-wirjiet taghhom attivitajiet ohra bhaz-zfin jew jekk jaghmluhiex ukoll ta' 'comperes'.
performers *means singers and performers of musical instruments and includes orchestra conductors or leaders, whether or not they combine in their performance other activites such as dancing or acting as comperes.*

diska, 'compact disc' jew 'tape-player' tfisser kull 'CD player', gramafon, 'tape' jew 'cassette player', jew xi mezz iehor mekkaniku ghad-daqq ta' xoghlijiet muzikali, hlief 'video player', jew mezz iehor, bhal 'juke box', kapaci li jkun operat bid-dahla ta' munita, jew forma ta' munita ohra.
record, compact disc and/or tape-player *means any gramophone, compact disc, tape or cassette-player, or other mechanical/electronic device for playing musical works, except a video player, or a contrivance, such as a juke box, capable of being operated by the insertion of a coin or token.*

ir-ripertorju tas-Socjeta' tfisser kull u kwalsiasi xoghlijiet muzikali (inkluzi xi kliem assocjati maghhom), li fir-rigward taghhom id-dritt tal-wirja pubblika fl-istess huma kkontrollati mis-Socjeta' jew minn xi wahda mis-socjetajiet f'pajjizi ohra li maghhom is-Socjeta' hija affiljata.
the Society's repertoire *means all and any musical works (including any words associated therewith), the public performing rights in which are controlled by the Society or by any of the societies in other countries with which the Society is affiliated.*

'video juke box' tfisser magna ghad-daqq ta' muzika registrata sinkronizzata bil- 'video' jew turija ohra vizwali u kapaci li tigi operata bid-dahla ta' munita jew forma ta' munita.
video juke box *means a machine for playing recorded music synchronised with video or similar visual display and capable of being operated by the insertion of a coin or token.*

'video player' tfisser kull tghamir ghall-esibizzjoni ta' videogrammi, sew jekk fuq 'tape' jew diska, hlief ghal 'video players' kapaci li jigu operati bid-dahla ta' munita jew forma ta' munita.
video player *means any equipment for exhibiting videograms, whether on tape or disc, except video players capable of being operated by the insertion of a coin or token.*

TARIFFA GHAL LUKANDI
HOTELS TARIFF

Issehh mill-1 ta' Jannar, 2006
Effective from 1st January 2006

1 KUNDIZZJONIJIET GENERALI
GENERAL CONDITIONS

1.1 Din it-tariffa tapplika ghal wirjiet pubblici ta' muzika tutelata bid-dritt ta' l-awtur fi hdan ir-ripertorju tas-Socjeta' f'lukandi, appartamenti ta' lukandi, pensjonijiet, alloggi u diversi swali fi hdan dawn il-kategoriji inkluzi ristoranti, kafejiet, swali tal-pranzu u swali ghal funzjonijiet :
This tariff applies to performances of copyright music within the Society's repertoire at hotels, hotel apartments, boarding houses, guest houses, and various rooms within these categories including restaurants, cafes, banqueting suites and function rooms

1.2 Meta l-utent tal-muzika jkun applika ghal u jkun ottjena l-licenzja tas-Socjeta' qabel ma jinbdew il-wirjiet pubblici, id-dritt **normali** jigi applikat u mhallas ghall-ewwel sena tal-licenzja.
Where the music user has applied for and obtained the Society's licence before musical performances commence, the standard royalty rate will be charged and payable for the first year of the licence.

Meta l-utent tal-muzika ma jkunx applika ghal u ottjena l-licenzja tas-Socjeta' qabel ma jinbdew il-wirjiet pubblici, id-dritt l-**ghola** jigi applikat u mhallas ghall-ewwel sena tal-licenzja.
*Where the music user has not applied for and obtained the Society's licence before musical performances commence, the **higher** royalty rate will be charged and payable for the first year of the licence.*

F'kull kaz, wara l-ewwel sena tal-licenzja, id-dritt **normali** jigi applikat u mhallas.
*After the first year of the licence, in either case, the **standard** royalty rate will be charged and payable.*

1.3 It-tariffa hija pubblikata ghall-informazzjoni generali; u l-pubblikazzjoni ma' tikkostitwix offerta sabiex tinghata licenzja. Id-dritt applikabbli ghal kwalunkwe wirja jew sensiela ta' wirjiet ikun determinat mis-Socjeta' a bazi tac-cirkostanzi kollha rilevanti. B'mod partikolari, din it-tariffa mhix intiza li tkun ezawrjenti u ghal dawk il-wirjiet illi fl-opinjoni tas-Socjeta' jaqghu 'l barra minn dawk kontemplati hawn taht, rati jigu kkwotati fuq applikazzjoni.
The tariff is published for general information; publication does not constitute an offer to grant a licence. The royalty applicable to any performance or series of performances will be determined by the Society on the basis of all the relevant circumstances. In particular, this tariff is not intended to be exhaustive and for performances which in the Society's opinion fall outside those contemplated below, rates will be quoted on application.

1.4 Applikant ghal licenzja jrid jaghti dik l-informazzjoni kollha mehtiega sabiex is-Socjeta' tkun tista tiddetermina d-dritt, jew skond din it-tariffa jonkella mod iehor jekk ikun il-kaz.
An applicant for a licence must give whatever information is necessary to enable the Society to determine the royalty, either in terms of this tariff or otherwise if inappropriate

1.5 HLAS TAD-DRITTIJIET
PAYMENT OF ROYALTIES

Id-drittijiet jithallsu kull sena bil quddiem fil-bidu ta' kull licenzja imbaghad f'kull data ta' tigdid skond it-tariffa kurrenti tas-Socjeta'.
Royalties are payable annually in advance at the commencement of each licence and then on each renewal date for the licence in accordance with the Society's current tariff.

1.6 **TAXXA FUQ IL-VALUR MIZJUD**
VALUE ADDED TAX

Kull Detentur ta' Licenzja taht it-tariffi tas-Socjeta' jhallas lis-Socjeta', b'zieda mad-dritt dovut, somma import ta' Taxxa Fuq il-Valur Mizjud kalkolata skond ir-rata rilevanti fuq dak id-dritt.
Every Licensee under the Society's tariffs will pay to the Society in addition to the royalty due, a sum in respect of Value Added Tax calculated at the relevant rate on the royalty payable.

1.7 **REVIZJONI GHALL-INFLAZZJONI**
INFLATION ADJUSTMENT

Is-Socjeta' zzomm id-dritt, minghajr avviz, li zzid ir-rati monetarji f'din it-tariffa minn zmien ghal zmien, basta illi kumulattivament tali ziediet ma jaqbzux ziediet kontemporanji fir-rati ufficjali tal-inflazzjoni skond kif mahruga mill-Ufficju Centrali ta' l-Istatistika. (L-Indici tal prezzijiet bl-imnut Frar 2005 = 105.33; Dicembru 2002 = 100)
The Society reserves the right, without notice, to increase the monetary rates in this tariff from time to time provided that cumulatively those increases shall not exceed contemporary increases in the official rates of inflation as issued by the Central Office of Statistics. (Retail Price Index Feb 2005 = 105.33; Dec 2002 = 100)

2	**RATI TAD-DRITTIJIET** ***ROYALTY RATES***	**Dritt oghla** ***Higher Royalty*** **(LM)**	**Dritt normali** ***Standard Royalty*** **(LM)**
2	**MUZIKA PPREZENTATA** ***FEATURED MUSIC***		
2.1	Ghal wirjiet 'live' il-hlas ikun …….. *For live performances the charge will be……*	12% tal- pagamenti lill-artisti. *payments to performers*	6% tal- pagamenti lill-artisti. *payments to performers*
2.2	Ghal wirjiet ipprezentati ohra bhala zifniet, diskoteki, karaoke ecc., il-hlas ikun …… *For other featured performances such as dances, discotheques, karaoke etc the charge will be……..*	6% tad-dhul kollu *of turnover*	3% tad-dhul kollu *of turnover*
	JEW (jekk il-pagamenti lill-artisti jew l-ircevuti tad-dhul ma' jkunux jistghu jigu accertati) *OR (if payments to performers or admission receipts are not ascertainable)* Il-hlas ghal kull avveniment ghal kull kapacita' ta' 25 persuna jew ghal kull kejl ta' 37.5m2 tal-lokal ikun ……. *The charge per event per 25 persons capacity or per 37.5m^2 of the venue will be……..*	0.87	0.43
	Il-hlas minimu ghal Permess jew ghal serje ta' mhux aktar minn tlett avvenimenti jkun …….. *The minimum charge for a Permit or for a series of not more than three events will be……*	33.12	16.56

3	**MUZIKA INCIDENTALI GEWWA HWIENET TAX-XORB, RISTORANTI, SWALI, HWIENET TAX-XAHAR, GIMNAZJI U L-PARTIJIET KOLLHA KOMUNI** ***BACKGROUND MUSIC IN BARS, RESTARAUNTS, LOUNGES, HAIRDRESSING SALONS, GYMS AND ALL COMMON AREAS***		
	Id-dritt annwali ghal kull siggu / post f'kull kamra jkun …… *The annual royalty per seat/cover per room will be……*	2.21	1.11
4	**MUZIKA INCIDENTALI FI KMAMAR TAS-SODDA GEWWA LUKANDI, KURIDURI U SWALI TA' RICEVIMENT** ***BACKGROUND MUSIC IN HOTEL BEDROOMS CORRIDORS & FOYERS***		
4.1	LUKANDI b'5 STILEL :- 5 STAR HOTELS:-		
	Id-dritt annwali ghal kull sodda jkun …….. *The annual royalty per bed will be……..*	3.58	1.79
4.2	LUKANDI b'4 STILEL :- 4 STAR HOTELS:-		
	Id-dritt annwali ghal kull sodda jkun …….. *The annual royalty per bed will be……..*	3.37	1.69
4.3	LUKANDI bi'3 STILEL u ANQAS :- 3 STAR HOTELS AND BELOW:-		
	Id-dritt annwali ghal kull sodda jkun …….. *The annual royalty per bed will be……..*	3.16	1.58

DEFINIZZJONIJIET
DEFINITIONS

'audio juke box' tfisser magna (barra minn 'video juke box') intiza ghad-daqq ta' muzika registrata u li tkun tista' tigi mhaddma permezz tad-dahla ta' munita jew forma ta' munita.
audio juke box *means a machine (other than a video juke box) for playing recorded music and capable of being operated by the insertion of a coin or token*.

muzika incidentali tfisser dik il-muzika li tindaqq permezz ta' 'compact disc player', 'record player', 'tape player', jew 'video player' hlief ghall-iskopijiet ta' prezentazzjoni, jew inkella 'audio juke box' jew 'video juke box', jew radju, jew sett tat-televizjoni mhaddma fil-post jew diffuzi permezz ta' 'loudspeaker' minn xi parti ohra tal-post jew minn xi sors barra l-istabbiliment.
background music *means music when performed by compact disc player, record player, tape player, or video player otherwise than for featured purposes, or audio juke box or video juke box, or radio or television set operated on the premises or diffused through a loud-speaker from another part of the premises or a source outside the premises*.

kapacita' fejn ma' hemmx mezz formali biex tigi kkalkolata l-kapacita' ta' kamra, tali kapacita' tigi meqjusa b'riferenza ghan-numru massimu ta' persuni illi jistghu ragjonevolment jigu akkommodati fil kamra, jew li huwa permess skond xi regolamenti mahruga mill-Awtoritajiet tat-Tifi tan-Nar.
capacity *where there is no formal means of calculating the capacity of a room, that capacity is assessed by reference to the maximum number of persons which can reasonably be accommodated in the room, or which is permitted under any regulation by Fire Authorities*.

muzika pprezentata tfisser muzika murija permezz ta' :-
artisti personalment, inkluzi wirjiet tal-'karaoke', jew, 'record' jew 'tape player' primarjament ghal divertiment bhal permezz ta' diskoteka, tghamir cinematografu jew 'video player'.
featured music *means music performed by:-*
performers in person, including karaoke performances, or
a record or tape-player primarily for entertainment such as by means of discotheque equipment or otherwise for dancing or in conjunction with cabaret or similar entertainment or
cinematograph equipment or video player.

wirjiet tal-'karaoke' ifissru dawk il-wirjiet moghtija minn kantanti minghajr hlas kontestwalment ma' muzika registrata prodotta specifikament, bi jew minghajr il-provizjoni ta' lirika sinkronizzata pprezentata vizwalment.
karaoke performances *means those performances given by unpaid singers in conjunction with specially produced recorded music, with or without the provision of video presented synchronised lyrics*.

artisti jfissru kantanti u artisti ta' strumenti muzikali u jinkludu s-surmasti jew il-kundutturi ta' l-orkestri, irrispettivament minn jekk jikkombinaw fil-wirjiet taghhom attivitajiet ohra bhaz-zfin jew jekk jaghmluhiex ukoll ta' 'comperes'.
performers *means singers and performers of musical instruments and includes orchestra conductors or leaders, whether or not they combine in their performance other activites such as dancing or acting as comperes.*

diska, 'compact disc' jew 'tape-player' tfisser gramafon, 'compact disc', 'tape' jew 'cassette player', jew xi mezz iehor mekkaniku ghad-daqq ta' xoghlijiet muzikali, hlief 'video player', jew mezz iehor, bhal 'juke box', kapaci li jkun operat bid-dahla ta' munita, forma ta' munita, jew karta.
record, compact disc or tape-player *means any gramophone, compact disc, tape or cassette-player, or other mechanical/electronic contrivance for playing musical works, except a video player, or a contrivance, such as a juke box, capable of being operated by the insertion of a coin, token or card.*

ir-ripertorju tas-Socjeta' tfisser kull u kwalsiasi xoghlijiet muzikali (inkluzi xi kliem assocjati maghhom), li fir-rigward taghhom id-dritt tal-wirja pubblika fl-istess huma kkontrollati mis-Socjeta' jew minn xi wahda mis-socjetajiet f'pajjizi ohra li maghhom is-Socjeta' hija affiljata.
the Society's repertoire *means all and any musical works (including any words associated therewith), the public performing rights in which are controlled by the Society or by any of the societies in other countries with which the Society is affiliated.*

dhul kollu ifisser id-dhul skond ricevuti mill-ammissjoni u mis-shubija kif ukoll mill-bejh ta' ikel u xorb.
turnover *means admission and membership receipts and sales of food and drink*

'video player' tfisser kull tghamir ghall-esibizzjoni ta' videogrammi, sew jekk fuq 'tape' jew diska, hlief ghal 'video players' kapaci li jigu operati bid-dahla ta' munita jew forma ta' munita.
video player *means any equipment for exhibiting videograms, whether on tape or disc, except video players capable of being operated by the insertion of a coin or token.*

'video juke box' tfisser magna ghad-daqq ta' muzika registrata sinkronizzata bil- 'video' jew turija ohra vizwali u kapaci li tigi operata bid-dahla ta' munita jew forma ta' munita.
video juke box *means a machine for playing recorded music synchronised with video or similar visual display and capable of being operated by the insertion of a coin or token*.

TARIFFA GHAL RISTORANTI
RESTAURANTS TARIFF

Issehh mill-1 ta' Jannar, 2006
Effective from 1st January 2006

1 **KUNDIZZJONIJIET GENERALI**
GENERAL CONDITIONS

1.1 Din it-tariffa tapplika ghal wirjiet pubblici ta' muzika tutelata bid-dritt ta' l-awtur fi hdan ir-ripertorju tas-Socjeta f'ristoranti, kaffetieri, hwienet tax-xorb u stabilimenti simili
This tariff applies to performances of copyright music within the Society's repertoire at restaurants, cafes, snack bars and other similar premises

1.2 Meta l-utent tal-muzika jkun applika ghal u jkun ottjena l-licenzja tas-Socjeta' qabal ma jinbdew il-wirjiet pubblici, id-dritt normali jigi applikat u mhalas ghall-ewwel sena tal-licenzja
Where the music user has applied for and obtained the Society's licence before musical performances commence, the standard royalty rate will be charged and payable for the first year of the licence.

Meta l-utent tal-muzika ma jkunx applika ghal u ottjena l-licenzja tas-Socjeta' qabel ma jinbdew il-wirjiet pubblici, id-dritt l-ghola jigi applikat u mhallas ghall-ewwel sena tal-licenzja.
Where the music user has not applied for and obtained the Society's licence before musical performances commence, the higher royalty rate will be charged and payable for the first year of the licence.

F'kull kaz, wara l-ewwel sena tal-licenzja, id-dritt normali jigi applikat w imhallas.
After the first year of the licence, in either case, the standard royalty rate will be charged and payable.

1.3 It-tariffa hija pubblikata ghall-informazzjoni generali; u il-pubblikazzjoni ma' tikkonstitwix offerta sabiex tinghata licenzja. Id-dritt applikabbli ghal kwalunkwe wirja jew sensiela ta' wirjiet jkun determinat mis-Socjeta' a bazi ta' cirkostanzi kollha rilevanti. B'mod partikolari, din it-tariffa mhix intiza li tkun ezawrenti w ghal dawk il-wirjiet illi fl'opinjoni tas-Socjeta' jaqghu 'l-barra minn dawk kontemplati hawn taht, rati jigu kkwotati fuq applikazzjoni
The tariff is published for general information; publication does not constitute an offer to grant a licence. The royalty applicable to any performance or series of performances will be determined by the Society on the basis of all the relevant circumstances. In particular, this tariff is not intended to be exhaustive and for performances which in the Society's opinion fall outside those contemplated below, rates will be quoted on application.

1.4 Applikant ghal licenzja irid jaghti dik l-informazzjoni kollha mehtiega sabiex is-Socjeta' tkun tista tiddetermina d- dritt, jew skond din it-tariffa jew inkella mod iehor jekk ikun il-kaz.
An applicant for a licence must give whatever information is necessary to enable the Society to determine the royalty, either in terms of this tariff or otherwise if inappropriate.

1.5 **HLAS TAD-DRITTIJIET**
PAYMENT OF ROYALTIES
Id-drittijiet jithallsu kull sena bil quddiem ta' kull licenzja imbaghad f'kull data ta' tigdid skond it-tariffa kurrenti tas-Socjeta'
Royalties are payable annually in advance at the commencement of each licence and then on each renewal date for the licence in accordance to the Society's current tariff.

1.6 **TAXXA FUQ IL-VALUR MIZJUD**
VALUE ADDED TAX

Kull Detentur ta' Licenzja taht it-tariffi tas-Socjeta' jhllas lis-Socjeta', b'zieda mad-dritt dovut, soma import ta' Taxxa Fuq il-Valur Mizjud kalkolata skond ir-rata rilevanti fuq dak id-dritt
Every Licensee under the Society's tariffs will pay to the Society in addition to the royalty due, a sum in respect of Value Added Tax calculated at the relevant rate on the royalty payable.

1.7 **REVIZJONI GHALL-INFLAZZJONI**
INFLATION ADJUSTMENT

Is-Socjeta' zzomm id-dritt, minghajr avviz, li zzid ir-rati monetarji f'din it-tariffa minn zmien ghal zmien, basta illi kumulattivament tali ziediet ma jaqbzux ziediet kontemporanji fir-rati ufficjali tal-inflazzjoni skond kif mahruga mill-Ufficju Centrali ta' l-Istatistika. (L-Indici tal prezzijiet bl-imnut Frar 2005 = 105.33; Dicembru 2002 = 100)
The Society reserves the right, without notice, to increase the monetary rates in this tariff from time to time provided that cumulatively those increases shall not exceed contemporary increases in the official rates of inflation as issued by the Central Office of Statistics. (Retail Price Index Feb 2005 = 105.33; Dec 2002 = 100)

2	**RATI TAD-DRITTIJIET** ***ROYALTY RATES***	**Dritt oghla** ***Higher Royalty*** **(LM)**	**Dritt normali** ***Standard Royalty*** **(LM)**
2.1	**MUZIKA PPREZENTATA** ***FEATURED MUSIC***		
2.1	Ghal wirjiet 'live' Il-hlas ikun ……... *For live performances the charge will be……*	12% tal- pagamenti lill-artisti. *payments to performers*	6% tal- pagamenti lill-artisti. *payments to performers*
2.2	Ghal wirjiet ipprezentati ohra bhala zifjiet, diskoteki, karaoke &c., il-hlas ikun …… *For other featured performances such as dances, discotheques, karaoke etc the charge will be……..*	6% tad-dhul kollu *of turnover*	3% tad-dhul kollu *of turnover*
	JEW (jekk il-pagamenti lill-artisti jew l-ircevuti tad-dhul ma' jkunux jistghu jigu accertati) *OR (if payments to performers or admission receipts are not ascertainable)*		
	Il-hlas ghal kull avveniment ghal kull kapacita' ta' 25 persuna jew ghal kull kejl ta' 37.5m2 tal-lokal ikun …… *the charge per event per 25 persons capacity or per 37.5m^2 of the venue will be……*	0.87	0.43
	Il-hlas minimu ghal Permess jew ghal serje ta' mhux aktar minn tlett avvenimenti jkun…… *The minimum charge for a Permit or for a series of not more than three events will be……*	33.12	16.56

3	**MUZIKA INCIDENTALI** ***BACKGROUND MUSIC*** Id-dritt annwali ghal kull siggu/post kull kamra jkun: *The annual royalty per seat/cover per room will be:-*		
3.1	Televizjoni u/jew Vidjo …… *Television and/or Video*……	2.42	1.21
3.2	'Audio Juke Box' …… *Audio Juke Box*……	3.16	1.58
3.3	'Video Juke Box' …… *Video Juke Box* ……	4.21	2.11
3.4	CD/Tape/Record Player u/jew Radju …… *CD/Tape/Record Player and/or Radio* ……	2.21	1.11
3.5	Fejn zewg strumenti jew aktar differenti imsemmija f'din is-sezzjoni jkunu jinstemghu fl-istess kamra, l-oghla hlas b'rispett ghal dik il-kamra tigi applikata kollha kemm hi izda l-hlasijiet l-ohra jigu ridotti bin-nofs. *Where two or more different kinds of instruments mentioned in this section are audible in the same room, the highest of the charges in respect of that room will apply in full but the other or others will be halved*		

DEFINIZZJONIJIET
DEFINITIONS

'audio juke box' tfisser magna (barra minn 'video juke box') ghad-daqq ta' muzika registrata u kapaci li tigi operata bid-dahla ta' munita jew forma ta' munita.
audio juke box *means a machine (other than a video juke box) for playing recorded music and capable of being operated by the insertion of a coin or token.*

muzika incidentali tfisser dik il-muzika li tindaqq permezz ta' 'CD player', 'record player', 'tape player', jew 'video player' hlief ghall-iskopijiet ta' prezentazzjoni, jew inkella 'audio juke box' jew 'video juke box', jew radju, jew sett tat-televizjoni mhaddma fil-post jew diffuzi permezz ta' 'loudspeaker' minn xi parti ohra tal-post jew minn xi sors barra l-istabbliment.
background music *means music when performed by compact disc player, record player, tape player, or video player otherwise than for featured purposes, or audio juke box or video juke box, or radio or television set operated on the premises or diffused through a loud-speaker from another part of the premises or a source outside the premises.*

kapacita' fejn ma' hemmx mezz formali biex tigi kkalkolata l-kapacita' ta' kamra, tali kapacita' tigi meqjusa b'riferenza ghan-numru massimu ta' persuni illi jistghu ragjonevolment jigi akkommodati fil kamra, jew li huwa permess skond xi regolamenti mahruga mill-Awtoritajiet tat-Tifi tan-Nar.
capacity *where there is no formal means of calculating the capacity of a room, that capacity is assessed by reference to the maximum number of persons which can reasonably be accommodated in the room, or which is permitted under any regulation by Fire Authorities.*

muzika pprezentata tfisser muzika murija permezz ta' :-
artisti personalment, inkluzi wirjiet tal-'karaoke', jew 'record' jew 'tape player' primarjament ghal divertiment bhal permezz ta' diskoteka, tghamir cinematografu jew 'video player'.

featured music *means music performed by:-*
performers in person, including karaoke performances, or
a record or tape-player primarily for entertainment such as by means of discotheque equipment or otherwise for dancing or in conjunction with cabaret or similar entertainment or
cinematograph equipment or video player.

wirjiet tal-'karaoke' ifissru dawk il-wirjiet moghtija minn kantanti minghajr hlas kontestwalment ma' muzika registrata prodotta specifikament, bi jew minghajr il-provizjoni ta' lirika sinkronizzata pprezentata vizwalment.
karaoke performances *means those performances given by unpaid singers in conjunction with specially produced recorded music, with or without the provision of video presented synchronised lyrics.*

artisti jfissru kantanti u artisti ta' strumenti muzikali u jinkludu s-surmasti jew il-kundutturi ta' l-orkestri, irrespettivament minn jekk jikkombinaw fil-wirjiet taghhom attivatajiet ohra bhaz-zfin jew jekk jaghmluhiex ukoll ta' 'comperes'.
performers *means singers and performers of musical instruments and includes orchestra conductors or leaders, whether or not they combine in their performance other activites such as dancing or acting as comperes.*

diska, 'compact disc' jew 'tape-player' tfisser gramafon, 'compact disc', 'tape' jew 'cassette player', jew xi mezz iehor mekkaniku ghad-daqq ta' xoghlijiet muzikali, hlief 'video player', jew mezz iehor bhal 'juke box', kapaci li jkun operat bid-dahla ta' munita, forma ta' munita.
record, compact disc or tape-player *means any gramophone, compact disc, tape or cassette-player, or other mechanical/electronic contrivance for playing musical works, except a video player, or a contrivance, such as a juke box, capable of being operated by the insertion of a coin, token or card.*

ir-ripertorju tas-Socjeta' tfisser kull u kwalsiasi xoghlijiet muzikali (inkluz xi kliem assocjati maghhom), li fir-rigward taghhom id-dritt tal-wirja pubblika fl-istess huma kkontrollati mis-Socjeta' jew minn xi wahda mis-socjetajiet f'pajjizi ohra li maghhom is-Socjeta' hija affiljata.
the Society's repertoire *means all and any musical works (including any words associated therewith), the public performing rights in which are controlled by the Society or by any of the societies in other countries with which the Society is affiliated.*

'dhul kollu' jfisser id-dhul skond ricevuti mill-ammissjoni u mis-shubija kif ukoll mill-bejh ta' ikel u xorb.
turnover *means admission and membership receipts and sales of food and drink*

'video player' tfisser kull taghmir ghal esibizzjoni ta' videogrammi, sew jekk fuq 'tape' jew diska, hlief ghal 'video players' kapaci li jigu operati bid-dahla ta' munita jew forma ta' munita.
video player *means any equipment for exhibiting videograms, whether on tape or disc, except video players capable of being operated by the insertion of a coin or token.*

'video juke box' tfisser magna uzata sabiex iddoqq muzika rikordjata xinkronizzata bil 'video' jew xi haga viswalment simili kapaci li tigi operata b' munita jew 'token'.
video juke box *means a machine for playing recorded music synchronised with video or similar visual display and capable of being operated by the insertion of a coin or token.*

TARIFFA GHAL HWIENET U MHAZEN
SHOPS & STORES TARIFF

Issehh mill-1 ta' Jannar, 2006
Effective from 1st January 2006

1 **KUNDIZZJONIJIET GENERALI**
GENERAL CONDITIONS

1.1 Din it-tariffa tapplika ghal wirjiet pubblici ta' muzika tutelata bid-dritt ta' l-awtur fir-ripertorju tas-Socjeta ghal hwienet tal-bejgh bl-imnut u mhazen, centri ta' negozju, 'showrooms' ta' karozzi, 'caravans' u dghajjes, hwienet tal-pompi tal-petrol u l-fetha taghhom, hwienet tal-bejgh bl-ingrossa w mobbli kif ukoll hwienet tat-twapet.
This tariff applies to performances of copyright music within the Society's repertoire at retail shops and stores, shopping mall concourses, motor, caravan and boat showrooms, service station shops and forecourts, wholesale warehouses and furniture and carpet showrooms

1.2 Meta l-utent tal-muzika jkun applika ghal u jkun ottjena l-licenzja tas-Socjeta' qabel ma jinbdew l-wirjiet pubblici, id-dritt **normali** jigi applikat u mhallas ghall-ewwel sena tal-licenzja.
*Where the music user has applied for and obtained the Society's licence before musical performances commence, the **standard** royalty rate will be charged and payable for the first year of the licence.*

Meta l-utent tal-muzika ma' *jkunx applika* ghal u ottjena l-licenzja tas-Socjeta' qabel ma jibdew l-wirjiet pubblici, id-dritt l-**ghola** jigi applikat u mhallas ghall-ewwel sena tal-licenzja.
*Where the music user has not applied for and obtained the Society's licence before musical performances commence, the **higher** royalty rate will be charged and payable for the first year of the licence.*

F'kull kaz, wara l-ewwel sena tal-licenzja, id-dritt **normali** jigi applikat u mhallas.
*After the first year of the licence, in either case, the **standard** royalty rate will be charged and payable.*

1.3 It-tariffa hija pubblikata ghall-informazzjoni generali; u l-pubblikazzjoni ma' tikkostitwix offerta sabiex tinghata licenzja. Id-dritt applikabbli ghal kwalunkwe wirja jew sensiela ta' wirjiet jkun determinat mis-Socjeta' a bazi tac-cirkostanzi kollha rilevanti. B'mod partikolari, din it-tariffa mhix intiza li tkun ezawrenti' u ghal dawk il-wirjiet illi fl-opinjoni tas-Socjeta' jaqghu 'l barra minn daqwk kontemplati hawn that, rati jigu kkwotati fuq applikazzjoni
The tariff is published for general information; publication does not constitute an offer to grant a licence. The royalty applicable to any performance or series of performances will be determined by the Society on the basis of all the relevant circumstances. In particular, this tariff is not intended to be exhaustive and for performances which in the Society's opinion fall outside those contemplated below, rates will be quoted on application.

1.4 Applikant ghal licenzja irid jaghti l-informazzjoni kollha mehtiega sabiex is-Socjeta tkun tista tiddetermina ir- royalty, jew skond din it-tariffa jew mod iehor fejn din it-tariffa ma tkunx adattata.
An applicant for a licence must give whatever information is necessary to enable the Society to determine the royalty, either in terms of this tariff or otherwise if inappropriate.

1.5 **HLAS TAD-DRITTIJIET**
PAYMENT OF ROYALTIES
Id-drittijiet jithallsu kull sena bil quddiem fil-bidu ta' kull licenzja imbaghad f'kull data ta' tigdid skond it-tariffa kurrenti tas-Socjeta'.
Royalties are payable annually in advance at the commencement of each licence and then on each renewal date for the licence in accordance to the Society's current tariff.

1.6 **TAXXA FUQ IL-VALUR MIZJUD**
VALUE ADDED TAX
Kull Detentur ta' Licenzja that it-tariffi tas-Socjeta' jhallas lis-Socjeta', b'zieda mad-dritt dovut, soma import ta' Taxxa Fuq il-Valur Mizjud kalkolata skond ir-rata rilevanti fuq dak id-dritt.
Every Licensee under the Society's tariffs will pay to the Society in addition to the royalty due, a sum in respect of Value Added Tax calculated at the relevant rate on the royalty payable.

1.7 **REVIZJONI GHALL-INFLAZZJONI**
INFLATION ADJUSTMENT
Is-Socjeta' zzom id-dritt, minghajr avviz, li zzid ir-rati monetarji f'din it-tariffa minn zmien ghal zmien, basta illi kumulattivament tali ziediet ma jaqbzux ziediet kontemporanji fir-rata ufficjali tal-inflazzjoni skond kif mahruga mill-Ufficju Centrali ta' l-Istatistika (L-Indici tal prezzijiet bl-imnut Frar 2005 = 105.33; Dicembru 2002 = 100)
The Society reserves the right, without notice, to increase the monetary rates in this tariff from time to time provided that cumulatively those increases shall not exceed contemporary increases in the official rates of inflation as issued by the Central Office of Statistics. (Retail Price Index Feb 2005 = 105.33; Dec 2002 = 100)

2 **RATI TAD-DRITTIJIET**
ROYALTY RATES

MUZIKA INCIDENTALI GEWWA HWIENET, MHAZEN U CENTRI TA' NEGOZJU, KEMM JEKK DIN TINDAQQ B'MEZZ TA' 'RECORD PLAYERS' 'TAPE PLAYERS' 'CD PLAYERS' JEW RADJU JEW TELEVIZJONI.
BACKGROUND MUSIC IN SHOPS, STORES AND SHOPPING MALL CONCOURSES, WHETHER PERFORMED BY MEANS OF RECORD PLAYERS, TAPE PLAYERS, CD PLAYERS OR RADIOS OR TELEVISIONS

Muzika mekkanika permezz ta' diska jew 'tape' jew 'CD player', radju jew televizjoni ir-rata annwali tkun:
Mechanical music only by record or tape or CD player, radio or television the annual charge is:

Ghal kull kejl ta' :-
Area in Square Metres where music audible:-

		Dritt oghla *Higher Royalty* (LM)	Dritt normali *Standard Royalty* (LM)
	Sa'/Up to 30 m2 ……	40.99	20.50
Minn/From	31 sa'/to 100 ……	84.20	42.10
	101 sa'/to 200……	126.30	63.15
	201 sa'/to 300……	177.26	88.63
	301 sa'/to 500……	221.58	110.79
	501 sa'/to 750……	265.90	132.95
	751 sa'/to 1,000……	310.21	155.11
	1,001 sa'/to 1,250……..……	354.53	177.26
	1,251 sa'/to 1,500……	398.85	199.42
	1,501 sa'/to 1,750……	443.16	221.58
	1,751 sa'/to 2,000……	487.48	243.74
	2,001 sa'/to 2,500……	531.79	265.90
	2,501 sa'/to 3,000……...…….	576.11	288.06

Fejn l-uniku mezz ta' xoghol muzikali fl-istabiliment licenzjat huwa ta' 'single portable transistor', 'radju' bil jew minghajr 'tape player' inkorporat gewwa radju w bi 'speaker' jew 'speakers' inkorporati, jew 'single television receiver' bi skrin mhux akbar min 26" id-dritt annwali jkun ta':-		
PROVIDED THAT:		
Where two or more different kinds of instruments mentioned in this section are audible in the same room, the highest of the charges in respect of that room will apply in full but the other or others will be halved	26.59	13.29
Where the sole means of performance on the licensed premises is a single portable transistor radio, with or without a tape player incorporated in it and with wholly integrated speaker or speakers, or a single television receiver with a screen no greater than 26" then the annual royalty is.....		

DEFINIZZJONIJIET
DEFINITIONS

muzika incidentali tfisser dik il-muzika li tindaqq permezz ta' 'CD player', 'record player', 'tape player', jew 'video player' hlief ghall-iskopijiet ohrajn bhal muzika pprezentata, jew radju, jew sett ta' televizjoni fil post jinstema minn 'loudspeaker' minn xi parti ohra tal-post jew b'mezz iehor minn barra li-stabiliment.
background music *means music when performed by a record player, tape player, or CD player otherwise than for featured purposes, or radio or television set operated on the premises or diffused through a loud-speaker from another part of the premises or a source outside the premises.*

diska, 'compact disc' jew 'tape-player' tfisser gramafon, 'CD', 'tape' jew 'cassette player', jew xi mezz iehor mekkaniku ghad daqq ta' xoghlijiet muzikali, hlief 'video player', jew mezz iehor bhal 'juke box', kapaci li jkun operat bid-dahla ta' munita, jew forma ta' munita ohra.
record CD and/or tape-player *means any gramophone, CD, tape or cassette-player, or other mechanical contrivance for playing musical works, except a video player, or a contrivance, such as a juke box, capable of being operated by the insertion of a coin or token.*

Kejl tal-hanut ifisser il-kejl min hajt sa' hajt tal post kollu fejn il-pubbliku ghandu access li jisma il-muzika.
shop space *means the floor area measured from wall to wall of the whole of that part of the premises to which the public are admitted and in which the music is audible.*
ir-ripertorju tas-Socjeta tfisser kull u kwalsiasi xogholijiet muzikali (inkluzi xi kliem assocjati magghom), li fir-rigward taghhom id-dritt tal-wirja pubblika fl-istess huma kkontrollati mis-Socjeta' jew minn xi wahda mis-socjetajiet f'pajjizi ohra li maghhom is-Socjeta' hija affiljata.
the Society's repertoire *means all and any musical works (including any words associated therewith), the public performing rights in which are controlled by the Society or by any of the societies in other countries with which the Society is affiliated.*

centru tal-muzika jew radju 'cassette player' jfissru kombinazzjoni ta' biccjiet ta' apparat kapaci li jirriproducu hoss minn aktar minn sors wiehed permezz ta' sistema wahdanija tal-hoss.
music centre or radio cassette player *means a combination of units of equipment capable of reproducing sound from more than one source through a single sound system.*

TARIFFA GHAL WIRJIET TA' XOGHLIJIET MUZIKALI F'CINEMATOGRAFI
TARIFF FOR CINEMATOGRAPH PERFORMANCES

(Tariffa "C")
(TARIFF "C")

Issehh mill-1 ta' Jannar, 2006
Effective from 1st January 2006

1 l-ISKOP TAT-TARIFFA
SCOPE OF THE TARIFF

Din it-tariffa t'applika ghal wirjiet pubblici ta' muzika tutelata bid-dritt ta' l-awtur fi hdan r-ripertorju tas-Socjeta' fil-funzjonijiet u avvenimenti fil-kors jew in konnessjoni ma, esibizzjoni ta' films, go 'cinemas' jew post iehor fejn isiru esibizzjonijiet regolari ta' films kummercjali ta' mhux anqas minn tlett' ijiem fil-gimgha ghal periodu ta' mhux anqas min erba' xhur fis sena, u licenzji mahruga taht dina t-tariffa jkunu jkopru dawn il-kategoriji ta' muzika pprezentata fir-ripertorju tas-Socjeta'.
This tariff shall apply to public performances of the Society's repertoire given in the course of, or in connection with, the exhibition of films, at cinemas or other premises at which the commercial exhibition of films regularly takes place on not fewer than three days weekly for a period of not less than four months during the year, and licences issued under this tariff shall cover the following categories of public performances of the Society's repertoire.

(i) akkompanjament f'esibizzjoni ta' 'films' inkluzi 'films' ta' reklami kemm jekk ir-ripertorju jintwera permezz ta' 'sound track' tal-'film' jew anke b'mod iehor;
as an accompaniment to the exhibition of films including filmed advertisements whether the repertoire is performed by means of the sound track of a film or otherwise;

(ii) xoghlijiet muzikali fl'intermissjoni, ghal-skopijiet ta 'play in', u 'play out';
performances for intermission, play in, and play out purposes;

(iii) xoghlijiet muzikali fil foyer tac-'cinema' w fi spazzju ta' dan il-bini li jaqa' taht il-kontroll tad-Detentur tal-licenzja, imwassal f'wiehed mill-'auditoria', jew muzika li tifforma parti minn attrazzjonijiet futuri, basta li l-foyer jew spazju iehor m'ghandux post iehor fejn nies joqghodu bil qieghda jew jigu servuti ikel u xorb.
performances in a cinema foyer and all other areas within the said premises under the control of the licensee, but only as a relay of music being performed in one of the auditoria or the music comprised in forthcoming attractions, provided that the foyer or other area does not have seating accommodation used for the purposes of a cafe or otherwise for the consumption of refreshments;

(iv) xoghlijiet muzikali fil-forma ta' mhux aktar minn tlett tipi ta' varjeta murija qabel, waqt jew wara kull esibizzjoni tal-programm kollu.
performances in the form of not more than three items of variety entertainments introduced before, during or after each exhibition of the complete picture programme.

2 FEJN MA' TAPPLIKAX IT-TARIFFA
EXCLUSIONS

Din it-tariffa ma' tapplikax ghal wirjiet pubblici fir-ripertorju tas-Socjeta', hlief dawk imsemmija f'paragrafu 1. hawn fuq, u kull licenzja moghtija mis-Socjeta' taht din it-tariffa hija suggetta ghal kundizzjoni li id-Detentur irid jinnotifika lis-Socjeta' kull wirja jew avveniment jew xoghol muzikali iehor mizmum fl-istabiliment licenzjat taht din it tariffa w jrid ihallas id-drittijiet kollha dovuti skond it-tariffa.
This tariff does not apply to performances of the Society's repertoire other than those expressly mentioned in paragraph 1. hereof, and any licence granted by the Society under this tariff is subject to the condition that the licensee shall notify the Society of all entertainments or events with music held at

the premises licensed under this tariff and shall pay all royalties due therefore in accordance with the appropriate tariff.

Partikolarment, u minghajr pregudizzju ghal dak kollu li intqal fil-paragrafu precedenti, din it-tariffa ma' tapplikax ghal xogholijiet muzikali fir-ripertorju tas-Socjeta' moghtija jew in konnesjoni ma' esebizzjoni fejn m'hemmx hlas ta' flus ghad-dhul, bi flus jew b'mod iehor, oltre esebizzjonijiet mehuda akkont ghall-iskop biex wiehed jikkalkula id-dhul attwali skond il-paragrafu 4 ta' din it-tariffa,
In particular, and without prejudice to the generality of the preceding sub-paragraph, this tariff does not apply to performances of the Society's repertoire given in the course of, or in connection with, entertainments to which there is no charge for admission either in money or money's worth, other than entertainments taken into account for the purpose of calculating the actual receipts in accordance with paragraph 4. hereof.

3 **DEFINIZZJONIJIET**
DEFINITIONS

Ghall-iskop ta' din it-Tariffa :
For the purpose of this tariff:

(a) "Dhul attwali" jfisser kull dhul mill-'box office' ricevut mid-Detentur matul is-sena kontabbli (barra kull element iehor f'dak li ghandu x'jaqsam mat- Taxxa fuq il-Valur Mizjud u kull pagament iehor migbur skond il-Ligi fuq ricevuti attwali) b'konnessjoni ma' kull esebizzjoni ta' films ;li taghha t'applika dina t-tariffa u, fejn id-dhul jsir b' riklam jew 'token' jew 'vouchers' minflok flus jew valur ta' dawk il-flus, fl-ammont li kieku kien jigi mhallas id-dhul normali li kien jigi mitlub.
"Actual receipts" means all box office admission charges received by the Licensee during the Accounting period (excluding any element thereof in respect of Value Added Tax and any other payments levied as a matter of law on Actual receipts) in connection with any exhibition of films to which this tariff applies and, where admission is by advertising or advertisers' tokens or vouchers in lieu of cash or otherwise paid for in money's worth, the amount which would have been paid had normal prices been charged.

(b) "Cinema site" tfisser post b'aktar minn skrin wiehed jew aktar li japparteju lill-istess sid jew operatur.
"Cinema site" means cinema premises with one or more screens owned or operated by the same person

(c) "Film" jfisser wirja fuq kull mezz min fejn stampa ticcaqlaq tkun tista tigi prodotta.
"Film" means a recording on any medium from which a moving image may by any means be produced

(d) "Money Holding Capacity" tfisser ghal kull mod ta' divertiment, is-somma kollha imhallsa ghad-dhul fuq kull siggu fl'istabbiliment fejn tali divertiment jigi mizmum, tnaqqis ta' Taxxa fuq il-Valur Mizjud, jew kull taxxa governattiva ohra jew xi impozizzjoni ta' natura simili li tkun in forza f'dak iz-zmien.
"Money Holding Capacity" means in respect of each entertainment, the aggregate of the amounts charged for admission for every seat at the premises at which the entertainment takes place, less Value Added Tax, or any other government tax or imposition of a like nature for the time being in force.

4 **NOTIFIKA ANNWALI**
ANNUAL RETURNS

Mhux anqas minn l-ahhar jum tax-xaghar meta tiskadi kull licenzja, id-Detentur taht din it-tariffa jrid jissupplixxi lis-Socjeta' rendikont mahrug minn 'accountant' kwalifikat sabiex jkun appuntat awditur ta' kumpanija pubblika jew li jigi approvat mis-Socjeta' fejn juri l-ircevuti attwali ghas-sena tal-licenzja precedenti.
Not later than the last day of the renewal month in each licence year, a Licensee under this tariff shall

furnish to the Society a statement, certified by an accountant who is qualified to be appointed auditor to a public company or who is approved by the Society showing the Actual receipts for the preceding licence year.

Jekk id-Detentur ma' jaghmilx dan, is-Socjeta' t'assessja id-drittijiet ghas-sena segwenti fuq il-'money holding capacity'.
If the licensee does not comply with this requirement the Society will assess the royalty for the next licence year on the money holding capacity

5 **DRITTIJIET ANNWALI**
ANNUAL ROYALTY

5.1	Id-dritt annwali li jithallas mid-Detentur taht din it-tariffa jkun: *The annual royalty payable by a licensee under this tariff shall be:*	1% tal-ircevuti attwali tad-Detentur *of the licensee's Actual Receipts*
5.2	Il-MINIMU ta' l-ammont tad-dritt annwali ghal kull Detentur jkun: *The MINIMUM annual royalty per licensee shall be:*	LM92.69

6 **APPLIKAZZJONI GHAL LICENZI**
APPLICATIONS FOR LICENCES

(i) Min japplika ghal licenzja taht din it-tariffa jrid jissupplixxi lis-Socjeta' dik l-informazzjoni fuq il-formola addattata tas-Socjeta' sabiex ikun ragjonevolment necessarju ghas-Socjeta' t'iddecidi jekk it-tariffa hija applikabbli. Is-Socjeta' maz-zommx lura milli tikkunciedi licenzja lill-applikant li ghandu bzonn ghal wirjiet pubblici tar-ripertorju tas-Socjeta' moghti fil kors ta', jew b'konnessjoni ma, l-esebizzjoni ta' films li jaqaw taht din it-tariffa.
Applicants for a licence under this tariff are required to give the Society such information on the Society's appropriate form as may be reasonably necessary to enable the Society to decide whether the tariff is applicable. The Society shall not unreasonably withhold the grant of a licence to an applicant who requires a licence for the public performance of the Society's repertoire given in the course of, or in connection with, the exhibition of films and falling within this tariff.

(ii) Is-Socjeta mhijiex marbuta li toffri licenzja jew permess taht din it-tariffa rigward wirjiet pubblici jekk l-applikazzjoni ma' ssirx qabel il-wirja.
The Society is not bound to offer a licence or permit under this tariff in respect of any performances unless application has been made in advance of the performance.

7 **TAXXA FUQ IL-VALUR MIZJUD**
VALUE ADDED TAX

Kull Detentur ta' Licenzja that it-tariffi tas-Socjeta' jhallas lis-Socjeta', b'zieda mad-dritt dovut, somma import ta' Taxxa fuq il-Valur Mizjud kalkolata skond ir rata rilevanti fuq dak id-dritt.
A licensee under this tariff shall pay to the Society, in addition to the royalty due under this tariff, a sum in respect of Value Added Tax calculated at the relevant rate on the royalty payable.

8 **REVIZJONI GHALL-INFLAZZJONI**
INFLATION ADJUSTMENT

Is-Socjeta' zzomm id-dritt, minghajr avviz, li zzid ir-rati monetarji f'din it-tariffa minn zmien ghal zmien, basta illi kumulattivament tali ziediet ma jaqbzux ziediet kontemporanji fir-rati ufficjali tal-inflazzjoni skond kif mahruga mill-Ufficju Centrali ta' l-Istatistika. (L-Indici tal prezzijiet bl-imnut Frar 2005 = 105.33; Dicembru 2002 = 100)
The Society reserves the right, without notice, to increase the monetary rates in this tariff from time to time provided that cumulatively those increases shall not exceed contemporary increases in the official rates of inflation as issued by the Central Office of Statistics. (Retail Price Index Feb 2005 = 105.33; Dec 2002 = 100)

TARIFFA GHAL XANDARA W OPERATURI BIL 'CABLE'
TARIFF FOR BROADCASTERS AND CABLE OPERATORS

(Tariffa "BC")
(TARIFF "BC")

Issehh mill-1 ta' Jannar, 2006
Effective from 1st January 2006

1 l-ISKOP TAT-TARIFFA
SCOPE OF THE TARIFF

Din it-tariffa tapplika ghal xandir jew xandir mill gdid fuq radju jew televizjoni, komunikazzjonijiet lill pubbliku, jew ritrasmissjoniji bil 'cable' ta' kull xoghol fir-ripertorju tas-Socjeta'
This tariff shall apply to the broadcast or re-broadcast on radio or television, the communication to the public or the cable retransmission of any work in the Society's repertoire.

2 ESKLUZZJONIJIET
EXCLUSIONS

Din it-tariffa ma' t'applikax ghal wirja pubblika ta' kul xoghol li jifforma parti min-ripertorju tas-Socjeta' jekk dik il-wirja hija moghtija permezz ta' ricezzjoni ta' xi xandira, xandir mill gdid, komunikazzjoni lill pubbliku, jew ritrasmissjoni bil cable tad-Detentur.

This tariff does not apply to the public performance of any work in the Society's repertoire if that performance is given by the reception of any of the Licensee's broadcasts, re-broadcasts, communications to the public or cable retransmissions.

3 RENDIKONT ANNWALI TA' DHUL VERIFIKAT
ANNUAL STATEMENT OF AUDITED REVENUE

Fi zmien sitt gimghat mill-ahhar tas-sena ta' licenzja, id-Detentur ghandu jipprovdi lis-Socjeta' rendikont, awtentikat min accountant kwalifikat sabiex jkun appuntat awditur ta' kumpanija pubblika jew li huwa approvat mis-Socjeta', li jikkonferma d-dhul verifikat tad-Detentur li permezz tieghu is-Socjeta' tkun tista tikkalkula id-dritt attwali pagabbli f'dik is-sena tal-licenzja
Within six weeks of the end of a licence year a Licensee under this tariff shall furnish to the Society a statement, certified by an accountant who is qualified to be appointed auditor to a public company or who is approved by the Society, confirming the audited revenue of the Licensee to enable the Society to calculate the actual royalty payable in the licence year.

4 LISTA ANNWALI TA' PROGRAMMI
ANNUAL PROGRAMME RETURNS

Id-Detentur ghandu jipprovdi listi lis-Socjeta', fil mod u ghal dawk il-perijodi ta' zmien specifikati mis-Socjeta', li ghadhom jidentifikaw ghas-soddisfazzjon ragjonevoli tas-Socjeta', kull xoghol muzikali (u kull kelma assocjata maghhom) inkluzi f'kull programm tad-Detentur.
The Licensee shall supply lists to the Society, in such manner and for such time periods as specified by the Society, which shall identify to the reasonable satisfaction of the Society, all musical works (and any words associated therewith) included in any programme of the Licensee.

5 **DRITTIJIET ANNWALI**
ANNUAL ROYALTY

5.1 **Xandir Pubbliku**
Public Broadcasters

Id-dritt annwali pagabbli ghandu jkun 2% tad-dhul totali mix-xandir.
The annual royalty payable shall be 2% of Total Broadcasting Revenue

5.2 **Xandara bir-Radju Kummercjali**
Commercial Radio Broadcasters

Fejn id-dhul nett mix-xandir huwa inqas minn Lm 242,260 fis sena, id-dritt annwali pagabbli ghandu jkun 3% tad-dhul nett mix-xandir.
Where Net Broadcasting Revenue is less than Lm 242,260 per annum, the annual royalty payable shall be 3% of Net Broadcasting Revenue

Fejn id-dhul nett mix-xandir huwa daqs jew aktar minn Lm 242,260 fis sena, imma inqas minn Lm 484,520 fis sena, id-dritt annwali pagabbli ghandu jkun 4% tad-dhul nett mix-xandir.
Where Net Broadcasting Revenue is equal to or greater than Lm 242,260 per annum but less than Lm 484,520 per annum, the annual royalty payable shall be 4% of Net Broadcasting Revenue

Fejn id-dhul nett mix-xandir huwa daqs jew aktar minn Lm 484,520 fis sena, id-dritt annwali pagabbli ghandu jkun 5% tad-dhul nett mix-xandir.
Where Net Broadcasting Revenue is equal to or greater than Lm 484,520 per annum, the annual royalty payable shall be 5% of Net Broadcasting Revenue

5.3 **Xandara tat-TV Kummercjali.**
Commercial TV Broadcasters

Id-dritt annwali pagabbli ghandu jkun 2% tad-dhul totali mix-xandir.
The annual royalty payable shall be 2% of Total Broadcasting Revenue

5.4 **Operaturi tal-'Cable'**
Cable Operators

Id-dritt annwali pagabbli ghandu jkun 2% tad-dhul totali mix-xandir.
The annual royalty payable shall be 2% of Total Broadcasting Revenue

5.5 Tnaqqis fir-rata ta' percentagg applikabbli jista jigi meqjus, ghad-diskrezzjoni tas-Socjeta' minn xandara u operaturi tal-cable li il-programm intier ghandu inqas minn 15% muzika.
A reduction in the percentage rate applicable is available, at the discretion of the Society, to broadcasters and cable operators whose entire programming contains less than 15% music

5.6 **Xandara b'Servizz Ristrett.**
Restricted Service Broadcasters

Id-dritt pagabbli ghal kull gurnata jkun ta' Lm 28.44c
The daily royalty payable shall be Lm 28.44

6 **TAXXA FUQ IL-VALUR MIZJUD**
VALUE ADDED TAX

Kull Detentur ta' Licenzja taht it-tariffi tas-Socjeta' jhallas lis-Socjeta', b'zieda mad-dritt dovut, somma import ta' Taxxa Fuq il-Valur Mizjud kalkolata skond ir-rata rilevanti fuq dak id-dritt.
A licensee under this tariff shall pay to the Society, in addition to the royalty due under this tariff, a sum in respect of Value Added Tax calculated at the relevant rate on the royalty payable.

7 **REVIZJONI GHALL-INFLAZZJONI**
INFLATION ADJUSTMENT

Is-Socjeta' zzomm id-dritt, minghajr avviz, li zzid ir-rati monetarji f'din it-tariffa minn zmien ghal zmien, basta illi kumulattivament tali zieditet ma jaqbzux zieditet kontemporanji fir-rati ufficjali tal-inflazzjoni skond kif mahruga mill-Ufficju Centrali ta' l-Istatistika. (L-Indici tal prezzijiet bl-imnut Frar 2005 = 105.33; Dicembru 2002 = 100)
The Society reserves the right, without notice, to increase the monetary rates in this tariff from time to time provided that cumulatively those increases shall not exceed contemporary increases in the official rates of inflation as issued by the Central Office of Statistics. (Retail Price Index Feb 2005 = 105.33; Dec 2002 = 100)

8 **DEFINIZZJONIJIET.**
DEFINITIONS

Li skop ta' din it-tariffa:
For the purpose of this tariff:

(a) "Dhul totali mix-xandir" ifisser l-ammont totali ta' kull dhul minn kull nisel li jsir pagabbli lid-Detentur taht din it-tariffa ghal kull sena, inkluz, imma mhux ristrett, ghad-dhul minn reklami, donazzjonijiet, sottoskrizzjonijiet, sponsorship, t'partit jew negozju bi ftehim ('contra deals'), mizati minn licenzji, ghajnuna monetarja mill gvern u sussidji ohra.
"Total broadcasting Revenue" shall mean the total amount of any revenue from any source which becomes payable to a Licensee under this tariff in any given licence year, including, but not restricted to, revenue from advertising, donations, subscription, sponsorship, barter or contra deals, licence fees, government subvention and other grants.

(b) "Dhul nett mix-Xandir" jfisser dhul totali minn reklami wara li titnaqqas il-commission attwali tal-agenzija tar-reklamar, jekk applikabbli, soggetta ghal proviso li it-tnaqqis massimu permess ghandu jkun 15%.
"Net broadcasting Revenue" shall mean the gross advertising revenue after deduction of actual advertising agency commission, if any, subject to the proviso that the maximum deduction permitted shall be 15%.

(c) "Ir-Ripertorju tas-Socjeta'" jfisser kull u kwalunkwe xoghol muzikali (inkluz kull kliem assocjat), fejn id-drittijiet tax-xandir, ritrasmissjonijiet ikkomunikati lill pubbliku jew li jigu trasmessi bil 'cable' huma kontrollati mis-Socjeta' jew kull Socjeta' ohra f'pajjizi ma' min is-Socjeta' hija affiljata.
"The Society's Repertoire" shall mean all and any musical works (including any words associated therewith), in which the rights to broadcast, re-broadcast, communicate to the public or to re-transmit by cable are controlled by the Society or by any of the societies in other countries with which the Society is affiliated.

DIPARTIMENT TA' L-INFORMAZZJONI – 3, PJAZZA KASTILJA – VALLETTA – MALTA
DEPARTMENT OF INFORMATION – 3, CASTILLE PLACE – VALLETTA – MALTA

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