Nru. 752

ATT DWAR ID-DRITTIJIET TAL-AWTUR
(KAP. 415)

IL-BORD dwar id-Drittijiet tal-Awtur jgħarraf illi fi żmien sittin (60) ġurnata wara l-pubblikazzjoni fil-Gazzetta tal-Gvern tat-talba u tat-tariffa proposta pubblikati hawn taħt, utenti prospettivi jew ir-rappreżentanti tagħhom jistgħu jippreżentaw bil-miktub lill-Bord imsemmi l-oġġezzjonijiet tagħhom għat-talba għar-reviżjoni tat-tariffi abbażi tar-regolamenti 10 u 9 tar-Regolamenti tal-2016 dwar il-Kontroll tat-Twaqqif u l-Operazzjoni tas-Soċjetajiet għall-Amministrazzjoni Kollettiva tad-Drittijiet tal-Awtur (Avviż Legali 239 tal-2016).

Bord dwar id-Drittijiet tal-Awtur
c/o Ministeru għall-Ekonomija u l-Industrija
Palazzo Zondadari
197/198, Triq il-Merkanti
Valletta VLT 1172

L-1 ta' Ġunju, 2021

Talba ta' Performing Rights Society Limited u t-Tariffa Proposta

Copyright Board
Millenia Buildings
1st Floor
Aldo Moro Road
Marsa
Malta

26 ta' Frar 2021

Sinjuri,

Regolamenti dwar il-Kontroll tat-Twaqqif u l-Operazzjonijiet tas-Soċjetajiet għall-Amministrazzjoni Kolletiva tad-Drittijiet tal-Awtur 2016 ("ir-Regolamenti")

Ai termini ta' Artikolu 10 tar-Regolamenti, qegħdin hawn nissottomettu it-tariffi li ġejjin għall-approvazzjoni tal-Bord dwar id-Drittijiet tal-Awtur ("it-Tariffi Proposti"):

i. Tariffa Ġenerali (Tariffa 'G');
ii. Tariffa għal Lukandi (Tariffa 'H');
iii. Tariffa għal Ristoranti (Tariffa 'R');
iv. Tariffa għal Ħwienet u Mħażen (Tariffa 'S');
v. Tariffa għal Wirjiet ta' Xogħlijiet Mużikali f'Ċinematografi (Tariffa 'C');
vi. Tariffa għal Xandara w Operaturi bil-'Cable' (Tariffa 'BC');
vii. Tariffa għall-Forniturі ta' Servizzi 'Online' (Tariffa 'O');

No. 752

COPYRIGHT ACT
(CAP. 415)

THE Copyright Board gives notice that within sixty (60) 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 for the revision of tariffs on the basis of the provisions of regulations 10 and 9 of the Control of the Establishment and Operation of Societies for the Collective Administration of Copyright Regulations, 2016 (Legal Notice 239 of 2016).

Copyright Board
c/o Ministry for the Economy and Industry
Palazzo Zondadari
197/198, Triq il-Merkanti
Valletta VLT 1172

1st June, 2021

Request of Performing Rights Society Limited and Proposed Tariff

viii. Tariffa għal Vapuri tal-Passiġġieri Malta (Tariffa 'PV')

Wieħed jinnota li, ħlief għal figuri monetarji, t-Tariffi Proposti huma fl-istess forma tat-tariffi kurrenti kif approvati (it-Tariffi Eżistenti), li ġew ppubblikati fil-Gazzetta tal-Gvern nhar is-27 ta' Awissu 2019.

PRS umilment tissottometti t-Tariffi Proposti lill-Bord sabiex tapprova l-bidliet fil-valur tal-figuri monetarji. F'dar-rigward, żiedna il-figuri monetarji minn kif indikati fit-Tariffi Eżistenti billi applikajna l-indiċi tal-inflazzjoni (COS) għall-figuri monetarji kif indikati fit-Tariffu Eżistenti għar-raġunijiet li ġejjin:

- L-inkorporazzjoni taż-żieda fl-għoli tal-ħajja fi prezzijiet hija raġonevoli u in akkordanza mal-prassi Ingliża, inkluż fl-liċenzji u skemi approvati mit-Tribunal dwar id-Drittijiet tal-Awtur tal-Ingilterra. Ilu rikonoxxut illi, flimkien mal-forniturioħrajn tal-prodotti u servizzi li jżidu l-prezzijiet tagħhom sabiex jirriflettu żieda fl-għoli tal-ħajja, ir-rimunerazzjoni mħallsa lill-PRS in kunsiderazzjoni tal-liċenzji tagħha għandha ukoll tirrifletti l-benefiċċji li jgawdi l-Utent tal-mużika tul iż-żmien, abbażi tal-istess liċenzji. Jekk din il-proviżjoni għall-indiċi imsemmija ma tiġix approvata, il-kompożituri u pubblikaturi tax-xogħlijiet mużikali inklużi fl-liċenzja tal-PRS, ikollhom, a kuntrarju ta' forniturioħrajn ta' prodotti u servizzi, impost fuqhom 'pay freeze' mhux ġustifikata.
- Mingħajr dubju, wieħed japprezza illi 'pay freeze' ta' din in-natura hija partikularment mhux ġustifikata, meta wieħed jiftakar illi d-deċiżjoni tal-Bord fuq it-tariffi applikabbli bejn 2009-2011 ġiet ppubblikata fil-Gazetta tal-Gvern fis-27 ta' Awissu 2019, li wasslu biex l-PRS tiġi soġġetta li tapplika, u li allura tħallas lill-membri tagħha 'royalties' rilevanti li jirriżultaw mill-istess, tariffi u rati li huma aktar minn tlettax-il sena (13) antiki fl-operat tagħha bħala soċjeta' għall-amministrazzjoni kollettiva.

Ir-Regolamenti jipprovdu li l-bażi sabiex jiġu kkalkulati tariffi "għandha normalment tqis il-vantaġġi monetarji li jinkisbu mill-esplojtazzjoni tax-xogħol protett, kif ukoll bil-proporzjon ta' kemm ikun qed jiġi użat ix-xogħol fl-esplojtazzjoni totali". Il-benefiċċji għall-liċenzjat huma ben stabbiliti u jinkludu riduzzjoni/eliminazzjoni ta' spejjeż ta' tranżazzjonijiet li kienu jinkorru kieku kellhom jottennu liċenzja mill-kompożituri u awturi individwali; aċċess għall-miljuni ta' xogħlijiet, liema l-liċenzjati huma liberi sabiex jisfruttaw kif jidhrilhom xieraq għall-għanjiet u/jew fil-kors tan-negozju etc; u "assigurazzjoni" kontra talbiet individwali ta' abbuż u ksur tad-drittijiet mid-detenturi tad-dritt tal-awtur.

Covid-19

Wieħed jinnota ukoll li t-Tariffi Proposti ma jagħmlux riferenza għall-pandemija tal-virus 'Covid-19' għaliex umilment nissottomettu illi l-pandemija fiha nnifisha ma tirriduċix il-valur tal-liċenzja, kif indikat fir-rati tar-'royalties' proposti. Madanakollu, aħna nirrikonoxxu li l-pandemija seta' kellha impatt fuq l-abilita' tal-Utent sabiex jisfrutta il-liċenzja maħruġa mill-PRS taħt it-termini tat-Tariffi Eżistenti u it-Tariffi Proposti u/jew l-abilita' tal-Utent sabiex iħallas l-ammonti dovuti taħt il-liċenzja. Għalhekk, il-PRS għandha inizjattiva separata u a spiża tagħha, u topera numru ta' konċessjonijiet relatati mal-Covid-19 sabiex tnaqqas il-piż finanzjarju tal-pandemija fuq l-Utenti. Dawn jinkludu:

- Offerta ta' diversi ri-evalwazzjonijiet (hekk kif negozji jonqsu/jagħlqu, inaqsu ħinijiet ta' operat/kapaċita');
- Offerta ta' pjanijiet ta' ħlas u 'part-invoicing' sabiex jgħinu bil-likwidita' u 'cashflow';
- Ħruġ ta' noti ta' kreditu u/jew fatturi revisti sabiex jirriflettu l-użu ta' mużika attwali waqt l-perjodu impatt mill-Covid-19. Kull perjodu ta' għeluq enforzat mill-Gvern ta' Malta ġie awtomatikament kkreditat;

- Sospensjoni temporanja ta' kollezzjoni ta' djun u azzjonijiet ta' infurzar kontra l-Utenti li jkunu qegħdin jesperjenzaw diffikulta' sabiex jwettqu l-obbligazzjonijiet ta' ħlas taħt il-liċenzja.

Umilment nirriferu lill-Bord ukoll għall-paġna tal-informazzjoni elettronika għal aktar informazzjoni f'dar-rigward: **COVID-19 information for businesses in Malta (prsformusic.com)**

Copyright Board
Millenia Buildings
1st Floor
Aldo Moro Road
Marsa
Malta

26th February 2021

Dear Sirs,

Control of Establishment and Operation of Societies for the Collective Administration of Copyright Regulations 2016 ("the Regulations)

Pursuant to regulation 10 of the Regulations, we submit the following tariffs for the approval of the Copyright Board (the New Tariffs):

i. General Tariff (Tariff 'G');

ii. Hotels Tariff (Tariff 'H');

iii. Restuarants Tariff (Tariff 'R');

iv. Shops and Stores Tariff (Tariff 'S');

v. Tariff for Cinematograph Performances (Tariff 'C');

vi. Tariff for Broadcasters and Cable Operators (Tariff 'BC');

vii. Tariiff for Online Service Providers (Tariff 'O')l

viii. Passenger Vessels Tariff Malta (Tariff 'PV')

As you shall note, the tariffs are in the same form as the current approved tariffs ("the Existing Tariffs"), which were published in the Government Gazette on the 27th August 2019, save in relation to the monetary amounts.

We respectfully submit the revised proposed Tariffs to the Board to approve the changes to the monetary values. In this regard, we have increased the monetary amounts in the Existing Tariffs by applying the COS indexation to the monetary values set out in the Existing Tariffs for the following reasons:

- The incorporation of cost of living increase in prices is reasonable and in line with UK practice, including licences and schemes approved by the UK Copyright Tribunal. It has long been recognised that in line with other providers of goods and services who increase prices to reflect increases in cost of living, that that the remuneration paid to PRS for in consideration of its licence should reflect the benefit to the User over time of that licence. If no provision for indexation is approved, the composers and publishers of the musical works included in PRS' licence would, unlike other providers of professional services, have imposed on them a unjustified pay freeze.

- You will undoubtedly appreciate that a price freeze of this nature is especially unwarranted, particularly when one remembers that the decision of the Board on the tariffs applicable between 2009-2011 was published in the Government Gazette on the 27th August 2019, meaning that PRS has been subjected to apply, and in turn pay its members relevant royalties arising from the same, rates that are more than thirteen (13) years old in its operation as a collective management organisation.

The Regulations provide that the basis for calculating tariffs "shall normally be the monetary advantages obtained from exploitation of the protected work, as well as the proportion of the utilisation of the work in the total exploitation". The benefits to the licensee are well established and include reduction/elimination in transaction costs that they would otherwise have incurred if they had had to obtain licence of individual composers and authors; access to millions of works which they are free to exploit as they see fit for the purpose of or in the course of their business and/trade etc; and "insurance" against claims of infringement by individual rights holders

COVID-19

As the Board will note, the proposed Tariffs do not make reference to Covid-19 as, we respectfully submit, the pandemic does not in and of itself reduce the value of the licence, as expressed in the proposed royalty rates. However, we recognise that the pandemic may have an impact on an individual User's ability to exploit the licence granted by PRS under the terms of the Existing and proposed Tariffs and/or the User's ability to pay sums due under the licence. As a result PRS has on its own initiative and at its own cost put in place and operates a number of Covid-related concessions to reduce the financial burden of the pandemic for on Users. These include:

- Offering multiple reassessments (as businesses shrink/close, reduce hours/capacity);
- Offering part invoicing and payment plans to help with cashflow;
- issuing credit notes and/or revised invoices to mirror the actual music usage during the Covid impacted period. All periods of enforced closure have been credited automatically as policy;
- temporarily suspending debt collection and enforcement activity against Users who may be experiencing difficulty in meeting payment obligations under the Licence.

We respectfully refer the Board to the attached information page for further information:
COVID-19 information for businesses in Malta (prsformusic.com)

Yours Faithfully,



Marley Beck – Senior Partner Manager - PRS for Music

TARIFFA ĠENERALI
GENERAL TARIFF

Effettiva mid-data tal-pubblikazzjoni fil-Gazzetta tal-Gvern
Effective from date of publication in the Government Gazette

1 KUNDIZZJONIJIET ĠENERALI
GENERAL CONDITIONS

1.1 Din it-tariffa tapplika għal wirjiet pubbliċi ta' mużika tutelata bid-dritt ta' l-awtur fi ħdan ir-ripertorju tas-Soċjeta' fil-funzjonijiet u avvenimenti ġo stabbiliment li ma' jaqgħux taħt li skop tat-tariffi l-oħra pubblikati mis-Soċjetà.
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-mużika jkun applika għal u jkun ottjena l-liċenzja tas-Soċjeta' qabel ma jinbdew il-wirjiet pubbliċi, id-dritt **normali** jiġi applikat u mħallas għall-ewwel sena tal-liċenzja.
*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-mużika ma jkunx applika għal u ottjena l-liċenzja tas-Soċjeta' qabel ma jinbdew il-wirjiet pubbliċi, id-dritt l-**għola** jiġi applikat u mħallas għall-ewwel sena tal-liċenzja.
*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 każ, wara l-ewwel sena tal-liċenzja, id-dritt **normali** jiġi applikat u mħallas.
*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 għall-informazzjoni ġenerali; u l-pubblikazzjoni ma' tikkostitwix offerta sabiex tingħata liċenzja. Id-dritt applikabbli għal kwalunkwe wirja jew sensiela ta' wirjiet ikun determinat mis-Soċjeta' a bażi taċ-ċirkostanzi kollha rilevanti. B'mod partikolari, din it-tariffa mhix intiza li tkun ezawrjenti u għal dawk il-wirjiet illi fl-opinjoni tas-Soċjeta' jaqgħu 'l barra minn dawk kontemplati hawn taħt, rati jiġu 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 għal liċenzja jrid jagħti dik l-informazzjoni kollha meħtieġa sabiex is-Soċjeta' tkun tista tiddetermina d-dritt, jew skond din it-tariffa jonkella mod ieħor jekk ikun il-każ.
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 jitħallsu kull sena bil quddiem fil-bidu ta' kull liċenzja imbagħad f'kull data ta' tiġdid skond it-tariffa kurrenti tas-Soċjeta'.
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 MIŻJUD
VALUE ADDED TAX

Kull Detentur ta' Liċenzja taħt it-tariffi tas-Soċjeta' jħallas lis-Soċjeta', b'żieda mad-dritt dovut, somma import ta' Taxxa Fuq il-Valur Miżjud 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.

2	**RATI TAD-DRITTIJIET** ***ROYALTY RATES***	**Dritt ogħla** ***Higher Royalty***	**Dritt normali** ***Standard Royalty***
		€	**€**
2.1	**MUŻIKA PPREŻENTATA** ***FEATURED MUSIC*** Fejn il-mużika hija prattikament id-divertiment kollu, bħal	12%	6%
2.1.1	f'kunċert il-ħlas ikun …….. *Where music is virtually the entire entertainment, as in a concert thecharge will be .....*	tal- irċevuti tad-dħul *of admission receipts*	tal- irċevuti tad-dħul *of admission receipts*
	JEW (jekk id-dħul ma' jkunx jista' jiġi aċċertat il-ħlas ikun …. *OR (if receipts are not ascertainable) thecharge 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 jistgħu jiġu aċċertati) *OR (if payments are not ascertainable)*		
	Il-ħlas għal kull avveniment għal kull kapaċita' ta' 25 persuna jew għal 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……..*	3.69	1.85
	Il-ħlas minimu għal Permess jew għal 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……*	114.1	57.06

2.1.2 Fejn il-mużika hija important iżda ma' tkunx l-uniku mezz ta' divertiment bħal fiż-żfin, diskoteki, ċinema u oħrajn simili, il-ħlas ikun..... *Where music is important but not the sole entertainment as in dances, discos, cinemas and the like, the charge will be ……*	6% tad-dħul kollu *of turnover*	3% tad-dħul kollu *of turnover*
JEW (jekk id-dħul kollu* ma jkunx jista' jiġi aċċertat) il-ħlas ikun *OR (if turnover * is not ascertainable) the charge will be……*	6% tal-pagamenti lill-mużiċisti *of payments to musicians*	3% tal-pagamenti lill-mużiċisti *of payments to musicians*
JEW (jekk il-pagamenti ma jkunux jistgħu jiġu aċċertati) *OR (if payments are not ascertainable)*		
Il-ħlas għal kull avveniment għal kull kapaċita' ta' 25 persuna jew għal 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*	2.36	1.17
Il-ħlas minimum għal Permess jew għal 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 ……*	90.65	45.32
NOTA: il-'Cabaret' taqa' f' din il-kategorija, iżda tista' titqies għall-ħlas taħt il-kap 2.1.1 imsemmi aktar il-fuq f'każ illi jkun hemm użu 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 għal kull avveniment għandha tiġi applikata għal klassijiet tal-'aerobics' u tal-'keep fit.' *The above per event rate should be applied to aerobic & keep fit classes*.		
* "dħul kollu" ifisser id-dħul skond riċevuti mill-ammissjoni u mis-sħubija kif ukoll mill-bejgħ ta' ikel u xorb. *** "turnover" means admission and membership receipts and sales of food and drink*		
2.1.3 Wirjiet tal-'karaoke' u kwiżżijiet tal-mużika fi stabilimenti bi: *Karaoke Performances & music quizzes, in premises with:*		
Sa 15 il-siġġu / 30m2 ……. *Up to 15 seats/30m2 .....*	302.16	151.09
Bejn 16-40 il-siġġu / 31-100m2 ……... *Between 16-40 seating/31-100m2.....*	604.28	302.14
Kull 20 siġġu addizzjonali / 50m2 …… *Eachadditional 20 seats/50m2 .....*	302.16	151.09

3	**MUŻIKA OKKAZZJONALI JEW GĦAD-DIVERTIMENT** (Attivitajiet Soċjali, wirjiet tal-moda u wirjiet kulturali) ***OCCASIONAL OR AMUSEMENT MUSIC*** *(Socials, fashion and culture shows etc.)*		
	Il-ħlas għal kull avveniment għal kull kapaċita' ta' 25 persuna jew għal 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*	2.01	1.00
	Il-ħlas minimum għal Permess jew għal 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*	77.18	38.58
4	**MUŻIKA INĊIDENTALI JEW MEKKANIKA** ***BACKGROUND OR MECHANICAL MUSIC***		
	ID-DRITT ANNWALI GĦAL KULL KAMRA GĦAL WIRJIET PUBBLIĊI 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' mingħajr l-estensjoni ta' xi 'speakers' *Single portable transistor or radio cassette player with no extension speakers:*		
	Sa 15 il-siġġu / 30m2 ……. *Up to 15 seats/30m2*	87.33	43.67
	Bejn 16-40 il-siġġu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	188.05	94.02
	Kull 20 siġġu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	67.13	33.57
4.2	Televiżjoni u/jew Vidjo bi skerma mhux akbar minn 26":- *Television and/or Video with a screen no greater than 26":....*		
	Sa 15 il-siġġu / 30m2 ……. *Up to 15 seats/30m2*	90.65	45.32
	Bejn 16-40 il-siġġu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	188.05	94.02
	Kull 20 siġġu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	67.13	33.57
4.3	Televiżjoni u/jew Vidjo bi skerma akbar minn 26": *Television and/or Video with a screen greater than 26":*		

	Sa 15 il-siġġu / 30m2 ……. *Up to 15 seats/30m2*	188.05	94.02
	Bejn 16-40 il-siġġu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	379.34	189.67
	Kull 20 siġġu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	137.63	68.82
4.4	'Monitors' bi *Monitorswith:*		
	Sa 15 il-siġġu / 30m2 ……. *Up to 15 seats/30m2*	188.05	94.02
	Bejn 16-40 il-siġġu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	453.31	226.65
	Kull 20 siġġu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	188.05	94.02
4.5	Televiżjoni terrestriju bis-Satellita/faċilita' tal-fili (mingħajr vidjo) *Terrestrial Television with Satellite/Cable facility (without video).*		
	Sa 15 il-siġġu / 30m2 ……. *Up to 15 seats/30m2*	120.87	60.43
	Bejn 16-40 il-siġġu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	241.70	120.87
	Kull 20 siġġu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	87.33	43.67
4.6	Apparat mużikali tas-satellita/tal-fili bl-awdjo biss (bi 'speakers' li jinħadmu indipendentement minn kull strument ieħor) *Audio only satellite/cable music device (with self-powered speakers independent of any other instrument).*		
	Sa 15 il-siġġu / 30m2 ……. *Up to 15 seats/30m2*	335.71	167.85
	Bejn 16-40 il-siġġu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	671.43	335.71
	Kull 20 siġġu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	241.71	120.87
4.7	'Audio Juke Box' bi *Audio Juke Box with:*		
	Sa 15 il-siġġu / 30m2 ……. *Up to 15 seats/30m2*	188.05	94.02

	Bejn 16-40 il-siġġu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	375.99	188.01
	Kull 20 siġġu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	134.29	67.15
4.8	'Video Juke Box' bi *Video Juke Box with:*		
	Sa 15 il-siġġu / 30m2 ……. *Up to 15 seats/30m2*	248.40	124.20
	Bejn 16-40 il-siġġu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	496.92	248.46
	Kull 20 siġġu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	177.93	88.96
4.9	Mezzi oħra (jiġifieri CD, 'record player', 'tape player', radju) bi*:* *Other means (i.e. CD, Record, Tape Player or Radio) with:*		
	Sa 15 il-siġġu / 30m2 ……. *Up to 15 seats/30m2*	134.29	67.15
	Bejn 16-40 il-siġġu / 31-100m2 ……... *Between 16-40 seating/31-100m2*.....	271.92	135.96
	Kull 20 siġġu addizzjonali / 50m2 …… *Each additional 20 seats/50m2*	134.29	67.15

BASTA LI:
PROVIDED THAT*:*

Fejn l-udjenza potenzjali hija bil-qiegħda, il-kapaċita' tas-siġġijiet (jew, fil każ ta' fabbriki jew uffiċċji mhux miftuħa għall-pubbliku, in-numrutal-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-qiegħda, jintuża l-ispazju tas-smigħ fil-kamra imkejjel minn ħajt sa ħajt.
Where the potential audience is not seated the area of audibility of the room measured wall to wall will be used.

Fejn żewġ strumenti jew aktar differenti imsemmija f'din is-sezzjoni jkunu jinstemgħu **fl-istess kamra,** l-ogħla ħlas b'rispett għal dik il-kamra tiġi applikata kollha kemm hi iżda l-ħlasijiet l-oħra jiġu 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 miftuħ biss għal staġun limitat matul kull sena, id-dritt annwali jkun aġġustat permezz ta' riduzzjoni proporzjonali u b'żieda ta' 15% fuq l-ammont kif ridott
Where the premises are open only during a limited season in each year, the annual royalty is adjusted by a proportionatereduction and by an addition of 15% of the reduced amount.

5 MAGNI TAD-DIVERTIMENT.
AMUSEMENT MACHINES

Kompjuter, Vidjo u oħrajn, li jdoqqu toni mużikali bla waqfien jew 'stings' mużikali *Computer, Video and other playing intermittent tunes or musical "stings"*		
ID-DRITT ANNWALI GĦAL KULL MAGNA HUWA THEANNUAL ROYALTY PER MACHINE IS	134.29	67.15

6 AJRUPLANI
AIRCRAFT

Id-dritt għal kull 500 siegħa passiġġier ta' mużika mdaqqa jiġi kkalkulat bir-rata ta' ……. *The royalty per 500 passenger hours of music played is calculated at the rate of……*	21.46	10.73

6.1 KALKOLU TAD-DRITT
COMPUTATION OF ROYALTY CHARGE

6.1.1 Mużika fi tlugħ u nżul
Take off and landing music

Id-durata tal-użu tal-mużika wżata waqt it-tlugħ u l-inżul jitqies bħala 15 il-minuta għal kull passiġġier
The duration of music usage during take off and landing is taken as 15 minutes per passenger.

e.z. Kalkulazzjoni bl-ogħla dritt għal kull 500 siegħa passiġġier
e.g. Calculation at Higher Royalty charge per 500 passenger hours

F'każ ta' ajruplan li jġorr 60,000 passiġġier li għalihom tinstema' l-mużika waqt it-tlugħ u l-inżul, in-numru ta' sigħat passiġġier 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 diviżi b'4) u d-dritt annwali jkun:-
15,000 (60,000 divided by 4) and the annual royalty would be –

15,000 multiplikati bl-Ogħla Dritt diviża b'500 = *15,000 multiplied by royalty charge divided by 500 =*	643.49	231.75

6.1.2 Mużika matul it-titjira
In flight music

In-numru ta' sigħat imtajjra bil-passiġġieri permezz tal-ajruplani matul is-sena jiġu diviżi bin-numru ta' 'stage flights' biex tipproduċi midja ta' ħin tad-durata tat-titjiriet, u l-medja tad- durata tat-titjiriet hija mbagħad multiplikata bin numru ta'

	passiġġieri li jisimgħu il-mużika 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-Ogħla Dritt għal kull 500 siegħa passieġġier *e.g. Calculation per 500 passenger hours* F'każ ta' ajruplan li jtir total ta' 3,500 siegħa f'700'stage flights', il-medja tad-durata tat-titjiriet tkun dik ta' 5 sigħat *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' passiġġieri illi minnhom tista' tinstema' l-mużika 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-Ogħla Dritt diviża b'500 *20,000 multiplied by 5 multiplied by royalty charge divided by 500*	4,289.90	2,144.96
7	**BANED** ***BANDS***		
	Id-dritt annwali li għandu jitħallas għal kull mużiċist fost il-banda hu *The annual royalty payable per performing musician within a band is…*	6.69	3.35
8	**UŻI VARJI OĦRA** ***MISCELLANEOUS USES***		
8.1	Mużika 'on hold' *Music on Hold*		
	1-5 linja …….. *1 - 5 lines……*	188.05	93.68
	6-15 linja …… *6 - 15 lines.....*	265.22	132.62
	Kull 15 il-linja oħra (jew parti minnhom) …… *each 15 lines (or part thereof) thereafter.....*	77.18	38.58
8.2	'Mobile Disc Jockeys' …….. *Mobile Disc Jockeys……..*	228.29	114.14
8.3	Swali għall-Tiġijiet (mingħajr żfin***)*** *Wedding Receptions (without dancing)*		

	Għal kull avveniment għal kull 400 persuna ta' kapaċita' …… *Per event for each 400 persons capacity.....*	20.17	10.09
	Jekk l-element prinċipali jkun iż-żfin allura r-rati taħt il-kap 2.1.2 għandhom 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 għall-kiri *Radio and/or CD and/or tape player installed in taxis or hired cars……..*	77.18	38.58

DEFINIZZJONIJIET
DEFINITIONS

magni ta' divertiment (kompjuter, vidjo u oħrajn) ifissru magni magħrufa bħala, per eżempju : divertimenti bil-premijiet ; divertiment bir-rigal ; kapaċita' bil-premju; magni tal-logħob, logħob ieħor, 'quiz jew magni simili, kemm jekk jistgħu u kemm jekk ma jkunux jistgħu jiġu mħaddma permezz tad-daħla 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') għad-daqq ta' mużika reġistrata u kapaċi li tiġi operata bid-daħla 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.*

mużika inċidentali tfisser dik il-mużika li tindaqq permezz ta' 'CD player', 'record player', 'tape player', jew 'video player' ħlief għall-iskopijiet ta' preżentazzjoni, jew inkella 'audio juke box' jew 'video juke box', jew radju, jew sett tat-televiżjoni mħaddma fil-post jew diffużi permezz ta' 'loudspeaker' minn xi parti oħra 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.*

kapaċita' fejn ma' hemmx mezz formali biex tiġi kkalkolata l-kapaċita' ta' kamra, tali kapaċita' tiġi meqjusa b'riferenza għan-numru massimu ta' persuni illi jistgħu raġjonevolment jiġu akkommodati fil kamra, jew li huwa permess skond xi regolamenti maħruġa 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.*

mużika ppreżentata tfisser mużika murija permezz ta':-
artisti personalment, inklużi wirjiet tal-'karaoke', jew,
'record' jew 'tape player' primarjament għal divertiment bħal permezz ta' diskoteka, tgħamir 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 mogħtija minn kantanti mingħajr ħlas kontestwalment ma' mużika reġistrata prodotta speċifikament, bi jew mingħajr il-proviżjoni ta' lirika sinkronizzata ppreżentata viżwalment.
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.*

ċentru tal-mużika jew radju 'cassette player' ifissru kombinazzjoni ta' biċċiet ta' apparat kapaċi li jirriproduċu ħoss minn aktar minn sors wieħed permezz ta' sistema waħdanija tal-ħoss.
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.*

mużika 'on hold' tfisser mużika li tindaqq b'mezzi mekkaniċi imqabbda ma 'switchboard' tat-telefon b'tali mod li tkun tista' tinstema' minn min iċempel qabel ma jitqabbad ma' estensjoni interna. Ma testendix għal xi mużika 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.*

siegħa passiġġier ta' mużika tfisser siegħa ta' mużika li tkun tista' tinstema' minn passiġġier wieħed.
passenger hour of music *means one hour of music audible to one passenger.*

artisti jfissru kantanti u artisti ta' strumenti mużikali u jinkludu s-surmasti jew il-kundutturi ta' l-orkestri, irrispettivament minn jekk jikkombinaw fil-wirjiet tagħhom attivitajiet oħra bħaż-żfin jew jekk jagħmluhiex 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 ieħor mekkaniku għad-daqq ta' xogħlijiet mużikali, ħlief 'video player', jew mezz ieħor, bħal 'juke box', kapaċi li jkun operat bid-daħla ta' munita, jew forma ta' munita oħra.
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-Soċjeta' tfisser kull u kwalsiasi xogħlijiet mużikali (inklużi xi kliem assoċjati magħhom), li fir-rigward tagħhom id-dritt tal-wirja pubblika fl-istess huma kkontrollati mis-Soċjeta' jew minn xi waħda mis-soċjetajiet f'pajjiżi oħra li magħhom is-Soċjeta' 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 għad-daqq ta' mużika reġistrata sinkronizzata bil- 'video' jew turija oħra viżwali u kapaċi li tiġi operata bid-daħla 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 tgħamir għall-esibizzjoni ta' videogrammi, sew jekk fuq 'tape' jew diska, ħlief għal 'video players' kapaċi li jiġu operati bid-daħla 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 GĦAL LUKANDI
HOTELS TARIFF

Effettiva mid-data tal-pubblikazzjoni fil-Gazzetta tal-Gvern
Effective from date of publication in the Government Gazette

1 KUNDIZZJONIJIET ĠENERALI
GENERAL CONDITIONS

1.1 Din it-tariffa tapplika għal wirjiet pubbliċi ta' mużika tutelata bid-dritt ta' l-awtur fi ħdan ir-ripertorju tas-Soċjeta' f'lukandi, appartamenti ta' lukandi, pensjonijiet, alloġġi u diversi swali fi ħdan dawn il-kategoriji inklużi ristoranti, kafejiet, swali tal-pranzu u swali għal 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-mużika jkun applika għal u jkun ottjena l-liċenzja tas-Soċjeta' qabel ma jinbdew il-wirjiet pubbliċi, id-dritt **normali** jiġi applikat u mħallas għall-ewwel sena tal-liċenzja.
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-mużika ma jkunx applika għal u ottjena l-liċenzja tas-Soċjeta' qabel ma jinbdew il-wirjiet pubbliċi, id-dritt l-**għola** jiġi applikat u mħallas għall-ewwel sena tal-liċenzja.
*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 każ, wara l-ewwel sena tal-liċenzja, id-dritt **normali** jiġi applikat u mħallas.
*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 għall-informazzjoni ġenerali; u l-pubblikazzjoni ma' tikkostitwix offerta sabiex tingħata liċenzja. Id-dritt applikabbli għal kwalunkwe wirja jew sensiela ta' wirjiet ikun determinat mis-Soċjeta' a bażi taċ-ċirkostanzi kollha rilevanti. B'mod partikolari, din it-tariffa mhix intiża li tkun eżawrjenti u għal dawk il-wirjiet illi fl-opinjoni tas-Soċjeta' jaqgħu 'l barra minn dawk kontemplati hawn taħt, rati jiġu 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 għal liċenzja jrid jagħti dik l-informazzjoni kollha meħtieġa sabiex is-Soċjeta' tkun tista tiddetermina d-dritt, jew skond din it-tariffa jonkella mod ieħor jekk ikun il-każ.
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 ĦLAS TAD-DRITTIJIET
PAYMENT OF ROYALTIES

Id-drittijiet jitħallsu kull sena bil quddiem fil-bidu ta' kull liċenzja imbagħad f'kull data ta' tiġdid skond it-tariffa kurrenti tas-Soċjeta'.
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 MIŻJUD
VALUE ADDED TAX

Kull Detentur ta' Liċenzja taħt it-tariffi tas-Soċjeta' jħallas lis-Soċjeta', b'żieda mad-dritt dovut, somma import ta' Taxxa Fuq il-Valur Miżjud 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.

2	**RATI TAD-DRITTIJIET** ***ROYALTY RATES***	**Dritt ogħla** ***Higher Royalty*** **€**	**Dritt normali** ***Standard Royalty*** **€**
2	**MUŻIKA PPREŻENTATA** ***FEATURED MUSIC***		
2.1	Għal wirjiet 'live' il-ħlas 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	Għal wirjiet ippreżentati oħra bħala żifniet, diskoteki, karaoke eċċ., il-ħlas ikun …… *For other featured performances such as dances, discotheques, karaoke etc the charge will be……..…….*	6% tad-dħul kollu *of turnover*	3% tad-dħul kollu *of turnover*
	JEW (jekk il-pagamenti lill-artisti jew l-irċevuti tad-dħul ma' jkunux jistgħu jiġu aċċertati) *OR (if payments to performers or admission receipts are not ascertainable)*		
	Il-ħlas għal kull avveniment għal kull kapaċita' ta' 25 persuna jew għal 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……..*	2.33	1.16
	Il-ħlas minimu għal Permess jew għal 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……*	88.72	44.36

3	**MUŻIKA INĊIDENTALI ĠEWWA ĦWIENET TAX-XORB, RISTORANTI, SWALI, ĦWIENET TAX-XAHAR, GIMNAZJI U L-PARTIJIET KOLLHA KOMUNI** ***BACKGROUND MUSIC IN BARS, RESTARAUNTS, LOUNGES, HAIRDRESSING SALONS, GYMS AND ALL COMMON AREAS***		
	Id-dritt annwali għal kull siġġu / post f'kull kamra jkun …… *The annual royalty per seat/cover per room will be……*	5.92	2.96
4	**MUŻIKA INĊIDENTALI FI KMAMAR TAS-SODDA ĠEWWA LUKANDI, KURIDURI U SWALI TA' RIĊEVIMENT** ***BACKGROUND MUSIC IN HOTEL BEDROOMS CORRIDORS & FOYERS***		
4.1	LUKANDI b'5 STILEL :- 5 STAR HOTELS:-		
	Id-dritt annwali għal kull sodda jkun …….. *The annual royalty per bed will be……..*	9.59	4.80
4.2	LUKANDI b'4 STILEL :- 4 STAR HOTELS:-		
	Id-dritt annwali għal kull sodda jkun …….. *The annual royalty per bed will be……..*	9.03	4.50
4.3	LUKANDI bi'3 STILEL u ANQAS :- 3 STAR HOTELS AND BELOW:-		
	Id-dritt annwali għal kull sodda jkun …….. *The annual royalty per bed will be……..*	8.46	4.23

DEFINIZZJONIJIET
DEFINITIONS

'audio juke box' tfisser magna (barra minn 'video juke box') intiża għad-daqq ta' mużika reġistrata u li tkun tista' tiġi mħaddma permezz tad-daħla 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*.

mużika inċidentali tfisser dik il-mużika li tindaqq permezz ta' 'compact disc player', 'record player', 'tape player', jew 'video player' ħlief għall-iskopijiet ta' preżentazzjoni, jew inkella 'audio juke box' jew 'video juke box', jew radju, jew sett tat-televiżjoni mħaddma fil-post jew diffużi permezz ta' 'loudspeaker' minn xi parti oħra 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 thepremises*.

kapaċita' fejn ma' hemmx mezz formali biex tiġi kkalkolata l-kapaċita' ta' kamra, tali kapaċita' tiġi meqjusa b'riferenza għan-numru massimu ta' persuni illi jistgħu raġjonevolment jiġu akkommodati fil kamra, jew li huwa permess skond xi regolamenti maħruġa 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*.

mużika ppreżentata tfisser mużika murija permezz ta' :-
artisti personalment, inklużi wirjiet tal-'karaoke', jew, 'record' jew 'tape player' primarjament għal divertiment bħal permezz ta' diskoteka, tgħamir ċinematografu 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 discothequeequipment 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 mogħtija minn kantanti mingħajr ħlas kontestwalment ma' mużika reġistrata prodotta specifikament, bi jew mingħajr il-proviżjoni ta' lirika sinkronizzata ppreżentata viżwalment.
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 mużikali u jinkludu s-surmasti jew il-kundutturi ta' l-orkestri, irrispettivament minn jekk jikkombinaw fil-wirjiet tagħhom attivitajiet oħra bħaż-żfin jew jekk jagħmluhiex 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 ieħor mekkaniku għad-daqq ta' xogħlijiet mużikali, ħlief 'video player', jew mezz ieħor, bħal 'juke box', kapaċi li jkun operat bid-daħla 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-Soċjeta' tfisser kull u kwalsiasi xogħlijiet mużikali (inklużi xi kliem assoċjati magħhom), li fir-rigward tagħhom id-dritt tal-wirja pubblika fl-istess huma kkontrollati mis-Soċjeta' jew minn xi waħda mis-soċjetajiet f'pajjiżi oħra li magħhom is-Soċjeta' 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.*

dħul kollu ifisser id-dħul skond riċevuti mill-ammissjoni u mis-sħubija kif ukoll mill-bejgħ ta' ikel u xorb.
turnover *means admission and membership receipts and sales of food and drink*

'video player' tfisser kull tgħamir għall-esibizzjoni ta' videogrammi, sew jekk fuq 'tape' jew diska, ħlief għal 'video players' kapaċi li jiġu operati bid-daħla 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 għad-daqq ta' mużika reġistrata sinkronizzata bil- 'video' jew turija oħra viżwali u kapaċi li tiġi operata bid-daħla 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 GĦAL RISTORANTI
RESTAURANTS TARIFF

Effettiva mid-data tal-pubblikazzjoni fil-Gazzetta tal-Gvern
Effective from date of publication in the Government Gazette

1 KUNDIZZJONIJIET ĠENERALI
GENERAL CONDITIONS

1.1 Din it-tariffa tapplika għal wirjiet pubbliċi ta' mużika tutelata bid-dritt ta' l-awtur fi ħdan ir-ripertorju tas-Soċjeta f'ristoranti, kaffetieri, ħwienet 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-mużika jkun applika għal u jkun ottjena l-liċenzja tas-Soċjeta' qabel ma jinbdew il-wirjiet pubbliċi, id-dritt normali jiġi applikat u mħallas għall-ewwel sena tal-liċenzja
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-mużika ma jkunx applika għal u ottjena l-liċenzja tas-Soċjeta' qabel ma jinbdew il-wirjiet pubbliċi, id-dritt l-għola jiġi applikat u mħallas għall-ewwel sena tal-liċenzja.
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 każ, wara l-ewwel sena tal-liċenzja, id-dritt normali jiġi applikat w imħallas.
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 għall-informazzjoni ġenerali; u il-pubblikazzjoni ma' tikkonstitwix offerta sabiex tingħata liċenzja. Id-dritt applikabbli għal kwalunkwe wirja jew sensiela ta' wirjiet jkun determinat mis-Soċjeta' a bażi ta' ċirkostanzi kollha rilevanti. B'mod partikolari, din it-tariffa mhix intiża li tkun eżawrenti w għal dawk il-wirjiet illi fl'opinjoni tas-Soċjeta' jaqgħu 'l-barra minn dawk kontemplati hawn taħt, rati jiġu 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 għal liċenzja irid jagħti dik l-informazzjoni kollha meħtieġa sabiex is-Soċjeta' tkun tista tiddetermina d- dritt, jew skond din it-tariffa jew inkella mod ieħor jekk ikun il-każ.
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 ĦLAS TAD-DRITTIJIET
PAYMENT OF ROYALTIES
Id-drittijiet jitħallsu kull sena bil quddiem ta' kull liċenzja imbagħad f'kull data ta' tiġdid skond it-tariffa kurrenti tas-Soċjeta'
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 MIŻJUD
VALUE ADDED TAX

Kull Detentur ta' Liċenzja taħt it-tariffi tas-Soċjeta' jħallas lis-Soċjeta', b'żieda mad-dritt dovut, somma import ta' Taxxa Fuq il-Valur Miżjud 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.

2	**RATI TAD-DRITTIJIET** ***ROYALTY RATES***	**Dritt ogħla** ***Higher Royalty*** **€**	**Dritt normali** ***Standard Royalty*** **€**
2.1	**MUŻIKA PPREŻENTATA** ***FEATURED MUSIC***		
2.1	Għal wirjiet 'live' Il-ħlas 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	Għal wirjiet ippreżentati oħra bħala żifniet, diskoteki, karaoke &c., il-ħlas ikun …… *For other featured performances such as dances, discotheques, karaoke etc thecharge will be……*	6% tad-dħul kollu *of turnover*	3% tad-dħul kollu *of turnover*
	JEW (jekk il-pagamenti lill-artisti jew l-irċevuti tad-dħul ma' jkunux jistgħu jiġu aċċertati) *OR (if payments to performers or admission receipts are not ascertainable)*		
	Il-ħlas għal kull avveniment għal kull kapaċita' ta' 25 persuna jew għal 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……*	2.33	1.16
	Il-ħlas minimu għal Permess jew għal 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……*	88.72	44.36

3 MUŻIKA INĊIDENTALI
BACKGROUND MUSIC
Id-dritt annwali għal kull siġġu/post kull kamra jkun:
The annual royalty per seat/cover per room will be:-

3.1	Televiżjoni u/jew Vidjo …… *Television and/or Video……*	6.49	23.24
3.2	'Audio Juke Box' …… *Audio Juke Box……*	8.46	4.32
3.3	'Video Juke Box' …… *Video Juke Box ……*	11.28	5.64
3.4	CD/Tape/Record Player u/jew Radju …… *CD/Tape/Record Player and/or Radio ……*	5.92	2.96
3.5	Fejn żewġ strumenti jew aktar differenti imsemmija f'din is-sezzjoni jkunu jinstemgħu fl-istess kamra, l-ogħla ħlas b'rispett għal dik il-kamra tiġi applikata kollha kemm hi iżda l-ħlasijiet l-oħra jiġu 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') għad-daqq ta' mużika reġistrata u kapaċi li tiġi operata bid-daħla 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.*

mużika inċidentali tfisser dik il-mużika li tindaqq permezz ta' 'CD player', 'record player', 'tape player', jew 'video player' ħlief għall-iskopijiet ta' preżentazzjoni, jew inkella 'audio juke box' jew 'video juke box', jew radju, jew sett tat-televiżjoni mħaddma fil-post jew diffużi permezz ta' 'loudspeaker' minn xi parti oħra 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 thepremises.*

kapaċita' fejn ma' hemmx mezz formali biex tiġi kkalkolata l-kapaċita' ta' kamra, tali kapaċita' tiġi meqjusa b'riferenza għan-numru massimu ta' persuni illi jistgħu raġjonevolment jiġi akkommodati fil kamra, jew li huwa permess skond xi regolamenti maħruġa 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.*

mużika ppreżentata tfisser mużika murija permezz ta' :-
artisti personalment, inkluži wirjiet tal-'karaoke', jew 'record' jew 'tape player' primarjament għal divertiment bħal permezz ta' diskoteka, tgħamir ċinematografu 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 discothequeequipment 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 mogħtija minn kantanti mingħajr ħlas kontestwalment ma' mużika reġistrata prodotta speċifikament, bi jew mingħajr il-proviżjoni ta' lirika sinkronizzata ppreżentata viżwalment.
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 mużikali u jinkludu s-surmasti jew il-kundutturi ta' l-orkestri, irrespettivament minn jekk jikkombinaw fil-wirjiet tagħhom attivatajiet oħra bħaż-żfin jew jekk jagħmluhiex 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 ieħor mekkaniku għad-daqq ta' xogħlijiet mużikali, ħlief 'video player', jew mezz ieħor bħal 'juke box', kapaċi li jkun operat bid-daħla 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-Soċjeta' tfisser kull u kwalsiasi xogħlijiet mużikali (inkluż xi kliem assoċjati magħhom), li fir-rigward tagħhom id-dritt tal-wirja pubblika fl-istess huma kkontrollati mis-Soċjeta' jew minn xi waħda mis-soċjetajiet f'pajjiżi oħra li magħhom is-Soċjeta' 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.*

'dħul kollu' jfisser id-dħul skond riċevuti mill-ammissjoni u mis-sħubija kif ukoll mill-bejgħ ta' ikel u xorb.
turnover *means admission and membership receipts and sales of food and drink*

'video player' tfisser kull tagħmir għal esibizzjoni ta' videogrammi, sew jekk fuq 'tape' jew diska, ħlief għal 'video players' kapaċi li jiġu operati bid-daħla 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 użata sabiex iddoqq mużika rikordjata xinkronizzata bil 'video' jew xi ħaġa viswalment simili kapaċi li tiġi 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 GĦAL ĦWIENET U MĦAŻEN
SHOPS & STORES TARIFF

Effettiva mid-data tal-pubblikazzjoni fil-Gazzetta tal-Gvern
Effective from date of publication in the Government Gazette

1 **KUNDIZZJONIJIET ĠENERALI**
GENERAL CONDITIONS

1.1 Din it-tariffa tapplika għal wirjiet pubbliċi ta' mużika tutelata bid-dritt ta' l-awtur fir-ripertorju tas-Soċjeta għal ħwienet tal-bejgħ bl-imnut u mħażen, ċentri ta' negozju, 'showrooms' ta' karozzi, 'caravans' u dgħajjes, ħwienet tal-pompi tal-petrol u l-fetħa tagħhom, ħwienet tal-bejgħ bl-ingrossa w mobbli kif ukoll ħwienet 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-mużika jkun applika għal u jkun ottjena l-liċenzja tas-Soċjeta' qabel ma jinbdew l-wirjiet pubbliċi, id-dritt **normali** jiġi applikat u mħallas għall-ewwel sena tal-liċenzja.
*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-mużika ma' jkunx applika għal u ottjena l-liċenzja tas-Soċjeta' qabel ma jibdew l-wirjiet pubbliċi, id-dritt l-**għola** jiġi applikat u mħallas għall-ewwel sena tal-liċenzja.
*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 każ, wara l-ewwel sena tal-liċenzja, id-dritt **normali** jiġi applikat u mħallas.
*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 għall-informazzjoni ġenerali; u l-pubblikazzjoni ma' tikkostitwix offerta sabiex tingħata liċenzja. Id-dritt applikabbli għal kwalunkwe wirja jew sensiela ta' wirjiet jkun determinat mis-Soċjeta' a bażi taċ-ċirkostanzi kollha rilevanti. B'mod partikolari, din it-tariffa mhix intiża li tkun eżawrenti' u għal dawk il-wirjiet illi fl-opinjoni tas-Soċjeta' jaqgħu 'l barra minn dawk kontemplati hawn taħt, rati jiġu 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 għal liċenzja irid jagħti l-informazzjoni kollha meħtieġa sabiex is-Soċjeta tkun tista tiddetermina ir- royalty, jew skond din it-tariffa jew mod ieħor 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 ĦLAS TAD-DRITTIJIET
PAYMENT OF ROYALTIES

Id-drittijiet jitħallsu kull sena bil quddiem fil-bidu ta' kull liċenzja imbagħad f'kull data ta' tiġdid skond it-tariffa kurrenti tas-Soċjeta'.
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 MIŻJUD
VALUE ADDED TAX

Kull Detentur ta' Licenzja taħt it-tariffi tas-Soċjeta' jħallas lis-Soċjeta', b'żieda mad-dritt dovut, soma import ta' Taxxa Fuq il-Valur Miżjud 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.

2	**RATI TAD-DRITTIJIET** ***ROYALTY RATES***	**Dritt ogħla** ***Higher Royalty*** **€**	**Dritt normali** ***Standard Royalty*** **€**
	MUŻIKA INĊIDENTALI ĠEWWA ĦWIENET, MĦAŻEN U ĊENTRI TA' NEGOZJU, KEMM JEKK DIN TINDAQQ B'MEZZ TA' 'RECORD PLAYERS' 'TAPE PLAYERS' 'CD PLAYERS' JEW RADJU JEW TELEVIŻJONI. **BACKGROUND MUSIC IN SHOPS, STORES AND SHOPPING MALL CONCOURSES, WHETHER PERFORMED BY MEANS OF RECORD PLAYERS, TAPE PLAYERS, CD PLAYERS OR RADIOS OR TELEVISIONS**		
	Mużika mekkanika permezz ta' diska jew 'tape' jew 'CD player', radju jew televiżjoni ir-rata annwali tkun: Mechanical music only by record or tape or CD player, radio or television the annual charge is:		
	Għal kull kejl ta' :- Area in Square Metres where music audible:-		
	Sa'/Up to 30 m2 ……	109.80	54.90
Minn/From	31 sa'/to 100 ……	225.55	112.78
	101 sa'/to 200 ……	338.33	169.17
	201 sa'/to 300 ……	474.86	237.42
	301 sa'/to 500 ……	593.56	296.78
	501 sa'/to 750 ……	712.29	356.14
	751 sa'/to 1,000 …….	830.99	415.50
	1,001 sa'/to 1,250 ……..……	949.70	474.85
	1,251 sa'/to 1,500 …….....	1,068.43	534.22
	1,501 sa'/to 1,750 ……...……	1,187.13	593.56
	1,751 sa'/to 2,000 ……...…….....	1,305.85	652.92
	2,001 sa'/to 2,500 ……..	1,424.55	712.28
	2,501 sa'/to 3,000……...……	1,543.28	771.64

Fejn l-uniku mezz ta' xogħol mużikali fl-istabbiliment licenzjat huwa ta' 'single portable transistor','radju' bil jew mingħajr 'tape player' inkorporat ġewwa 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	71.23	35.62
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

mużika inċidentali tfisser dik il-mużika li tindaqq permezz ta' 'CD player', 'record player', 'tape player', jew 'video player' ħlief għall-iskopijiet oħrajn bħal mużika ppreżentata, jew radju, jew sett ta' televiżjoni fil post jinstema minn 'loudspeaker' minn xi parti oħra tal-post jew b'mezz ieħor minn barra l-istabbiliment.
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 ieħor mekkaniku għad daqq ta' xogħolijiet mużikali, ħlief 'video player', jew mezz ieħor bħal 'juke box', kapaċi li jkun operat bid-daħla ta' munita, jew forma ta' munita oħra.
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-ħanut ifisser il-kejl min ħajt sa' ħajt tal-post kollu fejn il-pubbliku għandu aċċess li jisma il-mużika.
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-Soċjeta tfisser kull u kwalsiasi xogħolijiet mużikali (inklużi xi kliem assoċjati magħhom), li fir-rigward tagħhom id-dritt tal-wirja pubblika fl-istess huma kkontrollati mis-Soċjeta' jew minn xi waħda mis-soċjetajiet f'pajjiżi oħra li magħhom is-Soċjeta' 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.*

ċentru tal-mużika jew radju 'cassette player' jfissru kombinazzjoni ta' biċċiet ta' apparat kapaċi li jirriproduċu ħoss minn aktar minn sors wieħed permezz ta' sistema waħdanija tal-ħoss.
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 GĦALWIRJIET TA' XOGĦLIJIET MUŻIKALI F'ĊINEMATOGRAFI
TARIFF FOR CINEMATOGRAPH PERFORMANCES

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

Effettivi mid-data tal-pubblikazzjoni fil-Gazzetta tal-Gvern
Effective from date of publication in the Government Gazette

1 L-ISKOP TAT-TARIFFA
SCOPE OF THE TARIFF

Din it-tariffa t'applika għal wirjiet pubbliċi ta' mużika tutelata bid-dritt ta' l-awtur fi ħdan r-ripertorju tas-Soċjeta' fil-funzjonijiet u avvenimenti fil-kors jew in konnessjoni ma, esibizzjoni ta' films, ġo 'cinemas' jew post ieħor fejn isiru esibizzjonijiet regolari ta' films kummerċjali ta' mhux anqas minn tlett' ijiem fil-ġimgħa għal perjodu ta' mhux anqas min erba' xhur fis sena, u liċenzji maħruġa taħt dina t-tariffa jkunu jkopru dawn il-kategoriji ta' mużika ppreżentata fir-ripertorju tas-Soċjeta'.
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' inklużi 'films' ta' reklami kemm jekk ir-ripertorju jintwera permezz ta' 'sound track' tal-'film' jew anke b'mod ieħor;
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) xogħolijiet mużikali fl'intermissjoni, għal-skopijiet ta 'play in', u 'play out';
performances for intermission, play in, and play out purposes;

(iii) xogħolijiet mużikali fil foyer taċ-'cinema' u fi spazju ta' dan il-bini li jaqa' taħt il-kontroll tad-Detentur tal-liċenzja, imwassal f'wieħed mill-'auditoria', jew mużika li tifforma parti minn attrazzjonijiet futuri, basta li l-foyer jew spazju ieħor m'għandux post ieħor fejn nies joqgħodu bil qiegħda jew jiġu 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) xogħolijiet mużikali 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 għal wirjiet pubbliċi fir-ripertorju tas-Soċjeta', ħlief dawk imsemmija f'paragrafu 1. hawn fuq, u kull liċenzja mogħtija mis-Soċjeta' taħt din it-tariffa hija suġġetta għal kundizzjoni li id-Detentur irid jinnotifika lis-Soċjeta' kull wirja jew avveniment jew xogħol mużikali ieħor miżmum fl-istabbiliment liċenzjat taħt din it tariffa w jrid iħallas 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 appropriatetariff.

Partikolarment, u mingħajr pregudizzju għal dak kollu li intqal fil-paragrafu preċedenti, din it-tariffa ma' tapplikax għal xogħolijiet mużikali fir-ripertorju tas-Soċjeta' mogħtija jew in konnesjoni ma' esebizzjoni fejn m'hemmx ħlas ta' flus għad-dħul, bi flus jew b'mod ieħor, oltre esebizzjonijiet meħuda akkont għall-iskop biex wieħed jikkalkula id-dħul 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

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

(a) "Dħul attwali" jfisser kull dħul mill-'box office' riċevut mid-Detentur matul is-sena kontabbli (barra kull element ieħor f'dak li għandu x'jaqsam mat- Taxxa fuq il-Valur Miżjud u kull pagament ieħor miġbur skond il-Liġi fuq riċevuti attwali) b'konnessjoni ma' kull esebizzjoni ta' films ;li tagħha t'applika dina t-tariffa u, fejn id-dħul jsir b' riklam jew 'token' jew 'vouchers' minflok flus jew valur ta' dawk il-flus, fl-ammont li kieku kien jiġi mħallas id-dħul normali li kien jiġi 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 wieħed jew aktar li jappartjenu 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 tiċċaqlaq tkun tista tiġi prodotta.

"Film" means a recording on any medium from which a moving image may by any means be produced

(d)"Money Holding Capacity" tfisser għal kull mod ta' divertiment, is-somma kollha imħallsa għad-dħul fuq kull siġġu fl'istabbiliment fejn tali divertiment jiġi miżmum, tnaqqis ta' Taxxa fuq il-Valur Miżjud, jew kull taxxa governattiva oħra jew xi impozizzjoni ta' natura simili li tkun in forza f'dak iż-żmien.

"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-aħħar jum tax-xahar meta tiskadi kull liċenzja, id-Detentur taħt din it-tariffa jrid jissupplixxi lis-Soċjeta' rendikont maħruġ minn 'accountant' kwalifikat sabiex jkun appuntat awditur ta' kumpanija pubblika jew li jiġi approvat mis-Soċjeta' fejn juri l-irċevuti attwali għas-sena tal-liċenzja preċedenti.

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' jagħmilx dan, is-Soċjeta' t'assessja id-drittijiet għas-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 jitħallas mid-Detentur taħt din it-tariffa jkun: *The annual royalty payable by a licensee under this tariff shall be:*	1% tal-irċevuti attwali tad-Detentur *of the licensee's Actual Receipts*
5.2	Il-MINIMU ta' l-ammont tad-dritt annwali għal kull Detentur jkun: *The MINIMUM annual royalty per licensee shall be:*	€ 248.30

6 APPLIKAZZJONI GĦAL LIĊENZJI
APPLICATIONS FOR LICENCES

(i) Min japplika għal liċenzja taħt din it-tariffa jrid jissupplixxi lis-Soċjeta' dik l-informazzjoni fuq il-formola addattata tas-Soċjeta' sabiex ikun raġjonevolment neċessarju għas-Soċjeta' tiddeċidi jekk it-tariffa hija applikabbli. Is-Soċjeta' maż-żommx lura milli tikkonċedi liċenzja lill- applikant li għandu bżonn għal wirjiet pubbliċi tar-ripertorju tas-Soċjeta' mogħti fil kors ta', jew b'konnessjoni ma, l-esebizzjoni ta' films li jaqaw taħt 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 publicperformance 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-Soċjeta mhijiex marbuta li toffri liċenzja jew permess taħt din it-tariffa rigward wirjiet pubbliċi jekk l-applikazzjoni ma' ssirxqabel 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 MIŻJUD
VALUE ADDED TAX

Kull Detentur ta' Liċenzja taħt it-tariffitas-Soċjeta' jħallas lis-Soċjeta', b'żieda mad-dritt dovut, somma import ta' Taxxa fuq il-Valur Miżjud 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.

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

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

Effettivi mid-data tal-pubblikazzjoni fil-Gazzetta tal-Gvern
Effective from date of publication in the Government Gazette

1 L-ISKOP TAT-TARIFFA
SCOPE OF THE TARIFF

Din it-tariffa tapplika għal xandir jew xandir mill-ġdid fuq radju jew televiżjoni, komunikazzjonijiet lill pubbliku, jew ritrasmissjoniji bil 'cable' ta' kull xogħolfir-ripertorju tas-Soċjeta'
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 ESKLUŻŻJONIJIET
EXCLUSIONS

Din it-tariffa ma' t'applikax għal wirja pubblika ta' kull xogħol li jifforma parti min-ripertorju tas-Soċjeta' jekk dik il-wirja hija mogħtija permezz ta' riċezzjoni ta' xi xandira, xandir mill-ġdid, 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 thepublic or cable retransmissions.

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

Fi żmien sitt ġimgħat mill-aħħar tas-sena ta' liċenzja, id-Detentur għandu jipprovdi lis-Soċjeta' rendikont, awtentikat min accountant kwalifikat sabiex jkun appuntat awditur ta' kumpanija pubblika jew li huwa approvat mis-Soċjeta', li jikkonferma d-dħul verifikat tad-Detentur li permezz tiegħu is-Soċjeta' tkun tista tikkalkula id-dritt attwali pagabbli f'dik is-sena tal-liċenzja
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 għandu jipprovdi listi lis-Soċjeta', fil mod u għal dawk il-perjodi ta' żmien speċifikati mis-Soċjeta', li għadhom jiddentifikaw għas-soddisfazzjon raġjonevoli tas-Soċjeta', kull xogħol mużikali (u kull kelma assoċjata magħhom) inklużi 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 għandu jkun 2% tad-dħul totali mix-xandir.
The annual royalty payable shall be 2% of Total Broadcasting Revenue

5.2 Xandara bir-Radju Kummerċjali
Commercial Radio Broadcasters

Fejn id-dħul nett mix-xandir huwa inqas minn € 648,961 fis sena, id-dritt annwali pagabbli għandu jkun 3% tad-dħul nett mix-xandir.
Where Net Broadcasting Revenue is less than € 648,961 per annum, the annual royalty payable shall be 3% of Net Broadcasting Revenue

Fejn id-dħul nett mix-xandir huwa daqs jew aktar minn € 648,961 fis sena, imma inqas minn Lm 484,520 fis sena, id-dritt annwali pagabbli għandu jkun 4% tad-dħul nett mix-xandir.
Where Net Broadcasting Revenue is equal to or greater than 648,961 per annum but less than Lm 484,520 per annum, the annual royalty payable shall be 4% of Net Broadcasting Revenue

Fejn id-dħul nett mix-xandir huwa daqs jew aktar minn € 1,297,922 fis sena, id-dritt annwali pagabbli għandu jkun 5% tad-dħul nett mix-xandir.
Where Net Broadcasting Revenue is equal to or greater than € 1,297,922 per annum, the annual royalty payable shall be 5% of Net Broadcasting Revenue

5.3 Xandara tat-TV Kummerċjali.
Commercial TV Broadcasters

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

5.5 Tnaqqis fir-rata ta' perċentaġġ applikabbli jista jiġi meqjus, għad-diskrezzjoni tas-Soċjeta' minn xandara u operaturi tal-cable li il-programm intier għandu inqas minn 15% mużika.
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 għal kull ġurnata jkun ta' € 76.19
The daily royalty payable shall be €76.19

6 TAXXA FUQ IL-VALUR MIŻJUD
VALUE ADDED TAX

Kull Detentur ta' Licenzja taħt it-tariffitas-Soċjeta' jħallas lis-Soċjeta', b'żieda mad-dritt dovut, somma import ta' Taxxa Fuq il-Valur Miżjud 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 DEFINIZZJONIJIET.
DEFINITIONS

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

(a) "Dħul totali mix-xandir" ifisser l-ammont totali ta' kull dħul minn kull nisel li jsir pagabbli lid-Detentur taħt din it-tariffa għal kull sena, inkluż, imma mhux ristrett, għad-dħul minn reklami, donazzjonijiet, sottoskrizzjonijiet, sponsorship, t'partit jew negozju bi ftehim ('contra deals'), miżati minn liċenzji, għajnuna monetarja mill-gvern u sussidji oħra.
"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) "Dħul nett mix-Xandir" jfisser dħul totali minn reklami wara li titnaqqas il-commission attwali tal-aġenzija tar-reklamar, jekk applikabbli, soġġetta għal proviso li it-tnaqqismassimu permess għandu 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-Soċjeta'" jfisser kull u kwalunkwe xogħol mużikali (inkluż kull kliem assoċjat), fejn id-drittijiet tax-xandir, ritrasmissjonijiet ikkomunikatilill pubblikujew li jiġu trasmessi bil 'cable' huma kontrollati mis-Soċjeta' jew kull Soċjeta' oħra f'pajjiżi ma' min is-Soċjeta' 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.

TARIFFA GHALL-FORNITURI TA' SERVIZZI '*ONLINE*' (Tariffa "O")

Effettiva mid-Data tal-Pubblikazzjoni fil-Gazzetta tal-Gvern

1 Din it-tariffa tapplika għall-kommunikazzjoni lill-pubbliku ta' kull xogħol fir-Ripertorju tas- Soċjetà minn kumpaniji jew individwi li jipprovdu servizzi ta' mużika '*online*' lill-pubbliku Malti, fejn il-mużika tkun il-fokus primarju.

2 ESKLUŻJONIJIET

Sabiex jiġi evitat kull dubju, din it-tariffa ma tapplikax għall-każijiet li ġejjin :-

(a) Ir-riproduzzjoni ta' kull xogħol fir-repertorju tas-Soċjetà involut fil-proċess tal-provvista ta' servizzi ta' mużika '*online*';
(b) Servizzi awdjo u awdjoviżivi li joffru kontenut ta' 'divertiment ġenerali' fejn il-mużika ma hijiex il-fokus primarju;
(c) Reklamar '*online*';
(d) Mużika offruta bħala inċentiv għal xiri ta' prodotti jew servizzi;
(e) Il-kommunikazzjoni lill-pubbliku ta' kull xogħol fir-Repertorju tas-Soċjetà imwettaq permezz tar-riċeviment ta' kull servizz provdut *'online*'.

Fir-rigward ta' (a), (b), (c) u (d), il-liċenzji rekwiżiti jinħarġu fuq bażi individwali mill-uffiċċju prinċipali tal- MCPS-PRS Alliance Ltd f'Londra.Fir-rigward ta' (e), il-liċenzji rekwiżiti jinħarġu taħt it-Tariffa Ġenerali tal-agenzjia tal-PRS f'Malta.

3 RENDIKONT ANNWALI TA' DHUL VERIFIKAT

Fi żmien sitt ġimgħat mit-tmiem ta' sena tal-liċenzja Detentur ta' liċenzja taħt din it-tariffa għandu jissuplixxi lis-Soċjetà rendikont, awtentikat minn '*Public Accountant and Auditor*' jew minn '*accountant*' li jkun approvat mis-Soċjetà, li jikkonferma d-dħul verifikat tad-Detentur tal-liċenzja sabiex b'hekk is-Soċjetà tkun tista' tikkalkula d-dritt attwali pagabbli fis-sena tal-liċenzja.

4 RAPPORTAĠĠ TAL-UŻU

Id-Detentur tal-liċenzja għandu jissupplixxi listi lis-Soċjetà b'tali mod u għal tali perjodi kif speċifikati mis-Soċjetà li għandhom jiddentifikaw għas-soddisfazzjoni raġjonevoli tas-Soċjetà dawk ix-xogħolijiet mużikali kollha (u kwalunkwe kliem assoċjati magħhom) inklużi f'xi wieħed mis-servizzi liċenzjati.

5 TAXXA FUQ IL-VALUR MIŻJUD

Detentur ta' liċenzja taħt dina t-tariffa għandu jħallas lis-Soċjetà b'żieda mad-dritt dovut skond din it-tariffa, somma import ta' Taxxa Fuq il-Valur Miżjud kalkolata skond ir-rata rilevanti fuq id-dritt applikabbli.

6 RATI TAD-DRITTIJIET

6.1 Għal Servizzi ta' Mużika '*Online*' li joffru '*Downloads*' Permanenti u Limitati

6.1.1	Għal servizzi ta' mużika '*online*' li jiġġeneraw € 9,177jew aktar fis-sena, id-dritt annwali jkun …	2% tad-Dħul Gross
6.1.2	Għal servizzi ta' mużika '*online*' li jiġġeneraw anqas minn € 7,980 fis-sena, id-dritt annwali jkun …	
	(a) < 2,500 '*downloads*' permanenti jew < 45,000 '*downloads*' limitati fis-sena	€44.06
	(b) <5,000'*downloads*' permanenti jew <90,000 '*downloads*' limitati fis-sena	€88.10
	(c) <12,500 '*downloads*' permanenti jew <225,000 '*downloads*' limitati fis-sena	€220.26

6.2 Għal servizzi ta' '*Streaming*' fir-rigward ta' mużika '*On-Demand*' provduta '*Online*'

6.2.1	Għal servizzi ta' mużika '*online*' li jiġġeneraw € 9,177 jew aktar fis-sena, id-dritt annwali jkun …	4% tad-Dħul Gross

6.2.2	Għal servizzi ta' mużika '*online*' li jiġġeneraw anqas minn € 9,177 fis-sena, id-dritt annwali jkun …	
	(a) < 45,000 '*streams*' fis-sena	€88.10
	(b) <90,000 'streams' fis-sena	€176.20
	(c) <225,000 '*streams*' fis-sena	€440.51

6.3 Servizzita' '*Webcasting*' Interattivi

6.3.1	Għal servizzi ta' mużika '*online*' li jiġġeneraw € 9,177jew aktar fis-sena, id-dritt annwali jkun …	4.88% tad-Dħul Gross
6.3.2	Għal servizzi ta' mużika '*online*' li jiġġeneraw anqas minn € 9,177 fis-sena, id-dritt annwali jkun …	
	(a) < 115,000 '*streams*' fis-sena	€132.16
	(b) <230,000 '*streams*' fis-sena	€303.95
	(c) <575,000 '*streams*' fis-sena	€759.89

6.4 Servizzita' '*Webcasting*' non-interattivi

6.4.1	Għal servizzi ta' mużika '*online*' li jiġġeneraw € 9,177 jew aktar fis-sena, id-dritt annwali jkun …	4.31% tad-Dħul Gross
6.4.2	Għal servizzi ta' mużika '*online*' li jiġġeneraw anqas minn € 9,177 fis-sena, id-dritt annwali jkun …	
	(a) < 180,000 '*streams*' fis-sena	€151.98
	(b) <360,000 '*streams*' fis-sena	€264.30
	(c) <900,000 '*streams*' fis-sena	€660.77

6.5 Servizzita' '*Podcasting*'

6.5.1	Għal servizzi ta' mużika '*online*' li jiġġeneraw € 9,177 jew aktar fis-sena, id-dritt annwali jkun …	2% tad-Dhul Gross
	Dritt minimu	€0.055c kull '*track*'

6.5.2 Għal servizzi ta' mużika '*online*' li jiġġeneraw anqas minn € 9,177 fis-sena, id-dritt annwali jkun …

(a) < 68,000 il-xogħol '*downloaded*' fis-sena	€44.06
(b) <136,000 il-xogħol '*downloaded*' fis-sena	€88.10
(c) <340,000 il-xogħol '*downloaded*' fis-sena	€220.26

Liċenzja għal '*Podcast*' iġorr magħha r-restrizzjonijiet li ġejjin :

- '*Podcasts*' għandom jiġu provduti fil-forma ta' programmi fl-interita' tagħhom, u mhux bħala '*tracks*' individwali jew porzjonijiet separati.
- L-ebda kontenut awdjoviżiv ma huwa kopert taħt il-liċenzja għal '*podcast*' mingħajr l-approvazzjoni tas-Soċjetà.
- '*Podcasts*' għandhom jikkontjenu kemm kliem u mużika, bil-kliem mifrux matulhom kollu.
- Mhux aktar minn 50% tat-'*tracks*' użati fil-'*podcast*' jistgħu jkunu esegwiti minn artist wieħed partikolari jew miktubin minn kompożitur wieħed partikolari mingħajr l-approvazzjoni tas-Soċjetà.
- Mhux aktar minn 2 xogħolijiet fir-Ripertorju tas-Soċjetà minn '*album*' partikolari jew aktar minn 2 xogħolijiet fir-Ripertorju tas-Soċjetà esegwiti minn artist partikolari jew miktubin minn kompożitur partikolari huma permessi taħt il-liċenzja għall-'*podcast*' mingħajr l-approvazzjoni tas-Soċjetà.
- Ma jistax ikun hemm gwida li tipprovdi dettalji dwar il-ħin li fih għandhom jidhru xi '*tracks*' partikolari.
- Ma jistgħux jiġu inseriti sinjali jew marki li jippermettu is-segmentazzjoni u s-separazzjoni ta' '*tracks*'.

6.6 Servizzi ta' '*Clips*'

6.6.1	Għal servizzi ta' mużika '*online*' li jiġġeneraw € 9,177 jew aktar fis-sena, id-dritt annwali jkun …	4% tad-Dħul Gross

6.6.2 Għal servizzi ta' mużika '*online*' li jiġġeneraw anqas minn € 9,177 fis-sena, id-dritt annwali jkun …

(a) 1-250 'clip' imqiegħdin disponibbli f'kull hin partikulari		€44.06
(b) 251-500 'clip' imqiegħdin disponibbli f'kull partikulari	hin	€88.10
(c) 501,-1000 'clip' imqiegħdin disponibbli f'kull partikulari	hin	€176.20
(d) 1001-5000 'clip' imqiegħdin disponibbli f'kull partikulari	hin	€440.51

6.7 '*Ringtones*'

Id-dritt ikun …

(a)	'*Realtones*'	4% tad-Dħul Gross
	Dritt minimu	€4.90 kull ton
(b)	Polifoniċi jew Monofoniċi	5% tad-Dħul Gross
	Dritt minimu	€7.34 kull ton

7 DEFINIZZJONIJIET.

Għall-iskop ta' din it-tariffa:

Soċjetà tfisser The Performing Right Society Limited li għandha l-uffiċċju reġistrat tagħha fi 29-33 Berners Street Londra W1T 3AB, Renju Unit.

Dħul Gross ifisser l-ammont totali ta' kull dħul minn kull sors li jkun dovut lil xi detentur ta' liċenzja taħt dina t-tariffa f'xi sena tal-liċenzja partikolari in konnessjoni mal-provvista tas-servizzi liċenzjati, inkluż, iżda mhux ristrett għad-dħul mill-aċċess għal jew mill-użu tas-servizzi liċenzjati, riklamar, '*sponsorship*', donazzjonijiet, '*barter*' u '*contra deals*'.

Ripertorju tas-Soċjetà tfisser kull u kwalsiasi xogħolijiet mużikali (inklużi xi kliem assoċjati magħhom), li fir-rigward tagħhom id-drittijiet tal-esekuzzjoni pubblika huma kkontrollati mis-Soċjetà jew minn xi waħda mis-soċjetajiet f'pajjiżi oħra li magħhom is-Soċjetà hija affiljata.

'*Realtone*' ifisser reġistrazzjonijiet tas-smigħ uffiċjali liċenzjati mir-'*Record Label*' applikabbli.

'*Ringtone*' ifisser reġistrazzjoni awdjo qasir li jinkludi xogħol, jew parti minnu, fir-Ripertorju tas-Soċjetà, l-għan ewlieni ta' liema ikun sabiex javża l-Utent b'telefonata li tkun dieħla jew messaġġ fuq xi apparat.

Utent ifisser peruna li tkun ordnat '*Ringtone*' minn għand id-Detentur tal-liċenzja għal xi apparat, jew ir-riċevitur intiż tar-'*Ringtone*' meta dik il-persuna tkun differenti mill-persuna li tkun ordnat ir-'*Ringtone*'.

'***Podcasting***' ifisser programm tal-awdjo biss li jkun 'downloadable' u li jkun jikkontjeni mużika u kliem, fejn il-mużika tkun imxerrda matul il-'*podcast*' kollu u fejn il-'*podcast*' ma jkunx jista' jinqasam fi '*tracks*' individwali.

TARIFFA GHAL VAPURI TAL-PASSIGGIERI MALTA

(Tariffa "PV")

Effettiva mid-Data tal-Pubblikazzjoni fil-Gazzetta tal-Gvern

1 KUNDIZZJONIJIET ĠENERALI

1.1 Din it-tariffa tapplika għall-esekuzzjonijiet ta' mużika tutelata bid-dritt ta' l-awtur fi ħdan ir-ripertorju tas-Soċjetà a board ta 'o*cean liners', 'cruise liners'* u l-vapuri l-oħra kollha reġistrati f'Malta.

1.2 Applikant għal liċenzja taħt din it-tariffa għandu jimla l-forma tal-applikazzjoni relattiva u għandu jagħti dik l-informazzjoni kollha li tista' tkun meħtieġa sabiex is-Soċjetà tkun f'pożizzjoni li toħroġ liċenzja f'waqtha. Meta l-utent tal-mużika *jkun* applika għal u jkun ottjena l-liċenzja tas- Soċjetà qabel ma jinbdew l-esekuzzjonijiet, id-dritt **normali** jiġi applikat u mħallas għall-ewwel sena tal-liċenzja.

Meta l-utent tal-mużika ma jkunx applika għal u ottjena l-liċenzja tas-Soċjetà qabel ma jinbdew l- esekuzzjonijiet, id-dritt tal-**ewwel sena** jiġi applikat u mħallas għall-ewwel sena tal-liċenzja.

F'kull każ, wara l-ewwel sena tal-liċenzja, id-dritt **normali** jiġi applikat u mħallas.

1.3 It-tariffa hija pubblikata għall-informazzjoni ġenerali; u l-pubblikazzjoni ma' tikkostitwix offerta sabiex tingħata liċenzja. Id-dritt applikabbli għal kwalunkwe esekuzzjoni jew sensiela ta'esekuzzjonijiet ikun determinat mis-Soċjetà a bażi taċ-ċirkostanzi kollha rilevanti. B'mod partikolari, din it-tariffa mhix intiża li tkun eżawrjenti u għal dawk l-esekuzzjonijiet illi fl-opinjoni tas-Soċjetà jaqgħu 'l barra minn dawk kontemplati hawn taħt, rati jiġu kkwotati fuq applikazzjoni.

1.4 Applikant għal liċenzja jrid jagħti dik l-informazzjoni kollha meħtieġa sabiex is-Soċjetà tkun tista tiddetermina d-dritt, jew skond din it-tariffa jonkella mod ieħor jekk ikun il-każ.

1.5 Id-drittijiet jitħallsu kull sena bil quddiem mal-fattura tas-Soċjetà, fil-bidu ta' kull liċenzja imbagħad f'kull data ta' tiġdid tal-liċenzja skond kif fatturata, jew malajr kemm jista' jkun wara li l- fattura tkun ġiet imwassla.

1.6 Kull Detentur ta' Liċenzja taħt it-tariffi tas-Soċjetà jħallas lis-Soċjetà, b'żieda mad-dritt dovut, somma import ta' Taxxa Fuq il-Valur Miżjud kalkolata skond ir-rata rilevanti fuq dak id-dritt.

2	**RATI TAD-DRITTIJIET**	**Dritt tal-ewwel sena**	**Dritt normali**
2.1	Id-dritt għall-infiq fuq id-divertiment ħaj relatat għall-mużika jkun … Fi żmien sitt ġimgħat mit-tmiem ta' sena tal-liċenzja Detentur ta' liċenzja taħt din it-tariffa għandu jissuplixxi lis-Soċjetà rendikont, awtentikat minn rappreżentant tad-Detentur tal-Liċenzja li jkollu r-responsabilita' relattiva sabiex jirrapporta dwar l-infiq fuq id-divertiment, li jikkonferma l-infiq fuq id-divertiment ħaj relatat għall-mużika mid-Detentur tal-liċenzja għal dik is-sena sabiex b'hekk is-Soċjetà tkun tista' tikkalkula d-dritt pagabbli għal dik is-sena tal-liċenzja, jew	9%	6%
2.2	Għal divertiment ħaj relatat għall-mużika fejn l-infiq ma jkunx jista' jiġi kkalkulat faċilment mid-Detentur tal-liċenzja u d-Detentur tal-liċenzja jagħżel li ma jiġix stmat taħt 2.1, id-dritt għal kull '*lower berth capacity*' ikun:	€36.50	€24.33
2.3	Għależekuzzjonijiet tal-mużika ippreżentati b'mod mekkaniku id-dritt għal kull '*lower berth capacity*' ikun …	€7.04	€4.69
2.4	Għal mużika inċidentali esegwita fl-arjiet pubbliċi tal-vapur id-dritt għal kull '*lower berth capacity*' ikun …	€3.52	€2.34
2.5	Għal mużika mdaqqa waqt wirjiet ċinematografiċi d-dritt għal kull '*lower berth capacity*' ikun …	€4.22	€2.82
2.6	Għal mużika trasmessa fil-kabini individwali, d-dritt għal kull '*lower berth capacity*' ikun …	€3.52	€2.34

3	DEFINIZZJONIJIET

Mużika inċidentali tfisser dik il-mużika li tindaqq permezz ta' '*compact disc ("CD") player'*, '*record player*', '*tape player*', jew '*video player*' ħlief għall-iskopijiet ta' preżentazzjoni, jew radju jew sett tat-televiżjoni mħaddma abbord il-vapur jew diffużi permezz ta' '*loudspeaker*' minn xi parti oħra tal-vapur jew minn xi sors 'l barra mill-vapur.

Infiq fuq id-divertiment ħaj relatat għall-mużika ifisser it-totalita' tas-salarji u pagi '*gross*' inkluż drittijiet, spejjeż u ħlasijiet oħra imħallsa lill-artisti u drittijiet '*gross*' (netti minn xi Taxxa fuq il-Valur Miżjud jew l-ekwivalenti) imħallsin lil terzi persuni għas-servizzi ta' artisti. Fejn l-artisti jkunu mpjegati mid-Detentur tal-liċenzja għal skopijiet oħra b'żieda mal-esekuzzjoni tad-divertiment ħaj relatat għall-mużika proporzjon rilevanti tas-salarju u paga '*gross*' tagħhom jiġi skontat fil-kalkolu tal-infiq fuq id-divertiment ħajrelatat għall-mużika.

Mużika ppreżentata tfisser mużika murija permezz ta':-
artisti personalment, jew
'*record*' jew '*tape player'* primarjament għal divertiment bħal permezz ta' diskoteka, tgħamir ċinematografu jew '*video player'*.

'Lower berth capacity' ifisser in-numru ta' individwi li normalment ikunu jistgħu jiġu akkomodati għall-iskopijiet tal-ivjaġġar (sew jekk bi ħlas sew jekk le) abbord vapur tad-Detentur tal-liċenzja f'kull ħin. Għall-finijiet tas-sezzjoni 2.6 ta' dina t-tariffa biss, dan jinkludi wkoll dawk l-individwi impjegati mid-Detentur tal-liċenzja. Fejn il-'lower berth capacity' ma tkunx il-miżura konvenzjonali tal-kapaċita' abbord vapur, il-kapaċita' massima ta' passiġġieri skond kif ċertifikat/permess mill-awtoritajiet regolaturi tal-operatur tal-vapur għandu jiġi dikjarat.

Artisti jfissru kantanti u artisti ta' strumenti mużikali u jinkludu s-surmasti jew il-kundutturi ta' l-orkestri, irrispettivament minn jekk jikkombinaw mal-wirjiet tagħhom attivitajiet oħra bħaż-żfin jew jekk jagħmluhiex ukoll ta' '*comperes*'. Sabiex jiġi evitat kull dubju, artisti ma jinkludux żeffiena, kummidjanti, saħħara u oħrajn li jipprovdu divertiment fejn il-mużika ma tikkostitwixxix parti sostanzjali tal-wirjiet tagħhom.

Soċjetà tfisser The Performing Right Society Limited li għandha l-uffiċċju reġistrat tagħha fi 29-33 Berners Street Londra W1T 3AB, Renju Unit.

Ripertorju tas-Soċjetà tfisser kull u kwalsiasi xogħolijiet mużikali (inklużi xi kliem assoċjati magħhom), li fir-rigward tagħhom id-drittijiet tal-esekuzzjoni pubblika huma kkontrollati mis-Soċjetà jew minn xi waħda mis-soċjetajiet f'pajjiżi oħra li magħhom is-Soċjetà hija affiljata.

ONLINE SERVICE PROVIDERS

(TARIFF "O")

Effective from date of publication in the Government Gazette

1 SCOPE OF THE TARIFF

This tariff shall apply to the communication to the public of any work in the Repertoire of the Society by companies and individuals providing online music services, where music is the primary focus, to the Maltese public.

2 EXCLUSIONS

For the avoidance of doubt, this tariff does not apply to the following:

(a) The reproduction of any work in the repertoire of the Society involved in the process of providing online music services.

(b) Audio and audio-visualservices offering'generalentertainment' contentwhere music is not the primary focus

(c) Online Advertising

(d) Music offered as an incentive to purchase goods or services.

(e) The communication to the public of any work in the Repertoire of the Society given by means of the reception of any services provided online.

With regard to (a), (b), (c) and (d), the requisite licences are issued on an individual basis from the MCPS-PRS Alliance Ltd Head Office in London. With regard to (e) the requisite licences are issued under the General Tariff from the PRS Malta Agency.

3 ANNUAL STATEMENT OF AUDITED REVENUE

Within six weeks of the end of a licence year a Licensee under this tariff shall furnish to the Society a statement, certified by a Public Accountant and Auditor or an accountant 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 USAGE REPORTING

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 of the licensed services.

5 VALUE ADDED TAX

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 payab

6 ROYALTY RATES

6.1 For Online Music Services offering Permanent and Limited Downloads

6.1.1	For online music services generating € 9,177 p.a. or more, the annualroyalty shall be….	2% of Gross Revenue
6.1.2	For online music services generating less than € 9,177 p.a. the annual royalty shall be….	
	(a) < 2,500 permanent downloads or < 45,000 limited downloadsp.a.	€ 44.06
	(b) < 5000 permanent downloads or < 90,000 limited downloads p.a.	€ 88.10

	(c) < 12,500 permanent downloads or < 225,000 limited downloads p.a.	€ 220.26

6.2 For Online Music On-Demand Streaming services

6.2.1	For online music services generating € 9,177 p.a. or more, the annualroyalty shall be….	4% of Gross Revenue
6.2.2	(a) < 45,000 streams p.a.	€ 88.10
	(b) <90,000 streams p.a.	€ 176.20
	(c) < 225,000 streams p.a.	€ 440.51

6.3 Interactive Webcasting Services

6.3.1	For online music services generating € 9,177 p.a. or more, the annualroyalty shall be….	4.88% of Gross Revenue
6.3.2	For online music services generating less than € 9,177 p.a. the annual royalty shall be….	
	(a) < 115,000 streams p.a.	€ 132.16
	(b) < 230,000 streams p.a.	€ 303.95
	(c) < 575,00 streams p.a.	€ 759.89

6.4 Non-interactive webcasting Services

6.4.1	For online music services generating € 9.177 p.a. or more, the annualroyalty shall be….	4.31% of Gross Revenue
6.4.2	For online music services generating less than € 9,177 p.a. the annual royalty shall be….	
	(a) < 180,000 streams p.a.	€ 151.98
	(b) < 360,000 streams p.a.	€ 264.30
	(c) < 900,000 streams p.a.	€ 606.77

6.5 Podcasting Services

6.5.1	For online music services generating € 9,177 p.a. or more, the annualroyalty shall be….	2% of Gross Revenue
	Minimum charge	€0.055c per track

6.5.2 For online music services generating less than € 9,177 p.a. the annual royalty shall be….

(a)	< 68,000 downloaded works p.a.	€ 44.06
(b)	< 136,000 downloaded works p.a.	€ 88.10
(c)	< 340,000 downloaded works p.a.	€ 220.26

A Podcast Licence carries the following restrictions:

- Podcasts must be provided in the form of programmes in their entirety, and notas individual tracks or separate portions.
- No audio-visual content is covered under the podcast licence without approval from the Society.
- Podcasts must contain both speech andmusic, with thespeechspread throughout.
- No more than 50% of the tracks used in the podcast can be performed by one particular artist or written by one particular composer withoutapproval from the Society
- No more than 2 works in the Repertoire of the Society from a particular album or more than 2 works in the Repertoire of the Society performed by a particular artist or written by a particular composer are permitted under the podcast licence without approval from the Society
- There can be no guide providing details of thetime at which particular tracks appear.
- There must notbe any flags or markers inserted which enable thesegmenting and separationof tracks

6.6 Clips Services

6.6.1 For online music services generating € 9,177 p.a. or more, the annualroyalty shall be…. 4% of Gross Revenue

6.6.2 For online music services generating less than € 9,177 p.a. the annual royalty shall be….

(a)	1-250 clips made available at any one time	€ 44.06
(b)	251-500 clips made available at any one time	€ 88.10
(c)	501-1000 clips made available at any one time	€ 176.20
(a)	1001-5000 clips made available at any one time	€ 440.51

6.7 Ringtones

The royalty shall be……

(a)	Realtones	4% of Gross Revenue
	Minimum Charge	4.90c per tone
(b)	Polyphonic or Monophonic	5% of Gross Revenue
	Minimum Charge	7.34c per tone

7 DEFINITIONS

For the purpose of this tariff:

Society means the Performing Right Society Limited whose registered office is at 29-33 Berners Street London W1T 3AB.

Gross Revenue means the total amount of any revenue from any source which becomes payable to a licensee under this tariff in any given licence year in relation to the provision of the licensed services, including, but not restricted to revenue from accessing or using the licensed services, advertising, sponsorship, donations, barter or contra deals.

Repertoire of the Society means all and any musical works (including any words associated therewith), in which the right to reproduce or communicate to the public are controlled by the Society or by any of the societies with which the Society is affiliated.

Realtone means official sound recordings licensed from the applicable Record Label.

Ringtone means a short audio recording incorporating a work, or part thereof, in the Repertoire of the Society, the primary purpose of which is to notify the User of an incoming call or message on a device.

User means a person who has ordered from the Licensee a Ringtone for a device, or the intended recipient of the Ringtone where that person is different from the person who ordered the Ringtone.

Podcasting means a downloadable, audio only programme containing music and speech, where the music is spread throughout the podcast and where the podcast cannot be split into individual tracks

PASSENGER VESSELS TARIFF
MALTA
(TARIFF "PV")

Effective from date of publication in the Government Gazette

1 GENERAL CONDITIONS

1.1 This tariff applies to performances of copyright music within the Society's repertoire on board ocean liners, cruise liners and all other vessels registered in Malta

1.2 An applicant for a licence under this tariff shall complete the appropriate application form and give to the Society such information as may be required to enable it to issue a licence in good time. 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.

Where the music user *has not* applied for and obtained the Society's licence before musical performances commence, the **first year** royalty rate will be charged and payable for the first year of the licence.

After the first year of the licence, in either case, the **standard** royalty rate will be charged and payable.

1.3 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 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 Royalties are payable annually in advance against the Society's invoice, at the commencement of each licence and then on each renewal date for the licence as invoiced, or as soon after that date as the invoice is delivered.

1.6 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.

		First Year Royalty	Standard Royalty
2	**ROYALTY RATES**		
2.1	The charge for expenditure on music related live entertainmentwill be… Within six weeks of the end of a licence year a Licensee under this tariff shall furnish to the Society a statement, certified by a representative of the Licensee who has appropriate responsibility to reportentertainment expenditures, confirming the expenditureon music related live entertainment by the Licensee in that year in order to enable the Society to calculate the royalty payable for that licence year, or	9%	6%
2.2	For music related live entertainmentwhere expenditure cannot be calculated easily by the Licensee and the Licensee chooses not to be assessed under 2.1, the charge per lower berth capacity will be:	€ 36.50	€ 24.33
2.3	For non-live featured performances of music the charge per lower berth capacity will be…..	€ 7.04	€ 4.69
2.4	For background music performed in public areas of the vessel the charge per lower berth capacity will be…..	€ 3.52	€ 2.34
2.5	For music played during the course of cinema exhibitions the charge per lower berth capacity will be.....	€ 4.22	€ 2.82
2.6	For music transmitted to individual cabins, the charge per lower berth capacity will be…..	€ 3.52	€ 2.34

3 DEFINITIONS

Background music means 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 vessel or diffused through a loud-speaker from another part of the vessel or a source outside the vessel

Expenditure on music related live entertainment means the total of gross salaries and gross wages plus fees, expenses or other emoluments paid to performers and gross fees (net of any VAT or equivalent) paid to third parties for the services of performers. Where performers are employed by the Licensee for other purposes in addition to performing music related live entertainment a relevant proportion of their gross salary or gross wage will be discounted in calculating expenditure on music related live entertainment.

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
cinematographequipment or video player.

Lower berth capacity means the number of individuals who can normally be accommodated for travel (whether or not for valuable consideration) on a vessel of the Licensee at any one time. For the purposes of section 2.6 of this tariff only, this includes individuals employed by the Licensee. Where lower berth capacity is not a conventional measure of capacity on a vessel, the maximum passenger capacity certified/allowed by the vesseloperator's regulatory bodies should be declared.

Performers means singers and performers of musical instruments, including orchestra conductors or leaders, whether or not they combine in their performances other activities such as dancing or acting as comperes. For the avoidance of doubt, performers does not include dancers, comedians, magicians or other entertainers where music does not form a substantial part of their entertainment.

Society means the Performing Right Society Limited whose registered office is at 2 Pancras Square, London N1C 4AG

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.