Nru. 1004

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, il-Fondi Ewropej u Artijiet
Palazzo Zondadari
197/198, Triq il-Merkanti
Valletta VLT 1172

Talba ta' PRS for Music Limited u t-Tariffa Proposta

Il-15 ta' Ġunju, 2023

Sinjuri,

Niktbu f'isem il-klijent tagħna, Performing Rights Society Limited ('PRS'), soċjeta għall-amministrazzjoni kollettiva tad-drittijiet tal-awtur awtorizzata topera f'Malta mill-Bord dwar id-Drittijiet tal-Awtur mill-2007. ... ...

Kopja tat-tariffi ġodda li qegħdin hawnhekk jiġu sottomessi għall-approvazzjoni tal-Bord dwar id-Drittijiet tal-Awtur qegħdin annessi ma' din l-ittra. ... ...

Grazzi u tislijiet,

Av. Sarah Cannataci

It-30 ta' Ġunju, 2023

Sinjuri,

RE: Rikjest u Tariffi Proposti

Niktbu f'isem il-klijent, Performing Rights Society Limited ('PRS'), bħala risposta għall-ittra tagħkom datata 23 ta' Ġunju, 2023. B'riferenza għar-rikjest inkluż f'dik l-ittra, qegħdin hawn nissupplimentaw it-tariffi proposti (it-'Tariffi 2023') b'aktar informazzjoni rigward l-bażi tal-kalkoli li wasslu għaż-żieda fil-valuri monetarji fl-istess Tariffi 2023.

No. 1004

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, European Funds and Lands

Palazzo Zondadari
197/198, Merchants Street
Valletta VLT 1172

Request of PRS for Music Limited and Proposed Tariff

15th June, 2023

Dear Sirs,

We write on behalf of our client, the Performing Rights Society Limited ('PRS'), a collective management organisation which has been authorised by the Copyright Board to operate in Malta since 2007. ... ...

Please find attached a copy of the new tariffs being hereby submitted for the approval of the Copyright Board. ... ...

With many thanks and best regards,

Av. Sarah Cannataci

30th June, 2023

Dear Sirs,

RE: Request and Proposed Tariffs

We write on behalf of our client, the Performing Rights Society Limited ('PRS'), in reply to your letter dated 23rd June, 2023. Further to the request set out therein, we are hereunder supplementing our proposed tariffs (the '2023 Tariffs') with further information on the basis of the calculations which lead to the increase in the monetary values within the same 2023 Tariffs.

Bħala punt primarju, wieħed għandu jinnota li t-Tariffi 2023 huma ġeneralment fl-istess forma tat-tariffi kurrenti u kif approvati (t-'Tariffi Eżistenti'), li kienu ppubblikati fil-Gazzetta tal-Gvern nhar is-27 t'Awissu 2019. Il-Bord dwar id-Drittijiet tal-Awtur se jinnota, pero, li t-Tariffa għal Vapuri tal-Passiġieri Malta ('Tariffa PV') ma kienetx sottomessa bħala parti mit-Tariffi 2023 għall-approvazzjoni tal-Bord dwar id-Drittijiet tal-Awtur, għaliex hija immaterjali fis-skop għat-territorju ta' Malta, u l-ebda liċenzja m'inħarget taħt l-istess tariffa minn mindu l-PRS ġiet approvata biex topera bħala soċjeta għall-amministrazzjoni kollettiva tad-drittijiet tal-awtur fl-2007. F'dan is-sens, u sabiex jiġi assigurat li t-Tariffi 2023 jirregolaw l-kommunikazzjoni tal-mużika lill-pubbliku fit-territorju ta' Malta effettivament u b'mod prattiku, t-Tariffi 2023 huma komposti mit-tariffi li ġejjin:

i. Tariffa Ġenerali (Tariffa "G");
ii. Tariffa tal-Lukandi (Tariffa "H");
iii. Tariffa tar-Ristoranti (Tariffa "R");
iv. Tariffa tal-Ħwienet u Bejjiegħa bl-Imnut (Tariffa "S");
v. Tariffa għall-Wirjiet Ċinematografiċi (Tariffa "C");
vi. Tariffa għal Xandara u Operaturi bil-Cable (Tariffa "BC");
vii. Tariffa għall-Fornituri ta' Servizzi Online (Tariffa "O");

Lil hinn minn dawn l-ewwel punt, l-ikbar distintinzjoni li hemm bejn it-Tariffi Eżistenti u t-Tariffi 2023 tirrelata għall-valuri monetarji, kif diġa ġie innotat mill-Bord dwar id-Drittijiet tal-Awtur. Il-valuri monetarji ġew miżjuda billi ġew applikati l-indiċi tal-inflazzjoni (COS) sabiex jiġi inkorporat ż-żieda fil-għoli tal-ħajja f'dawn il-valuri monetarji. Huwa rilevanti li wieħed jinnota li t-Tariffi Eżistenti, li ġew approvati u ppubblikati mill-Bord dwar id-Drittijiet tal-Awtur fil-Gazzetta tal-Gvern nhar is-27 t'Awissu 2019, kienu sottomessi lill-Bord dwar id-Drittijiet tal-Awtur għall-approvazzjoni fid-9 ta' April, 2009. Ai termini tal-Liġi Sussidjarja 415.01, it-Tariffi Eżistenti kienu maħsuba biex japplikaw bejn 2009-2011, iżda minħabba id-dewmien tal-pubblikazzjoni tad-deċizjoni tal-Bord dwar id-Drittijiet tal-Awtur, PRS kienet u għadha qed tiġi soġġetta li tapplika, u li tħallas lill-membri tagħha 'royalties' rilevanti b'rati li huma aktar minn erbatax (14)-il sena antiki fl-operat tagħha bħala soċjeta għall-amministrazzjoni kollettiva tad-drittijiet tal-awtur. Iż-żieda fil-valuri monetarji hija għalhekk immirata unikament sabiex tipproteġi lill-membri tal-PRS, il-kompożituri u pubblikaturi ta' xogħlijiet mużikali, milli jiġi impost aktar fuqhom din il-'pay freeze' mhux ġustifikata.

L-indiċi tal-inflazzjoni (COS) li intużaw bħala bażi għall-kalkoli huma dawk aċċessibbli fuq (https://nso.gov.mt/wp-content/uploads/lndex-of-lnflation.xlsx), kif ippubblikati mill-Gvern ta' Malta. Analiżi tar-rata tal-inflazzjoni bejn 2009 (bħala s-sena fir-rigward ta' liema kellhom japplikaw it-Tariffi Ezistenti) u 2022 tistabilixxi b'mod car li l-kommunikazzjoni

At the outset, we note that the 2023 Tariffs are generally in the same form as the current approved tariffs (the 'Existing Tariffs'), which were published in the Government Gazette on the 27th August 2019. The Copyright Board will note, however, that the Passenger Vessels Tariff Malta ('Tariff PV') was not submitted as part of the 2023 Tariffs for approval of the Copyright Board, as it has proven to be immaterial in scope to the territory of Malta, with no licenses being issued under the same tariff since PRS was approved to operate as a collective management organisation in 2007. To this effect, and in order to ensure that the 2023 Tariffs effectively regulate the practical communication of music to the public in the territory of Malta, the 2023 Tariffs are composed of the following tariffs:

i. General Tariff ('Tariff G');
ii. Hotels Tariff ('Tariff H');
iii. Restaurants Tariff ('Tariff R');
iv. Shops & Stores Tariff ('Tariff S');
v. Tariff for Cinematograph Performances ('Tariff C');
vi. Tariff for Broadcasters & Cable Operators ('Tariff BC');
vii. Tariff for Online Service Providers ('Tariff O');

Other than this first point, the main distinction between the Existing Tariffs and the 2023 Tariffs relates to the monetary values, as the Copyright Board has noted. The monetary values have been increased by applying the COS indexation to incorporate cost of living increases in prices. It is relevant to note here that the Existing Tariffs, which were approved and published by the Copyright Board in the Government Gazette on the 27th August 2019, had been submitted to the Copyright Board for review and approval on the 9th April 2009. As per the provisions of S.C. 415.01, the Existing Tariffs were meant to apply between 2009-2011, however due to the delay of the decision of the Copyright Board, PRS has been subjected to apply, and in turn pay its members relevant royalties arising from the same, rates that are more than fourteen (14) years old in its operation as a collective management organisation. This increase in monetary values is therefore aimed solely to protect the members of PRS, the composers and publishers of musicals works, from having imposed on them a further unjustified pay freeze.

The COS indexation used as the basis for these calculations is the one available on (https://nso.gov.mt/wp-content/uploads/lndex-of-lnflation.xlsx) as published by the Government of Malta. An assessment of the inflation rate between 2009 (as the year in relation to which the Existing Tariffs were meant to apply to) and 2022 clearly establishes

tal-mużika lill-pubbliku qed tiġi liċenzjata taħt it-Tariffi Eżistenti b'telf ta' erbgħa u għoxrin punt tlieta u sittin fil-mija (24.63%). Mingħajr dubbju, wieħed jaqbel li l-applikazzjoni kontinwa tat-Tariffi Eżistenti hija ta' preġudizzju kbir lill-kompożituri u awturi bħala detenturi tad-dritt tal-awturr, għaliex waqt li l-użu tal-mużika tagħhom qed issir b'bosta modi mingħajr preċedent fl-2023, u l-ispejjeż sabiex huma jikkreajaw dik il-mużika hija ukoll soġġetta għall-għoli tal-ħajja fl-2023, huma qed jirċievu kumpens ekwivalenti għal dak li kien ikun ħaqqhom fl-2009. Jekk din is-sitwazzjoni ma tiġix rettifikata, dan ser iwassal għall-erożjoni kompleta tal-valur tal-'performing right' fis-suq, li ser jaffettwa mingħajr dubbju lil-industrija kreattiva Maltija, li l-maġġoranza tagħhom huma membri tal-PRS.

Kif innuttajna aktar 'l fuq, r-Regolamenti dwar il-Kontroll tat-Twaqqif u l-Operazzjoni tas-Soċjetajiet għall-Amministrazzjoni Kollettiva tad-Drittijiet ta' l-Awtur, Legislazzjoni Sussidjarja 415.01 ('S.L. 415.01') jipprovdu li l-bażi sabiex jiġu kkalkulati t-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 lill-utenti tal-mużika 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-utenti huma liberi sabiex jisfruttaw kif jidhrilhom xieraq għall-għanjiet u/jew fil-kors tan-negozju eċċ; u 'assigurazzjoni' kontra talbiet individwali ta' abbuż u ksur tad-drittijiet mid-detenturi tad-dritt tal-awtur.

Għal skopijiet ta' trasparenza totali, emmendi zgħar oħrajn għat-Tariffi 2023 ġew magħmula sabiex jiġi rifless l-użu ta' u dipendenza fuq teknoloġiji ġodda għall-prestazzjoni tal-mużika lill-pubblika, liema teknoloġiji ġew żviluppati dawn l-aħħar snin, u li għalhekk ma setgħu qatt jiġu indirizzati taħt it-Tariffi Ezistenti. Barra minn hekk, emmendi zgħar oħrajn saru sabiex jindirizzaw żbalji grammatiċi u/jew itejbu s-struttura tas-sentenzi fit-Tariffi Eżistenti.

Ma' din l-ittra hawn anness ċekk għas-somma ta' €200 bħala ħlas tal-miżata rilevanti għall-preżentazzjoni ta' sett ġdid ta' tariffi lill-Bord dwar id-Drittijiet tal-Awtur.

Napprezzaw jekk din l-kwistjoni tiġi trattata bl-attenzjoni li jistħoqqilha. Bħal dejjem, nibqgħu disponnibli li nipprovdu kwalunkwe informazzjoni f'dan ir-rigward.

Grazzi u tislijiet,

Av. Sarah Cannataci

that communication of music to the public is therefore being licensed under the Existing Tariffs at a loss of twenty four point six three per cent (24.63%). You will undoubtedly agree that the continued application of the Existing Tariffs is extremely prejudicial to the individual composers and authors as copyright holders, as whilst the use of their music is being undertaken through various unprecedented ways in 2023, and their costs in creating that music is also subjected to the cost of living in 2023, they are receiving renumeration equivalent to that which would have been fair in 2009. Additionally, without rectification, this will lead to a complete erosion of the value of the performing right in the market, undoubtedly affecting Maltese creatives, the majority of which are members of PRS.

As we have previously noted, the Control of the Establishment and Operation of Societies for the Collective Administration of Copyright Regulations, Subsidiary Legislation 415.01 ('S.C. 415.01') 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 users of the music 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.

For transparency's sake, other minor amendments to the 2023 Tariffs have been made to reflect the use of and reliance on new technologies for the performance of music to the public, which technologies have been developed over recent years, and which could not possibly have been addressed under the Existing Tariffs. Additionally, minor amendments were also made to address grammatical errors and/or improve sentence structure within the Existing Tariffs.

Along with this letter please find attached a cheque for the sum of €200 by way of payment of the relevant fee for the submission of a new set of tariffs.

We appreciate your giving this matter your fullest attention. As always we remain available to provide any other information in this regard.

With thanks and regards.

Av. Sarah Cannataci

TARIFFA ĠENERALI
GENERAL TARIFF

(Tariffa "G")
(Tariff "G")

Effective from publication date in 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 fi skop tat-tariffi l-oħra pubblikati mis-Soċjeta'.
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 **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*** **€**
2.1	**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 the charge 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) the charge will be .....*	12% tal-pagamenti lill-artisti *of payments to performers*	6% tal-pagamenti lill-artisti *of payments to performers*
	JEW (jekk il-pagamenti ma' jkunux 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' 37.5m^2 tal-lok ikun ..... *the charge per event per 25 persons capacity or per 37.5m2 of the venue will be .....*	4.01	2.01
	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 .....*	123.93	61.97
2.1.2	Fejn il-mużika hija importanti 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' 37.5m^2 tal-lok ikun ..... *the charge per event per 25 persons capacity or per 37.5m^2 of the Venue, will be*	2.56	1.27
	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 .....*	98.45	49.22
	NOTA: Il-'Cabaret' taqa' f'din il-kategorija, izda' titqies ghall-hlas taht il-kap 2.1.1 imsemmi aktar il-fuq f'kaz li l-uzu tar-ripertorji tas-Soċjeta tul il-wirja* jeccedi 70% (sebghin fil-mija) tal-wirja. Ghal dan l-iskop, 'tul il-wirja' jinftiehem bhala t-tul tal-hin kontinwu ta' wirja wahda ta' Cabaret, bl-eskluzjoni ta' kwalunkwe interval*:* NOTE: *Cabaret would come into this category, but will be charged under 2.1.1. if the proportion of performing time* during which PRS repertoire is played is over 70%. For these purposes, "performing time" is the total running time of a single cabaret performance, excluding intervals*		
	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 .*		
2.1.	* "dħul kollu" ifisser id-dħul skond irċevuti mill-ammissjoni u mis-sħubija kif ukoll mill-bejgħ ta' ikel u xorb. * "*turnover" means admission and membership*		
	Sa 15 il-siġġu / 30m^2 ..... *Up to 15 seats/30m^2 .....*	328.15	164.08
	Bejn 16-40 il-siġġu / 31-100m^2 ..... *Between 16-40 seating/31-100m^2 .....*	656.25	328.12
	Kull 20 siġġu addizzjonali / 50m^2 ..... *Each additional 20 seats/50m^2 .....*	328.15	164.08
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' 37.5m^2 tal-lok ikun ...		
	The charge per event for each 25 persons capacity or per 37m2 or the venue, will be	2.19	1.09

	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 .....*	83.81	41.90
4	**MUŻIKA INĊIDENTALI JEW MEKKANIKA** ***BACKGROUND OR MECHANICAL MUSIC***		
	ID-DRITT ANNWALI GHAL 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 / 30m^2 ..... *Up to 15 seats/30m^2 .....*	94.84	47.42
	Bejn 16-40 il-siġġu / 31-100m^2 ..... *Between 16-40 seating/31-100m^2 .....*	204.22	102.11
	Kull 20 siġġu addizzjonali / 50m^2 ..... *Each additional 20 seats/50m^2 .....*	72.90	36.46
4.2	Televiżjoni u/jew Vidjo bi skrin mhux akbar minn 26":- *Television and/or Video with a screen no greater than 26":.....*		
	Sa 15 il-siġġu / 30m^2 ..... *Up to 15 seats/30m^2 .....*	98.45	49.22
	Bejn 16-40 il-siġġu / 31-100m^2 ..... *Between 16-40 seating/31-100m^2 .....*	204.22	102.11
	Kull 20 siġġu addizzjonali / 50m^2 ..... *Each additional 20 seats/50m^2 .....*	72.90	36.46
4.3	Televiżjoni u/jew Vidjo bi skrin akbar minn 26": *Television and/or Video with a screen greater than 26":*		
	Sa 15 il-siġġu / 30m^2 ..... *Up to 15 seats/30m^2 .....*	204.22	102.11
	Bejn 16-40 il-siġġu / 31-100m^2 ..... *Between 16-40 seating/31-100m^2 .....*	411.96	205.98
	Kull 20 siġġu addizzjonali / 50m^2 ..... *Each additional 20 seats/50m^2 .....*	149.47	74.73
4.4	'Moniters' bi *Monitors with:*		
	Sa 15 il-siġġu / 30m^2 ..... *Up to 15 seats/30m^2 .....*	204.22	102.11
	Bejn 16-40 il-siġġu / 31-100m^2 ..... *Between 16-40 seating/31-100m^2 .....*	492.29	246.15
	Kull 20 siġġu addizzjonali / 50m^2 ..... *Each additional 20 seats/50m^2 .....*	204.22	102.11

4.5	Televiżjoni terrestriju bis-Satellita/faċilita' tal-fili (mingħajr vidjo) *Terrestrial Television with Satellite/Cable facility (without video).*		
	Sa 15 il-siġġu / 30m^2 ..... *Up to 15 seats/30m^2 .....*	131.26	65.63
	Bejn 16-40 il-siġġu / 31-100m^2 ..... *Between 16-40 seating/31-100m^2 .....*	262.49	131.26
	Kull 20 siġġu addizzjonali / 50m^2 ..... *Each additional 20 seats/50m^2 .....*	94.84	47.42
4.6	Apparat mużikali tas-satellita/tal-fili bl-awdjo biss (bi 'speakers' li jitħadmu indipendentement minn kull strument ieħor) *Audio only satellite/cable music device (with self-powered speakers independent of any other instrument).*		
	Sa 15 il-siġġu / 30m^2 ..... *Up to 15 seats/30m^2 .....*	364.58	182.29
	Bejn 16-40 il-siġġu / 31-100m^2 ..... *Between 16-40 seating/31-100m^2 .....*	729.18	364.58
	Kull 20 siġġu addizzjonali / 50m^2 ..... *Each additional 20 seats/50m^2 .....*	262.49	131.26
4.7	'Audio Juke Box' bi *Audio Juke Box with:*		
	Sa 15 il-siġġu / 30m^2 ..... *Up to 15 seats/30m^2 .....*	204.22	102.11
	Bejn 16-40 il-siġġu / 31-100m^2 ..... *Between 16-40 seating/31-100m^2 .....*	408.33	204.17
	Kull 20 siġġu addizzjonali / 50m^2 ..... *Each additional 20 seats/50m^2 .....*	145.83	72.92
4.8	'Video Juke Box' bi *Video Juke Box with:*		
	Sa 15 il-siġġu / 30m^2 ..... *Up to 15 seats/30m^2 .....*	269.76	134.88
	Bejn 16-40 il-siġġu / 31-100m^2 ..... *Between 16-40 seating/31-100m^2 .....*	539.65	269.82
	Kull 20 siġġu addizzjonali / 50m^2 ..... *Each additional 20 seats/50m^2 .....*	193.23	96.61
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 / 30m^2 ..... *Up to 15 seats/30m^2 .....*	145.83	72.92
	Bejn 16-40 il-siġġu / 31-100m^2 ..... *Between 16-40 seating/31-100m^2 .....*	295.30	147.66
	Kull 20 siġġu addizzjonali / 50m^2 ..... *Each additional 20 seats/50m^2 .....*	145.83	72.92

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-numru tal-impjegati) ikun il-kriterju.
Where potential audience is seated, the seating capacity (or, for factories or offices not open to the public the number of employees) will be the criterion.

Fejn l-udjenza potenzjali mhiex bil-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-istabbiliment 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 proportionate reduction 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 ***THE ANNUAL ROYALTY PER MACHINE IS***	145.83	72.92

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 .....*	23.30	11.65

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=*	698.83	349.42

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 binnumru 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*	4658.83	2329.42

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…*	7.27	3.63
8	**UŻI VARJI OĦRA** ***MISCELLANEOUS USES***		
8.1	**Mużika 'on hold'** ***Music on Hold***		
	1-5 linja ..... *1 - 5 lines .....*	204.22	102.11
	6-15 linja ..... *6 - 15 lines .....*	288.03	144.02
	Kull 15 il-linja oħra (jew parti minnhom) ..... *each 15 lines (or part thereof) thereafter .....*	83.81	41.90
8.2	'Mobile Disc Jockeys' ..... *Mobile Disc Jockeys .....*	247.92	123.95
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 .....*	21.91	10.95
	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 .....*	83.81	41.90

DEFINIZZJONIJIET

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 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 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 fordancing 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.*

'Liċenzja' tfisser kwalunkwe liċenzja maħruġa mis-Soċjeta sabiex tisfrutta r-ripertorju tas-Soċjeta' u tinkludi, għall-iskopijiet ta' din it-Tariffa, liċenzja f'forma ta' Permess.

'Licence' *means any licence granted by the Society to exploit the Society's repertoire and includes for the purposes of this Tariff a licence in the form of a Permit."*

'Permess' tfisser Liċenzja t-tul ta' liema hija limitata b'riferenza speċifika għal perjodu ta' żmien jew għal avveniment, jew sekwenza t'avvenimenti.

'Permit' *means a Licence the duration of which is limited by reference to a period of time or to one or more of a series of events."*

TARIFFA GĦAL LUKANDI
HOTELS TARIFF

(Tariffa "H")
(Tariff "H")
Effective from publication date in 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.

	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' 37.5m^2 tal-lok ikun ..... *The charge per event per 25 persons capacity or per 37.5m^2 of the venue will be .....*	2.54	1.26
	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 .....*	96.35	48.17
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 .....*	6.43	3.21

4 **MUŻIKA ĠEWWA INĊIDENTALI FI KMAMAR TAS-SODDA LUKANDI, KURITURI 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 …..*	10.42	5.21
4.2	LUKANDI b'4 STILEL :- *4 STAR HOTELS:-* Id-dritt annwali għal kull sodda jkun ..... *The annual royalty per bed will be .....*	9.80	4.90

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 ("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.*

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 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, 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

(Tariffa "R")
(Tariff "R")
Effective from publication date in 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 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 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 oghla** ***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 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' 37.5m^2 tal-lok ikun ..... *the charge per event per 25 persons capacity or per 37.5m^2 of the venue will be .....*	2.54	1.26
	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 .....*	96.35	48.17
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 …..*	7.04	3.52
3.2	'Audio Juke Box' bi ….. *Audio Juke Box with: .....*	9.19	4.60
3.3	'Video Juke Box' bi ….. *Video Juke Box with: .....*	12.25	6.12
3.4	CD/Tape/Record Player u/jew Radju *CD/Tape/Record Player and/or Radio*	6.43	3.21
3.5	Fejn żewġ strumenti jew aktar differenti imsemmija f'din is- sezzjoni jkunu jinstemgħu fl-istess kamra, l-oghla 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

'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 means music *when performed by compact disc player, record player, tape player, or video player otherwise than for featured purposes, or audio juke box or video juke box, or radio or television set operated on the premises or diffused through a loud-speaker from another part of the premises or a source outside the premises.*

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, 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.*

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.

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.*

'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 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 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

(Tariffa "S")
(Tariff "S")
Effective from publication date in 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 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 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 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 oghla** ***Higher Royalty*** **€**	**Dritt normali** ***Standard Royalty*** **€**

MUŻIKA INĊIDENTALI ĠEWWA ĦWIENET, MĦAŻEN U ĊENTRI TA' NEGOZJU

BACKGROUND MUSIC IN SHOPS, STORES AND SHOPPING MALL CONCOURSES

Mużika mekkanika permezz ta' tagħmir u mezzi diġitali jew diska jew 'tape' jew 'CD player', radju jew televiżjoni ir-rata annwali tkun:
Mechanical music only by digital device or record or tape or CD player, radio or television the annual charge is:

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

Minn/ From	Sa'/Up to 30 m2 …..	119.24	59.62
	31 sa'/to 100 …..	244.95	122.48
	101 sa'/to 200 …..	367.43	183.71
	201 sa'/to 300 …..	515.67	257.84
	301 sa'/to 500 …..	644.61	322.30
	501 sa'/to 750 …..	773.54	386.77
	751 sa'/to 1,000 …..	902.46	451.23
	1,001 sa'/to 1,250 …..	1031.38	515.68
	1,251 sa'/to 1,500 …..	1160.32	580.16
	1,501 sa'/to 1,750 …..	1289.23	644.61
	1,751 sa'/to 2,000 …..	1418.15	709.08
	2,001 sa'/to 2,500 …..	1547.06	773.53
	2,501 sa'/to 3,000 …..	1676.00	838.00

BASTA LI:
PROVIDED THAT:

Fejn zewg strumenti differenti jew aktar hekk imsemmija f'din s-sezzjoni jista' jinstemghu fil-istess kamra, l-oghla rata applikabbli fir-rigward ta' dik il-kamra ghandha tigi applikata kompletament izda l-ohrajn ghandhom jtitnaqqsu bin-nofs.
Where two or more different kinds of instruments mentioned in this section are audible in the same room, thehighest the charges in respect of that room will apply in full but the other or others will be halved.

Fejn l-uniku mezz ta' xogħol mużikali fl-istabbiliment licenzjat huwa ta' tagħmir u mezzi diġitali jew 'single portable transistor', 'radju' bil jewmingħajr 'tape player' inkorporat ġewwa radju w bi 'speaker' jew 'speakers' inkorporati, j 'single television receiver' bi skrin mhux akbar min 26" id-dritt annwali jkun ta':-

Where the sole means of performance on the licensed premises is a digital devise or a single portable transistor radio, with orwithout 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 .....*	77.36	38.68

DEFINIZZJONIJIET
DEFINITIONS

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 means music *when performed by compact disc player, record player, tape player, or video player otherwise than for featured purposes, or audio juke box or video juke box, or radio or television set operated on the premises or diffused through a loud-speaker from another part of the premises or a source outside the premises.*

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 GĦAL WIRJIET TA' XOGĦLIJIET MUŻIKALI F'ĊINEMATOGRAFI
TARIFF FOR CINEMATOGRAPH PERFORMANCES

(Tariffa "Ċ")
(Tariff "C")
Effective from publication date in 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 appropriate tariff.

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 jewoperatur.
"Cinema site" *means cinema premises with one or more screens owned or operated by the sameperson.*

(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 beproduced.*

(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 amountscharged 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*

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: 1%
The annual royalty payable by a licensee under this tariff shall be: 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: € 310.10

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' ma żżommx 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 public performance of the Society's repertoire given in the course of, or in connection with, the exhibition of films and falling within this tariff.

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

7 **TAXXA FUQ IL-VALUR 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.
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")

Effective from publication date in 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 xogħol fir-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 tapplikax 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 the public 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 €1,297,922 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 €1,297,922 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-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.

A licensee under this tariff shall pay to the Society, in addition to the royalty due under this tariff, a sum in respect of Value Added Tax calculated at the relevant rate on the royalty payable.

8 **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 sors 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'), miżatiminn 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 restrictedto, 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-tnaqqis massimu permess għandujkun 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 deductionpermitted shall be 15%.*

(c) "**Ir-Ripertorju tas-Soċjeta'**" jfisser kull u kwalunkwe xogħol mużikali (inkluż kull kliem assoċjat), fejnid-drittijiet tax-xandir, ritrasmissjonijiet ikkomunikati lill pubbliku jew 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 associatedtherewith), 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")
Effective from publication date in Government Gazette

1 **SKOP TAT-TARIFFA**

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 **ESKLUŻŻJONIJIET**

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-uffiċju 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 € 9,177 jew aktar fis-sena, id-dritt annwali jkun …..	2% tad-Dħul Gross

6.1 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	€ 47.85
(b)	<5,000 '*downloads* ' permanenti jew <90,000 '*downloads* ' limitati fis-sena	€ 95.68
(c)	<12,500 '*downloads* ' permanenti jew <225,000 '*downloads* ' limitati fis-sena	€ 239.20

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	€ 95.68
(b)	<90,000 '*streams* ' fis-sena	€ 191.36
(c)	<225,000 '*streams* ' fis-sena	€ 478.39

6.3 Servizzi ta' '*Webcasting*' Interattivi

6.3.1	Għal servizzi ta' mużika '*online*' li jiġġeneraw € 9,177 jew 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	€ 143.52
(b)	<230,000 '*streams*' fis-sena	€ 287.03
(c)	<575,000 '*streams*' fis-sena	€ 717.59

6.4 Servizzi ta' '*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	€ 143.52
(b)	<360,000 '*streams*' fis-sena	€ 287.03
(c)	<900,000 '*streams*' fis-sena	€ 717.59

6.5 Servizzi ta' '*Podcasting*'

6.5.1	Għal servizzi ta' mużika '*online*' li jiġġeneraw € 9,177 jew aktar fis-sena, id-dritt annwali jkun …..	2% tad-Dħul Gross
	Dritt minimu	€0.048c 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	€ 47.85
(b)	<136,000 il-xogħol '*downloaded*' fis-sena	€ 95.68
(c)	<340,000 il-xogħol '*downloaded*' fis-sena	€ 239.20
	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	€ 47.85
(b)	251-500 '*clip* ' imqiegħdin disponibbli f'kull hin partikulari	€ 95.68
(c)	501,-1000 '*clip* ' imqiegħdin disponibbli f'kull hin partikulari	€ 191.36
(c)	1001-5000 '*clip* ' imqiegħdin disponibbli f'kull hin partikulari	€ 478.39

6.7 *'Ringtones'*

Id-dritt ikun …..

(a)	*'Realtones'*	4% tad-Dħul Gross
	Dritt minimu	€4.26 kull ton
(b)	Polifoniċi jew Monofoniċi	5% tad-Dħul Gross
	Dritt minimu	€6.38 kull ton

7 DEFINIZZJONIJIET

Għall-iskop ta' din it-tariffa:

Soċjetà tfisser The Performing Right Society Limited li għandha l-uffiċju reġistrat tagħha fi 1st Floor, Goldings House, 2 Hay's Lane, London, SE1 2HB.

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.

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-visual services offering 'general entertainment' content where music is not the primary focus.

(c) Online Advertising

(d) Music offered as an incentive to purchase goods and 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 Allianc 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 whi 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 payable.

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 annual royalty 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 downloads p.a.	*€ 47.85*
	(b) < 5000 permanent downloads or < 90,000 limited downloads p.a.	*€95.68*
	(c) *< 12,500 permanent downloads or < 225,000 limited downloads p.a.*	*€ 239.20*

6.2 For Online Music On-Demand Streaming services

6.2.1	*For online music services generating € 9,177 p.a. or more, the annual royalty shall be….*	*4% of Gross Revenue*
6.2.2	*(a) < 45,000 streams p.a.*	*€ 95.68*
	(b) <90,000 streams p.a.	*€ 191.36*
	(c) < 225,000 streams p.a.	*€ 478.38*

6.3 Interactive Webcasting Services

6.3.1	*For online music services generating € 9,177 p.a. or more, the annual royalty 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.	*€ 143.52*
	(b) < 230,000 streams p.a.	*€ 287.03*
	(c) < 575,00 streams p.a.	*€ 717.59*

6.4 Non-interactive webcasting Services

6.4.1	*For online music services generating € 9.177 p.a. or more, the annual royalty 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.	*€ 143.52*
	(b) < 360,000 streams p.a.	*€ 287.03*
	(c) < 900,000 streams p.a.	*€ 717.59*

6.5 Podcasting Services

6.5.1	*For online music services generating € 9,177 p.a. or more, the annual royalty shall be….*	*2% of Gross Revenue*
	Minimum charge	*€0.048c 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.*	*€ 47.85*
(b)	*< 136,000 downloaded works p.a.*	*€ 95.68*
(c)	*< 340,000 downloaded works p.a.*	*€ 239.20*

A Podcast Licence carries the following restrictions:

- Podcasts must be provided in the form of programmes in their entirety, and not as 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 and music, with the speech spread 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 without approval 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 the time at which particular tracks appear
- There must not be any flags or markers inserted which enable the segmenting and separation of tracks

6.6 Clips Services

6.6.1	*For online music services generating € 9,177 p.a. or more, the annual royalty 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 251-500*	*€ 47.85*
(b)	*clips made available at any one time 501-1000 clips*	*€ 95.68*
(c)	*made available at any one time*	*€ 191.36*
(d)	*1001-5000 clips made available at any one time*	*€ 478.39*

6.7 Ringtones

The royalty shall be……..

(a)	*Realtones*	*4% of Gross Revenue*
	Minimum Charge	*4.26c per tone*

(b) Polyphonic or Monophonic	*5% of Gross Revenue*
Minimum Charge	*6.38c per tone*

7 DEFINITIONS

For the purpose of this tariff:

***Society** means the Performing Right Society Limited whose registered office is at 1st Floor, Goldings House, 2 Hay's Lane, London, SE1 2HB.*

***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*