



U3A Network Victoria OneMusic Australia licensing information

Why do I need a OneMusic licence? If you use music that is protected by copyright at your U3A branch, Commonwealth legislation requires permission (a licence) from the creators of that music. You can read independent legal information at www.copyright.org.au.

Music creators generally authorise two organisations to administer their rights and collect their royalties in Australia:

- The copyright in the musical work (lyrics and score) is owned by APRA AMCOS' members (writers and publishers) and affiliate members of other rights management organisations across the world.
- The copyright in the sound recording is owned by PPCA's licensors (labels and registered artists) and affiliate members of other rights management organisations across the world.

A OneMusic licence bundles all these rights into one licence and simplifies the process of gaining the required permission to use the music we represent. If you wanted to use our music and you did not have this licence, you would for example, need to deal directly with the composers, songwriters, music publishers, recording artists and record labels who own the rights in the music you wish to use.

Why does Section 28 of the Copyright Act not cover the use of music at my U3A? The Section 28 exception in the Copyright Act applies to certain performances of music given during educational instruction. In our experience Section 28 can rarely be relied upon for all of the activities that are undertaken by education providers, given that the scope of that section is quite narrow. This is similar for schools and universities, who obtain a Schools licence with APRA AMCOS to cover any music use that falls outside of the Section 28 exemption. As the Schools licence is not applicable to U3A, additional licensing is required covered by a OneMusic licence.

Why do I need both CAL and AMCOS coverage for sheet music? The Statutory Education Licence offered by Copyright Agency Ltd (CAL) covers the reproduction of 10% of literary works, including sheet music (this permission is granted by CAL on behalf of AMCOS). Under the OneMusic licence, sheet music can be freely copied and also includes coverage for the reproduction of audio recordings of AMCOS works (subject to certain terms which can be found on our [Community Music Groups](#) agreement).


Isn't the venue licensed? Venues are not licensed to comprehensively cover the various use and activity of music and sheet music by U3A. A majority of OneMusic licence schemes (including community centres) exclude the use of music during dance or fitness classes and our Community Music Group licence is the only OneMusic licence that provides any permission for AMCOS works (i.e., the copying of musical works in audio and/or print form).

What is the OneMusic licence fee for U3A branches? Currently, U3A branches are licensed under the OneMusic Community Music Groups licence. This licence scheme is not just for music groups, it is also offered to other types of community groups, such as social interest groups, youth or senior groups and social clubs.




The annual licence fee is applied based on how music is being used at a U3A branch. The maximum annual fee under this licence is \$474.87 (inc GST) and provides permission for the use of live music and recorded music along with the copying of musical works, both audio and physical copies. The table below (taken from our licence agreement) provides information regarding the coverage of each category.

The rates below are applicable from 1 September 2023.

Music for Community Music Groups

APRA Works	Rate per annum per Music Group
 Unrestricted number of live music performances by the Community Music Group at Community Events.	\$99.50

OR

APRA Works and AMCOS Works	Rate per annum per Music Group
 Unrestricted number of live music performances by the Community Music Group at Community Events.	\$320.63
 Reproduction of AMCOS Works for the purpose of: <ol style="list-style-type: none"> practice and rehearsals of performances by the Community Music Group at Community Events; and making Community Event Audio Recordings. 	
 Reproduction of AMCOS Works in the form of Approved Print Music.	

PLUS

PPCA Sound Recordings	Rate per annum per Music Group
 Unrestricted use of PPCA Sound Recordings in performances by the Community Music Group at Community Events.	\$154.24

Rates include 10% GST. The GST-exclusive amount of the rates set out in the table above will be **increased by CPI** on 1 September of each Licence Year in accordance with Clause 4.3 of the Terms and Conditions.

How do I apply for a OneMusic licence? Our Community Music Groups licence can be found here, <https://onemusic.com.au/licences/community-music-groups/>

What if we are a registered charity? There is an exemption under the Copyright Act excluding, in certain circumstances, registered charities from requiring a licence for the public performance of sound recordings. This is under Section 106 (s106) of the *Australian Copyright Act, 1968*. The s106 exemption only relates to the use of recorded music (e.g., streaming services / cd's / vinyl / music sourced from online etc) and does not extend to the public performance of the musical work or when live music is performed.

OneMusic has an established process in place for all charity exemption requests. The following are the questions asked to determine the suitability of such a request. Any U3A branches operating as a registered charity need to provide the answers to the following questions upon application:

1. Is the operation of the organisation part of the activities of, or for the benefit of a registered charity?
2. What is the ABN of the registered charity?
3. Is there a compulsory fee charged for admission for the activities of the charity? (Includes admission charges, memberships, subscriptions and any payments made for services rendered)
4. Are proceeds generated from the compulsory fee used wholly for the purposes of the registered charity (i.e. not used to pay suppliers, including payments to staff, utilities, food providers and landlords)?
5. Are a substantial portion of the goods or services being supplied to the charity being supplied free-of-charge or at a reduced rate, including staff, venue hire, utilities etc?
6. What percentage of staff within the organisation are volunteers?
7. How is music played at U3A branches? (please provide a brief summary)

Please visit the FAQ section of the OneMusic website for more general information <https://onemusic.com.au/faqs/>

Have a question? Please email getallicence@onemusic.com.au with any questions you may have about OneMusic or licensing in general.