

USING MUSIC IN YOUR EVENT



MELBOURNE
FRINGE
FESTIVAL

Wilin Fans The Flames, Melbourne Fringe Festival 2019.
Photo by Tiffany Garvie.

The basics



It's fairly simple:

If you are using music in your event, you need a licence.

There are some exceptions to this rule, but they are few and far between. It doesn't matter if you already pay for Spotify, or if it's your mate's music - a licence gives you the right to use music in your production, and pays the musical artists responsible for creating those funky tunes.

At Melbourne Fringe we have licences for the Festival, **but this doesn't cover the shows**. Your venue will also have their own licences, but usually these will only cover music in the foyer, or in the auditorium as audience are entering or exiting - **anything that happens during your show, needs to have a unique licence organised**.

This guide covers the steps you need to take to decide which licence you need, and how to obtain it. However, because a lot of this information tends to change quite quickly, we recommend your use this guide as a starting point only, prior to getting in touch with the relevant licensing bodies for clear and up-to-date information (contacts are on page eight).

Number one tip: contact OneMusic.

Even if you think you don't need a licence, just give them a buzz to double check. It's better to be safe than sued!

What license do I need?



There are three main musical rights organisations you may have to deal with for **live performance in a venue**. They are:

APRA AMCOS

APRA AMCOS deals with **music creators** (e.g. a lyricist or composer), and makes sure they are properly reimbursed for the use of their work.

PPCA

PPCA deals with the playing of **protected sounds recordings** (e.g. from a CD, download or stream).

OneMusic

OneMusic is a **new organisation**, designed to simplify the licensing process by combining the above organisations. Spoiler alert: it makes your life more complicated.

The organisation you contact depends on the type of licence you need. Continue reading to find out what licence that is!

Important note: if you're broadcasting your work (e.g. livestreaming or pre-recording) the process is a little bit different, and we'll get to that on Page 9.

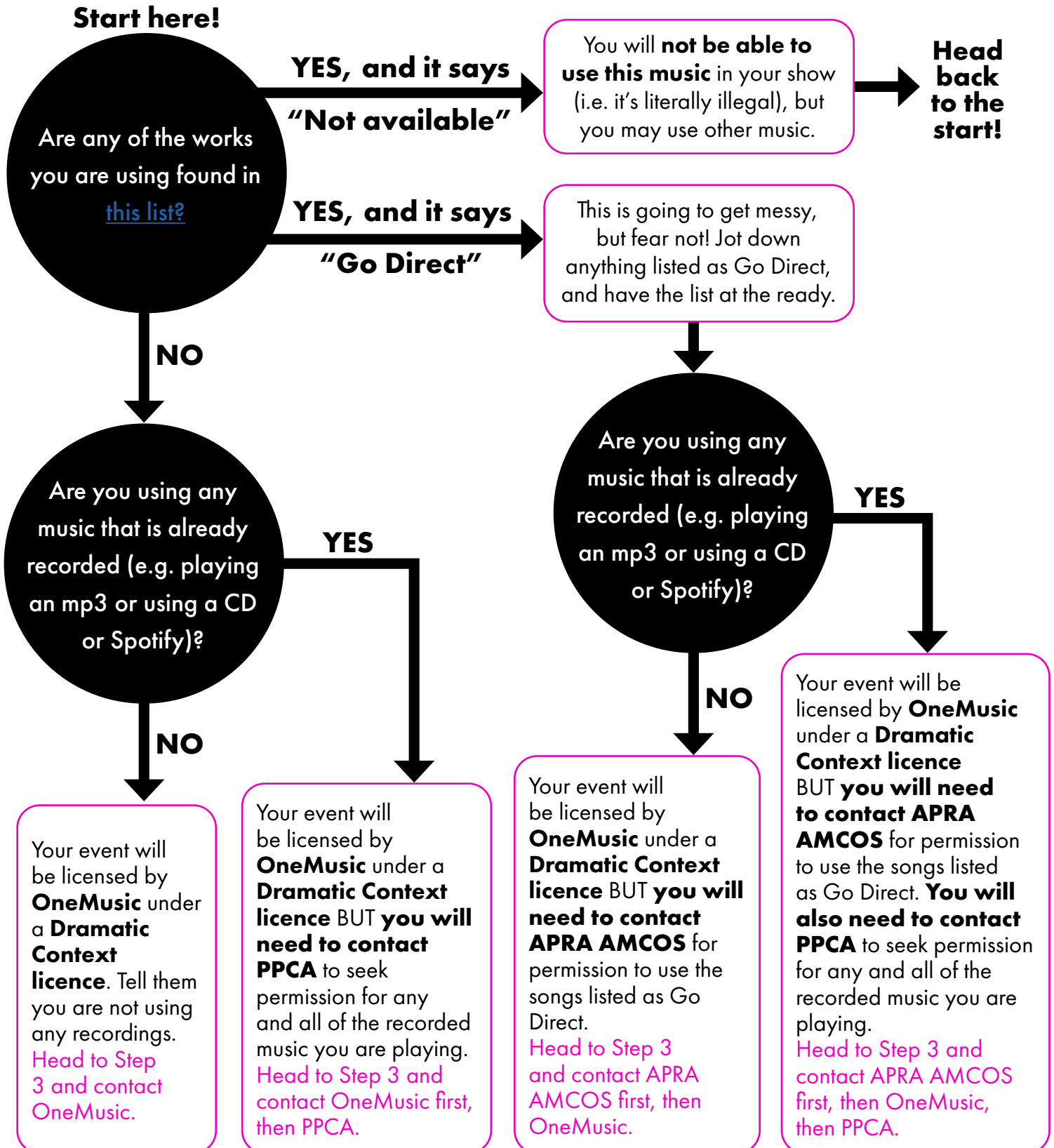
Step 1: Defining your event

Different kinds of events require different licences. Defining your event is the first step of finding a licence. Use the questions below to help define your live event (for broadcast events see Page 9):



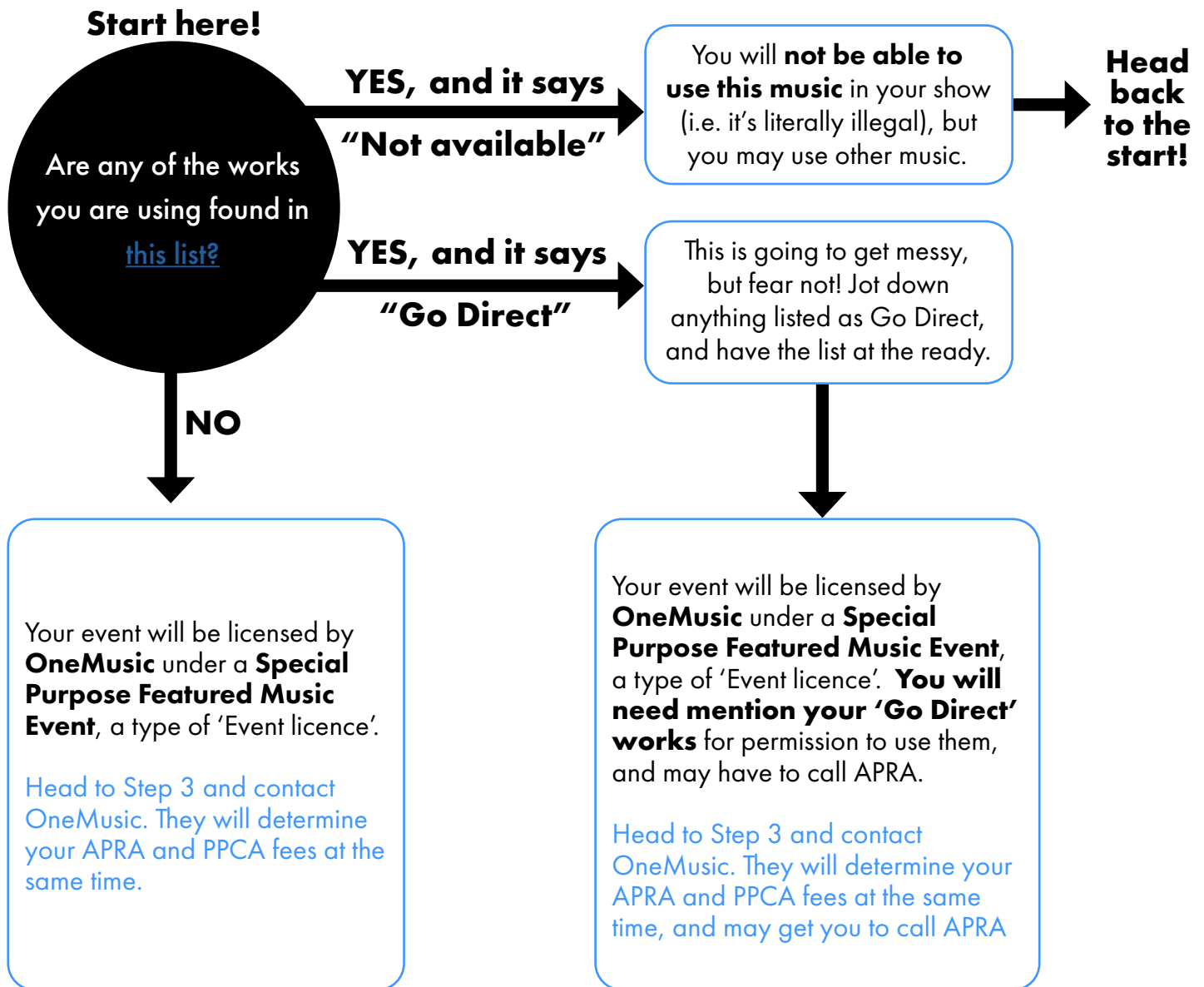
Step 2A: Dramatic Context

Now you know what type of license you're looking for, you'll need to answer the following questions so you can contact the relevant organisation for a licence. You're doing great!



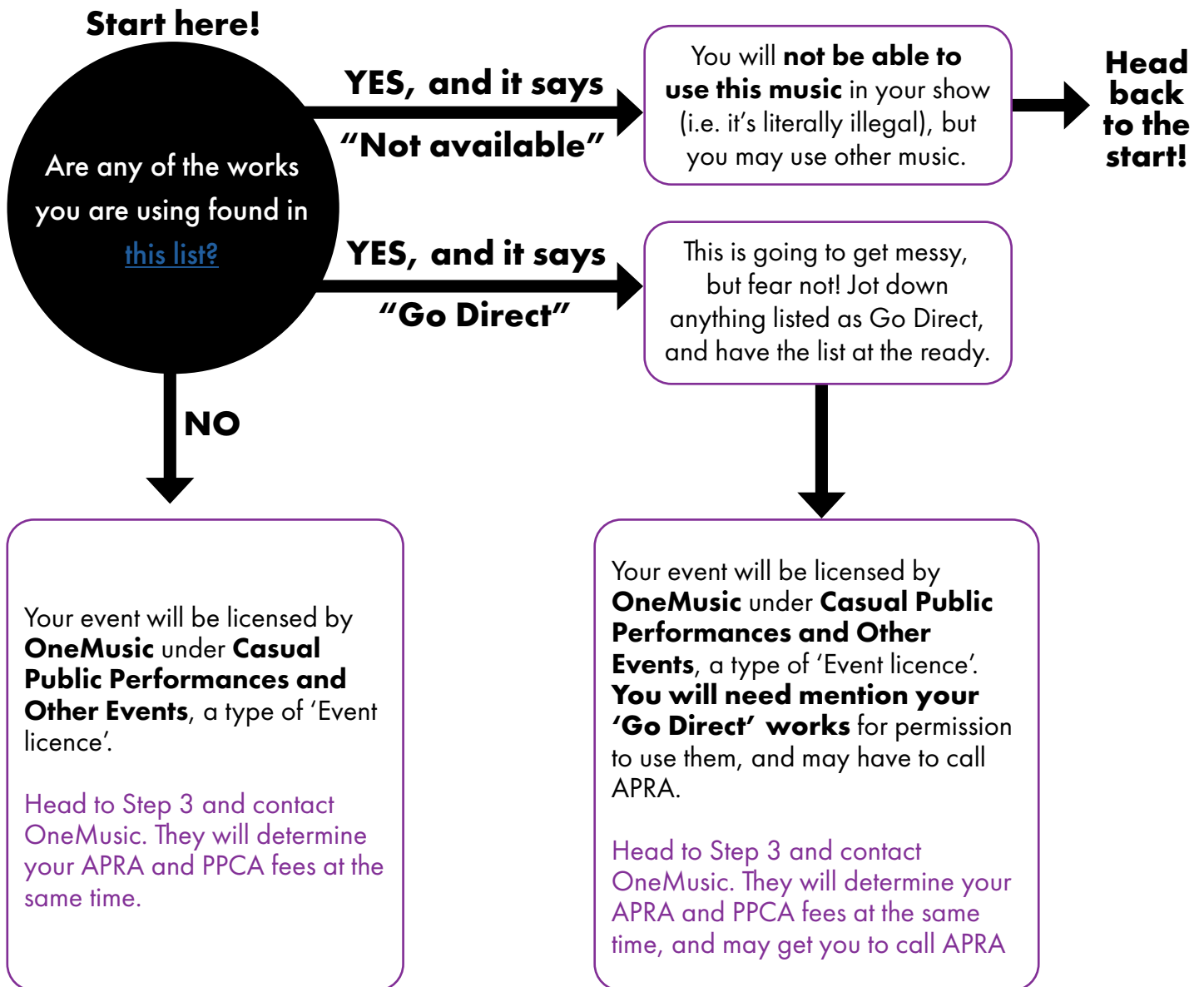
Step 2B: Special Purpose Featured Music Event

Now you know what type of licence you're looking for, you'll need to answer the following questions so you can contact the relevant organisation for a licence. You're doing great!



Step 2B: Casual Public Performances and Other Events

Now you know what type of licence you're looking for, you'll need to answer the following questions so you can contact the relevant organisation for a licence. You're doing great!



Step 3: Making contact

With the information you now have, you will need to contact the relevant organisation and request a licence. Licence fees and rates vary based on individual circumstances, so its best to call or email first.

Before you pick up the phone...

Have this info ready. The organisation your are contacting will use this to help you decide on a specific licence:

- What music you are using? Make a list of the composers and works you will be using, being as specific as possible
- What is the capacity of the venue you are using? Use the pre-COVID capacity number as a guide.
- Is your event a biographical production or does it contain controversial themes?
- Does you event contain two or more works written by the same composer?
- Will the show be part of a named Cabaret or Fringe Festival? (the answer is yes!)

You're ready!

You can contact the relevant organisation using the following methods:



Broadcast events



RECKONING "Te Matata Pathere Waitira - The Sounds of Mōven Souls"
Melbourne Fringe Festival 2020
Photo by Jackson Grant.

As soon as you put your event online the process of obtaining the proper licences becomes a bit more difficult. This is because although APRA AMCOS have the ability to provide *publishing licences* (i.e. permission to put the work online) they cannot provide what is known as a *synchronisation licence* (i.e. permission to make a video recording that includes a licensed song in the first place).

SYNCHRONISATION LICENCES

Many video sharing platforms such as YouTube and Vimeo have publishing licences, but these DO NOT cover “synchronisations”. A “synchronisation” licence is needed whenever music is used within an audio-visual production that is being used for commercial purposes (i.e. ticket sales, donations or promotional activities). So if you are recording *any* content with commercial music in it and posting those videos online (including promos on social media!) then you need to ensure you have a separate **synchronisation licence** for the use of each piece of music in your video.

Getting a “synchronisation” licence for your video to use commercial music is often expensive and difficult. You will need to approach the rights holder of the music directly to obtain the licence from them. You should budget an average of \$500-\$1,000 per song (although depending on the song used, sometimes quotes can be ten times that!) and then consult the [APRA AMCOS search tool](#) to find the copyright owner of the work you want to include.

If this sounds like a really laborious and expensive process, that’s because it is. Alternative options might include: approaching a local musician or band to licence their tracks directly (the difference in costs between Beyoncé and a local band playing at The Tote might be the difference between a \$20,000 invoice and a slab of beer); commissioning an artist to create bespoke music for your event; or seeking out “Royalty Free” (i.e. free!) or “Creative Commons” (i.e. cheap, or free with some limitations on how you can use it) music (just google “creative commons music” or “royalty free music” and you’ll find a host of websites dedicated to providing you with free or cheap music options). But if you had your heart set on a specific track from a commercial artist then you’ll have to get your people to speak to their people and make a deal.

EXCEPTION: LIVE-STREAMED MUSIC EVENTS

APRA AMCOS have a temporary exemption for the live-streaming of music events (note, this only applies to the live event as it is happening, not any subsequent broadcasts of the content) and in this very specific exemption [you can obtain permission through APRA AMCOS](#). OneMusic have a similar exemption for dance or exercise classes and dance graduation performances, so if you have a live-streamed theatre or cabaret it’s definitely worth getting in touch with them for the latest information, because this is an ever-changing space.