

Ghana Music Rights Organization

A Company Limited by Guarantee – Established in 2011 Under L.I. 1962
Affiliated to the International Confederation of Societies of Authors
and Composers – CISAC

GHAMRO

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TARIFF FOR HOTELS, GUEST HOUSES, RESTAURANT & CAFES (Tariff "HR")

Effective from 1st January 2015

1. *Scope of Tariff*

This tariff applies to the performance of copyright music within the Society's *repertoire** at hotels, guest houses, restaurants, cafes, banqueting suites and similar multi-roomed premises.

2. *Exclusions*

Licensees will pay the Society's charges in respect of any performances excluded from this tariff, in accordance with the appropriate tariff or tariffs.

3. *General Conditions*

- 3.1 This tariff applies only to performances of music covered by a licence from GHAMRO, obtained before performance commences. Any performances not so covered will be assessed at double this tariff. GHAMRO is not bound to offer a licence under this tariff in respect of any performance for which application was not made in advance.
- 3.2 The Licence Fees are calculated by reference to the "grading" of the establishment by the Ghana Tourist Board, number and type of rooms, cost of room and cost of meal.
- 3.3 Where hotel rooms or banqueting suites are let out for functions at which music is provided either by the management of the premises or by the leases themselves, the fees for such functions are calculated separately on capacity basis.
- 3.4 For the purposes of this tariff, 250 days will be used for assessment.
- 3.5 GHAMRO reserves the right to make such variations in this tariff as it considers appropriate when licensing premises or performances which, in its opinion, do not fall within the scope of this tariff.

4. *Royalty Rates*

Where a Society's Licence has been applied for and obtained before musical performances commence, the following royalty rates will be charged and be payable for the first year of the licence.

4.1 *Live Music*

- 4.1.1. Where total **annual expenditure on the provision of music*** by performers/bandsmen is €6,000 or more, or when performances are seasonal €1,500 a week the royalty is **6% of such expenditure**
- 4.1.2. For performances where the total annual expenditure on the provision of music by performers/bandsmen is less than €6,000 or, when the performances are seasonal €1,500 per week

and/or

- 4.1.3 for performances of live music where the Licensee incurs no expenditure, such as letting or banqueting functions where the hirer provides his own music, the royalty per function with a minimum of 30 seating capacity; plus each additional 20 seating capacity (or part thereof) 50% the of assessment will be charged:-

STAR	1	2	3	4	5
MINIMUM	500	750	1,000	1,200	1,500

- 4.1.4 For *karaoke performances** and all other featured performances by *record, compact disc or tape player** primarily for entertainment by means of discotheque equipment or otherwise for dancing at discos, ordinary dances, dinner dances, supper dances, banquets and similar functions with musical entertainment, with a minimum of 30 seating capacity; plus each additional 20 seating capacity (or part thereof) 50% of assessment will be charged:-

STAR	1	2	3	4	5
MINIMUM	245	295	345	395	445

4.2 *Film and Video Shows*

For performances (whether by means of the soundtrack or otherwise) during film or video shows in a room or place being specially used for the primary purpose of video or cinema exhibition, and with a minimum of 30 seating capacity; plus each additional 20 seating capacity (or part thereof) 50% of assessment will be charged:-

STAR	1	2	3	4	5
MINIMUM	125	150	175	200	250

4.3 *Exhibitions, Trade & Fashion Shows, etc.*

For performances of music at events such as exhibitions, trade & fashion shows the DAILY royalty with a minimum of 30 seating capacity; plus each additional 20 seating capacity (or part thereof) 50% of assessment will be charged:-

STAR	1	2	3	4	5
MINIMUM	150	225	300	375	450

- 4.4 *Background Music* in Lounges, Bars, Restaurants, Dining Rooms and Other Rooms* for the General use of Guests or Customers with a minimum of 30 seating capacity; plus each additional 20 seating capacity (or part thereof) 50% of assessment will be charged:-

DEVICE	STAR 1	STAR 2	STAR 3	STAR 4	STAR 5
Radio	150	175	200	370	400
Television	175	200	225	400	430
Record/CD/Tape	200	225	250	430	460
Video Player*	225	250	275	460	490
Audio Juke Box*	250	275	300	490	520
Video Juke Box*	275	300	325	520	550

4.5 *Background Music in Hotel Bedrooms, Corridors and Foyers*

DEVICE	STAR 1	STAR 2	STAR 3	STAR 4	STAR 5
TV/Radio/Video	0.050	0.075	0.100	0.150	0.250
Record/CD/Tape	0.075	0.100	0.150	0.250	0.300
All Devices	0.100	0.150	0.250	0.300	0.350

Per room, per day for 250 days

for music in bedrooms, the royalty is calculated by reference to the number of rooms fitted for such musical performances, and

where music is performed in foyers and/or corridors, the maximum annual royalty is the equivalent of that for 60 bedrooms.

5. ***Inflation Adjustment***

The royalties payable under this tariff will be adjusted on the 1st of January 2016 and on each anniversary of the tariff by the mean (to the nearest whole percentage point) of the percentages by which the Retail Prices Index and Index of Average Earnings (unadjusted) have changed, in the latest month prior to that anniversary date for which figures are published for both indices, when compared with their respective figures for the same month in the previous year.

After application of the adjustment any expenditure threshold figure and the royalty rates will be rounded to the nearest ¢1.

All royalties are charged at the royalty rate in force at the beginning of the licence year.

6. ***Definitions***

- * “annual expenditure on the provision of music” means the total of

gross salaries, wages, expenses or other emoluments paid to performers/bandsmen (excluding disc jockeys);

gross fees paid to third parties for the services of performers/bandsmen.
- * “audio juke boxes” means a machine (other than a video juke box) for playing recorded music, capable of being operated by the insertion of a coin or token.
- * “background music” means music when performed by a record, compact disc, or tape player otherwise than for live/featured performances or music performed by a 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, but (unless the context requires otherwise) excludes performances by a video player.
- * “capacity” - where the accommodation of a room is limited to seating, the capacity shall be the total number of seats available in that room

where, for example in the case of discotheque performances, there is no formal means of calculating the accommodation limit of a room the capacity shall be the maximum number of persons which can reasonably be accommodated in the room or permitted by under any regulations by Fire Authorities.
- * “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.
- * “record, compact disc or tape player” means any gramophone, compact disc, 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
- * “The Society’s repertoire” means all and any musical works (including and words associated therewith) right of public performance in which is controlled by the Society or by any of the societies in other countries with which the Society is affiliated.
- * “video juke box” means a machine for playing recorded music synchronised with a video or similar visual display and capable of being operated by the insertion of a coin or token.
- * “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.

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