

Ghana Music Rights Organization

A Company Limited by Guarantee – Established in 2010 Under L.I. 1962
Affiliated to the International Confederation of Societies of Authors and Composers – CISAC

GHAMRO

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RADIO & TELEVISION ADVERTISEMENTS (Tariff "RTAd")

Effective from 2nd January 2015

1. *Tariffs*

- 1.1 This tariff applies to the use of commercial recorded musical works for radio and television advertisement purposes.

Tariffs are now published by the Society for information; the publication of a tariff does not constitute an offer to grant permission under that or any other tariff. The appropriate tariff or rate or royalty applicable to a music user will be determined by the Society on the basis of all relevant circumstances. The royalties payable under the tariffs will be adjusted on the 2nd of January 2016 and on each anniversary of the tariff by the level of inflation (mean of the Retail Prices Index and the Average Earnings).

- 1.2 The Society does not undertake a licence or permit at the rates of charge shown under a tariff in respect of any performance which may take place before a licence is issued.

- 1.3 An applicant for a licence is required to give such information as may be necessary to enable the Society to decide which tariff is applicable and determine the initial royalty payable. If the Society offers a form it must be completed.

2. *General Conditions and Definitions*

- 2.1 The tariff applies only to advertisements covered by a licence from GHAMRO, obtained before the broadcast of the said advertisement. Any advertisements not so covered will be assessed at double the tariff. GHAMRO is not bound to offer a licence under this tariff in respect of any advertisement for which application was not made in advance.

- 2.2 A valid licence must be obtained and the relevant royalty and other fees paid before the production is transmitted, broadcasted, shown exhibited, distributed, hired, exploited or used in any way except for use strictly necessary for the sole purpose of completing the production.

- 2.3 GHAMRO reserves the right to make such variation in this tariff as it considers appropriate when licensing users, which in its option, do not fall within the scope of this tariff.

3. *Payment of royalties*

- 3.1 All royalty fees are quoted in Ghana cedis for each separate advertisement. Therefore, each individual music cue must be identified as such when making application for licence. AGGREGATION OF TIMING IS NOT PERMITTED.

- 3.2 Royalties are generally payable **every six months** in advance against the Society's invoice, at the commencement of each licence and then on each renewal date for the licence as invoiced, or as soon after date as the invoice is delivered

- 3.3 Rates Payable per advertisement

| Duration/Medium | Radio (GHC) | Television (GHC) |
|-------------------|-------------|------------------|
| ½ Year | 3,800.00 | 6,000.00 |
| 1 Year | 6,900.00 | 10,800.00 |
| 1½ Years | 8,900.00 | 15,300.00 |
| 2 Years and above | 12,400.00 | 19,200.00 |

- 3.4 Productions which have been altered or re-orchestrated in any way are considered to be separate productions, and require a separate licence and royalty and other fees to be paid. Thus, this shall attract a flat fee of GHC3,000.00 for radio and GHC5,000.00 television in addition to the above rate.

4. ***Copyright Warning***

- 4.1 Copyright is infringed not only by anyone who records a work without a licence, but also anyone who authorises or facilitates that recording. Facility houses, production companies and clients may therefore be liable for any such infringement where a valid licence has not been obtained prior to the recording.
- 4.2 Any authorisation to record prior to obtaining a licence and paying the royalty and other fees (whether express or implied) is subject to the fundamental condition that a licence is obtained and the royalty and other fees paid. If this is not done and such authorisation is deemed never to have had effect.