



## 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

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### TELEVISION BROADCASTING SERVICES (Tariff "TB")

Effective from 1<sup>st</sup> January 2018

#### 1. Scope of Tariff

This tariff applies to Television Broadcasts of musical works and sound recordings falling within the repertoire of GHAMRO. For the purpose of this tariff "Broadcast" shall be assigned the meaning giving to it in the Copyright Law 690 of 2005 and shall include the emitting of programme carrying signals to a satellite.

#### 2. General Conditions and Definitions

2.1 This **Tariff** applies only to broadcasts of musical works and sound recordings covered by a licence from GHAMRO, obtained before broadcast commenced. Any broadcasts 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 broadcast service (hereinafter referred to as SERVICE) for which application was not made in advance.

2.2 The **Licence Fees** are based on a percentage of "Gross Revenue" of the SERVICE for the licence period subject to a minimum fee based on a percentage of the SERVICE's "Gross Operating Costs".

#### 2.3 Definitions

2.3.1 "Gross Revenue" for any licence period includes

- i) the actual gross amounts received by the SERVICE, its Agents, servants licensees and subsidiary or associated companies from the licence or subscription fees and revenue derived from advertisements and advertising programmes broadcast by the SERVICE;
- ii) grants in aid, subsidies or financial sponsorship whether of a public or private nature;
- iii) the monetary value of programmes and services supplied to the SERVICE free of charge.

Less: Commission (not exceeding 15%) paid to advertising agents for advertisements actually carried over the SERVICE's broadcast channels.

2.3. "Gross Operating Costs" for any licence period means all or any of the following:-

- i) Gross salaries, wages or other emoluments paid to:
  - a) Disc jockeys, and/or announcers;
  - b) Studio engineer's controllers and/or technicians;
  - c) Programme compilers and music Liberians.
- ii) Gross fees paid to third parties for the services of such disc jockeys, announcers, engineers, technicians and programme producers, including payments to providers of pre-packaged music programme material;
- iii) The actual gross expenses incurred in connection with the hire of studio facilities and related equipment;
- iv) The cost incurred in the hire of transmission equipment, including payment made to broadcasters for the use of facilities to enable the signal of the SERVICE to be transmitted.

2.3.3 For the purpose of this tariff "Copyright Musical Content" shall mean the total duration of broadcast by the SERVICE of all the musical works and sound recordings which are eligible for copyright in terms of the Copyright Law of 2005 and fall within GHAMRO's repertoire expressed as percentage of the total duration of the broadcasts as a whole.

- 2.4 The "Gross Revenue" and "Gross Operating Costs" mentioned in 2.3.1 and 2.3.2 respectively must be certified as being correct by the SERVICE's auditors, or in a manner acceptable to GHAMRO.
- 2.5 GHAMRO reserves the right to make such variations in this tariff as it considers appropriate when licensing SERVICES which, in its opinion, do not fall within the scope of this tariff.
3. **Rates of Charge**  
Rates are charged by reference to the following tables:

<b>Percentage of Copyright Music Content</b>	<b>Royalty fee as a percentage Gross Income/Operating Costs</b>
Up to 24,99 %	1,62 %
25% to 49,99 %	2,94 %
50% to 74,99 %	4,27 %
Over 75 %	5,6 %

**the above subject to the following annual Minimum Royalty Fees**

<b>% of Music Content</b>	<b>National A</b>	<b>National B</b>	<b>Local / Pay TV</b>	<b>Digital TV</b>
Up to 24,99 %	GHC 50,000.00	GHC 40,000.00	GHC20,000.00	GHC 15,000.00
25% to 49,99 %	GHC 60,000.00	GHC 50,000.00	GHC 35,000.00	GHC 15,000.00
50% to 74,99 %	GHC 80,000.00	GHC 60,000.00	GHC 45,000.00	GHC 25,000.00
Over 75 %	GHC 100,000.00	GHC80,000.00	GHC 60,000.00	GHC 30,000.00

**4. Inflation adjustment of Minimum Royalty Fees**

The minimum royalty Fees payable under 3 above in this tariff will be adjusted on the 1st of January 2019 and on each anniversary year of the licence by the mean (to the nearest whole percentage point) of the percentages by which the Consumer Price Index changes.