

in the LOOP

The newsletter for PPCA Licensees **WINTER 09**

welcome...

Welcome to the winter edition of *In the Loop* – PPCA's newsletter for licensees.

For the fourth year in a row, PPCA recently supported one of Australia's most prestigious prizes for popular music, The Amp, with a \$30,000 cash prize. Band and artist entries for The Amp continue to grow every year and PPCA is pleased to be able to support The Amp in such a meaningful manner.

PPCA is presently undertaking a review of tariffs for the restaurant and café industry. If you're from this sector, you would have recently received a document outlining the proposed changes in fees and structure. We have put in place a lengthy consultation process to ensure we receive and review feedback from all involved. This tariff review is part of PPCA's ongoing efforts to ensure stakeholders are fairly compensated for use of their recordings and music videos. We have included in this newsletter some information to help you better understand the process.

It's time once again to elect a new licensor representative to the PPCA Board. The representative will come from one of the many independent labels who make up PPCA's licensors, and we'll advise of the outcome in our next newsletter. You'll find more information regarding this election and the three candidates on the PPCA website – www.pcca.com.au

Through our newsletter and web site, we aim to keep you *In The Loop* on music licensing in Australia. We encourage you to visit us at www.pcca.com.au for up-to-date information and handy Frequently Asked Questions.

As always please feel free to give us a call at (02) 8569 1111 with any feedback or questions you may have.

Regards,

Stephen Peach
PPCA CEO



Restaurant and Café Tariff Review

PPCA licenses restaurants and café operators to play sound recordings in their premises under Tariff R, which applies to all those recordings (both Australian and international) which are protected under copyright law.

Artists and labels are entitled to receive a fair return for their work, particularly when it is used to help drive profits in commercial enterprises.

Music is widely used by the restaurant and café industry to contribute positively to the ambience and atmosphere of an establishment. For example, research indicates that more than 75 per cent of a sample of cafés and restaurants typically use music in their day-to-day operations.

PPCA believes that the fees for recorded music should be updated to a reasonable commercial rate and one which better reflects the value that recorded music contributes to a restaurant or café.

The draft licence scheme

PPCA plans to introduce a new Tariff R1 covering the use of licensed sound recordings by restaurants and cafés. This is in line with PPCA's broad-based review of tariffs applying to businesses which use recorded music to add value to the services they offer to the public. To date, PPCA has collected and analysed a range of relevant information about the restaurant and café sector much of which is in the public domain. This has been used to formulate a draft licence scheme.

PPCA proposes replacing the flat annual fee payable under the current scheme with a new, fairer, flexible scheme which will more accurately represent the value of music to the restaurant and café industry.

The proposed scheme will increase the fee paid to PPCA and will be calculated on a number of factors including:

- seating capacity
- liquor licensing status
- number of meal sessions offered (ie breakfast, lunch and dinner)
- days of operation
- the average price charged for a single main meal (per session)

This draft scheme is available to view on our website. PPCA appreciates that the restaurant and café sector is incredibly diverse, and has initiated a consultation period to gather further information and comment directly from the sector. We welcome the wide range of feedback received to date from restaurant and café owners. This information will be evaluated and taken into account when reviewing and finalising the scheme.

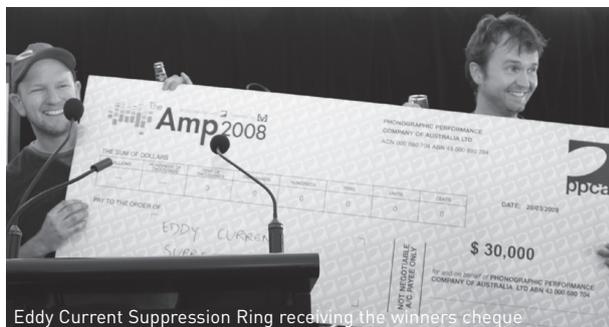
The consultation process will continue for a three month period, ending on 20th August 2009, and it is PPCA's current intention to bring its proposed tariff into effect on 1 October 2009.

Please visit the link from the home page of our website (www.pcca.com.au) for updates on the consultation process.

2008 Australian Music Prize

The recipient of Australia's most prestigious popular music award for 2008 was Melbourne band Eddy Current Suppression Ring, for its sophomore album Primary Colours.

In addition to the album's Australian Music Prize success, it was nominated for a triple j J-Award in 2008 and received a nomination in the Best Rock Album category at last year's ARIA Awards.



Eddy Current Suppression Ring receiving the winners cheque

The band is also being noticed overseas: Spin Magazine gave the release four stars and called it "one of the year's best guitar records".

PPCA, which provides the prize money for The Amp, presented \$30,000 to Eddy Current Suppression Ring in front of an invited crowd of artists, music industry personnel and media.

PPCA's Chief Executive, Stephen Peach, said the organisation has supported The Amp since its inception because both PPCA and the prize share an affinity for the support of musical creativity.

"PPCA is proud to have supported the Australian Music Prize since its inception in 2005. It's proven to be a perfect synergy for our ongoing work on behalf of Australian recording artists."

We would like to congratulate winner Eddy Current Suppression Ring and the other shortlisted artists on their stellar releases."

Copyright Collecting Societies Code of Conduct – Call For Submissions

PPCA subscribes to a code of conduct for copyright collecting societies. The Code came into effect in July 2002, and was last reviewed in April 2008. A copy of the Code is available on the PPCA website and can be downloaded or, if requested, a copy can be sent by post.

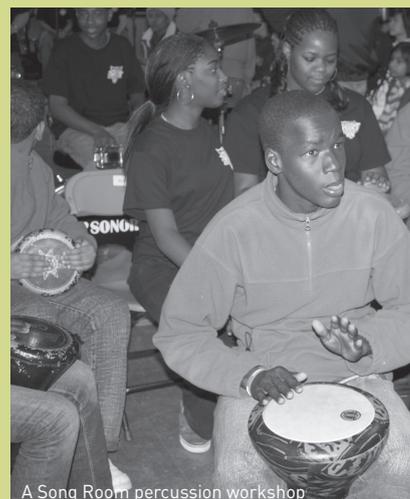
Compliance with the Code by participating collecting societies is currently the subject of an independent annual review being conducted by former Federal Court judge, Mr James Burchett QC.

The Code provides for licensees and interested parties to be able to make submissions directly to the code reviewer, Mr Burchett, concerning a collecting society's compliance with the Code. Accordingly, should you wish to make any submissions to Mr Burchett in that regard, please address them in writing to the following address by no later than **31 July 2009**.

The Code Reviewer
Suite 704
4 Young Street
Neutral Bay NSW 2089
Australia
Email: codereviewer@gmail.com

The Song Room – Proudly Supported by PPCA

The Song Room is a national, not-for-profit organisation that provides opportunities for enhanced learning and development for disadvantaged children through music and creative arts. The Song Room has now reached over 160,000 disadvantaged children with its tailored, free, long-term programs across Australia.



A Song Room percussion workshop

This year they will provide programs in over 250 schools and communities in metropolitan, regional and rural remote areas across all of Australia. Their tailored programs are targeted to children who are in particular need of extra support and would otherwise miss out on these opportunities including the socio-economically disadvantaged, indigenous and new arrivals.

For more information on The Song Room, or to find out how to donate, go to: www.songroom.org.au

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