

Playing Music In Public: OneMusic Australia

This information sheet contains information about the licences people need for playing live and recorded music “in public”. It also contains information about playing music on hold.

Check our website copyright.org.au to make sure this is the most recent version, and for information about our other information sheets, other publications and our seminar program.

The purpose of this information sheet is to give general introductory information about copyright. If you need to know how the law applies in a particular situation, please get advice from a lawyer.

Key points

- You usually need permission to play live or recorded music in a shop, at your business or any other non-domestic setting.
- Several copyrights may exist in one item such as a CD. For example, the lyrics, music and the sound recording may be separately protected by copyright.
- OneMusic Australia, the joint initiative of APRA AMCOS and PPCA, can give you a licence to play music, music videos, lyrics, and sound recordings in public.

When do you need a licence to play music?

You do not need permission to play music in a private situation (for example, if you are at home with family or friends). However, if you are playing music “in public”, you will need permission from the owners of copyright in the music, lyrics and sound recording. These owners have the right to control both the **playing** of the material “in public” and the **communication** of the material “to the public”.

What is a “public performance”?

A “public performance” includes live performances of music in public as well as playing recorded music in public. Any performance of copyright material which is not essentially private or domestic is likely to be regarded as “in public” for the purposes of copyright.

Playing music in a commercial or business context is likely to be a “public performance”. This includes playing music in an office, hotel, club, restaurant, shop, professional rooms, hairdressing salon or fitness centre. For example, a court has held that the screening of an information video to eleven employees of a bank outside business hours was a “public performance” of the music on the video.

A performance which is given for free or which has a small audience may still be regarded as a “public” performance for the purposes of copyright; a court held that music played by an orchestra to members of a social club was a public performance even though no admission fee was charged.

However, performances of music at events such as weddings or twenty-first birthday celebrations will not generally be “in public” even if they occur in a hotel, wedding hall or restaurant, as these events are considered private in nature.

What is “communication to the public”?

A “communication to the public” means communicating copyright material electronically to the public. This includes online uses of copyright material – for example, uploading music to the internet, streaming music and emailing files (except to family and friends) – and broadcasting copyright material. Courts have held that transmitting music over the telephone while people are waiting on hold is also a communication to the public. You will need permission to use music in these sorts of ways unless a specific exception to infringement applies. For a comprehensive list of exceptions to infringement, see our information sheet [Exceptions to Copyright](#).

What are APRA AMCOS and PPCA?

APRA AMCOS is a member-based copyright collecting society that collects and distributes fees for the public performance and communication to the public of music. The fees are distributed to APRA’s members, who are songwriters, composers and music publishers (apraamcos.com.au).

PPCA is a non-profit collecting society that licenses the public performance of sound recordings on behalf of its members, who are recording artists and record companies (ppca.com.au).

For more information on APRA AMCOS and PPCA, see our information sheet [Copyright Collecting Societies](#).

What is OneMusic Australia?

OneMusic Australia is a joint initiative of APRA AMCOS and PPCA to simplify the music licensing process. In the past licencees seeking to play music in public (eg, a restaurant owner looking to play music for customers in their dining space) needed to get at least two separate licence agreements, one for use of musical works and one for sound recordings, generally obtained from each of APRA AMCOS and PPCA respectively. OneMusic Australia means that such licensees can get a single, bundled OneMusic Australia licence agreement which includes all of the necessary permissions required to play music in public.

What OneMusic Australia means for music licensees

For business owners looking to play music on their premises or in their venue, OneMusic Australia offers joint public performance licences so there is no longer any need for separate licence agreements and invoices from PPCA and APRA AMCOS. In other words, OneMusic is a “one stop shop” which simplifies the music licensing process, enabling

licensees seeking to use music to seamlessly meet their copyright obligations for the public performance of musical works, sound recordings and music videos.

OneMusic has developed more than 20 new industry-based licence schemes (eg, for Fitness Centres, Retailers & Service Providers, Sports, Community Halls) and is rebranding a number of existing joint APRA AMCOS and PPCA schemes (eg, Eisteddfodau and Child Care). If you have an existing licence, this will be transitioned into the OneMusic scheme with advance notice.

Further information and details of the music licence sign up process, may be found on the OneMusic Australia website (onemusic.com.au).

What OneMusic Australia means for music creators

For musicians, songwriters, record labels, and other music creators and rightsholders, the OneMusic Australia initiative does not directly affect you. If you are already a member of APRA AMCOS and/or a licensor of PPCA, APRA AMCOS and/or PPCA will still collect fees on your behalf, and your royalties will still be paid from APRA AMCOS and/or PPCA.

More broadly, in simplifying the licensing process, OneMusic Australia will deliver future benefits to music creators on the basis that, because music licence fees are easier to manage, more royalties may be collected and paid to music rightsholders. In New Zealand, where a similar OneMusic NZ joint initiative has been in operation since 2013, revenue collected by OneMusic NZ on behalf of music rights holders had increased by 10% to \$NZ14.1 million for the 2016-17 financial year.

If you are not a member of APRA or licensor of PPCA you can get more information about the registration process at apraamcos.com.au and/or ppca.com.au.

When do you need a OneMusic Australia licence?

If you or your business provides music in the workplace, or otherwise to the public, including in any of the following ways:

- Playing music in the work place and telephone on hold;
- Local councils and council facilities;
- Karaoke;
- Fitness centres and fitness & wellbeing instructors;
- At a function, convention, or conference centre;
- In a hotel, pub and taverns, bars and casinos;
- Dance and performance instructors and schools;
- Community halls;
- Community music groups (eg, amateur and not-for-profit choirs, bands, ensembles);
- Cinemas;
- Events (eg, concerts and festivals);

- Dining (eg, restaurants, cafés, takeaway shops, bistros);
- Live adult entertainment venues;
- Registered and licensed clubs;
- Restaurant, cafes, and dining;
- Retail and service providers;
- Theatrical productions;
- Sports;

then you will need a licence from OneMusic Australia.

Further information

For further information about copyright, our publications or seminar program, see our website copyright.org.au.

If you meet our eligibility guidelines, a Copyright Council lawyer may be able to give you free preliminary legal advice about a copyright issue that is not addressed in an information sheet. This service is primarily for professional creators and arts organisations but is also available to staff of educational institutions and libraries. For information about the service, see the 'Legal Advice' tab on our website copyright.org.au.

Reproducing this information sheet

Our information sheets are regularly updated - please check our website to ensure you are accessing the most current version. Should you wish to use this information sheet for any purpose other than your reference, please contact us for assistance.

About Us

The Australian Copyright Council is an independent, non-profit organisation. Founded in 1968, we represent the peak bodies for professional artists and content creators working in Australia's creative industries and Australia's major copyright collecting societies.

We are advocates for the contribution of creators to Australia's culture and economy; the importance of copyright for the common good. We work to promote understanding of copyright law and its application, lobby for appropriate law reform and foster collaboration between content creators and consumers.

We provide easily accessible and affordable practical, user-friendly information, legal advice, education and forums on Australian copyright law for content creators and consumers.



Australian Government



The Australian Copyright Council has been assisted by the Australian Government through the Australia Council, its arts funding and advisory body.

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