

**TARIFFA GHAL LUKANDI
HOTELS TARIFF**

Isseħħ mill-1 ta' Jannar, 2009
Effective from 1st January 2009



**1 KUNDIZZJONIJIET ĠENERALI
GENERAL CONDITIONS**

- 1.1 Din it-tariffa tapplika għal wirjiet pubbliċi ta' mużika tutelata bid-dritt ta' l-awtur fi ħdan ir-ripertorju tas-Socjeta' f' lukandi, appartamenti ta' lukandi, pensjonijiet, alloġġi u diversi swali fi ħdan dawn il-kategoriji inklużi ristoranti, kafejiet, swali tal-pranzu u swali għal funzjonijiet :

This tariff applies to performances of copyright music within the Society's repertoire at hotels, hotel apartments, boarding houses, guest houses, and various rooms within these categories including restaurants, cafes, banqueting suites and function rooms

- 1.2 Meta l-utent tal-mużika jkun applika għal u jkun ottjena l-liċenzja tas-Socjeta' qabel ma jinbdew il-wirjiet pubbliċi, id-dritt **normali** jiġi applikat u mħallas għall-ewwel sena tal-liċenzja.

Where the music user has applied for and obtained the Society's licence before musical performances commence, the standard royalty rate will be charged and payable for the first year of the licence.

Meta l-utent tal-mużika ma jkunx applika għal u ottjena l-liċenzja tas-Socjeta' qabel ma jinbdew il-wirjiet pubbliċi, id-dritt **l-għola** jiġi applikat u mħallas għall-ewwel sena tal-liċenzja.

*Where the music user has not applied for and obtained the Society's licence before musical performances commence, the **higher** royalty rate will be charged and payable for the first year of the licence.*

F'kull każ, wara l-ewwel sena tal-liċenzja, id-dritt **normali** jiġi applikat u mħallas.

*After the first year of the licence, in either case, the **standard** royalty rate will be charged and payable.*

- 1.3 It-tariffa hija pubblikata għall-informazzjoni ġenerali; u l-pubblikazzjoni ma' tikkostitwix offerta sabiex tingħata liċenzja. Id-dritt applikabbli għal kwalunkwe wirja jew sensiela ta' wirjiet ikun determinat mis-Socjeta' a bażi ta' ċirkostanzi kollha rilevanti. B'mod partikolari, din it-tariffa mhix intiża li tkun eżawrjenti u għal dawk il-wirjiet illi fl-opinjoni tas-Socjeta' jaqgħu 'l barra minn dawk kontemplati hawn taħt, rati jiġu kkwotati fuq applikazzjoni.

The tariff is published for general information; publication does not constitute an offer to grant a licence. The royalty applicable to any performance or series of performances will be determined by the Society on the basis of all the relevant circumstances. In particular, this tariff is not intended to be exhaustive and for performances which in the Society's opinion fall outside those contemplated below, rates will be quoted on application.

- 1.4 Applikant għal liċenzja jrid jagħti dik l-informazzjoni kollha meħtieġa sabiex is-Socjeta' tkun tista tiddetermina d-dritt, jew skond din it-tariffa jonkella mod ieħor jekk ikun il-każ.

An applicant for a licence must give whatever information is necessary to enable the Society to determine the royalty, either in terms of this tariff or otherwise if inappropriate

**1.5 HLASTAD-DRITTIJET
PAYMENT OF ROYALTIES**

Id-drittijiet jithallsu kull sena bil quddiem fil-bidu ta' kull liċenzja imbagħad f'kull data ta' tiġdid skond it-tariffa kurrenti tas-Socjeta'.

Royalties are payable annually in advance at the commencement of each licence and then on each renewal date for the licence in accordance with the Society's current tariff.

1.6 **TAXXA FUQ IL-VALUR MIŻJUD**
VALUE ADDED TAX

Kull Detentur ta' Liċenzja taħt it-tariffi tas-Socjeta' jhallas lis-Socjeta', b'zieda mad-dritt dovut, somma import ta' Taxxa Fuq il-Valur Miżjud kalkolata skond ir-rata rilevanti fuq dak id-dritt.
Every Licensee under the Society's tariffs will pay to the Society in addition to the royalty due, a sum in respect of Value Added Tax calculated at the relevant rate on the royalty payable.

1.7 **REVIŻJONI GĦALL-INFLAZZJONI**
INFLATION ADJUSTMENT

Is-Socjeta' żżomm id-dritt, mingħajr avviż, li żżid ir-rati monetarji f'din it-tariffa minn żmien għal żmien, basta illi kumulattivament tali żiediet ma jaqbxu żiediet kontemporanji fir-rati ufficjali tal-inflazzjoni skond kif maħruġa mill-Ufficju Ċentrali ta' l-Istatistika. (L-Indici tal-prezzijiet bl-immut Frar 2005 = 105.33; Diċembru 2002 = 100)

The Society reserves the right, without notice, to increase the monetary rates in this tariff from time to time provided that cumulatively those increases shall not exceed contemporary increases in the official rates of inflation as issued by the Central Office of Statistics. (Retail Price Index Feb 2005 = 105.33; Dec 2002 = 100)

2	RATITAD-DRITTIJET ROYALTY RATES	Dritt oghla Higher Royalty € / (LM)	Dritt normali Standard Royalty € / (LM)
2 MUŻIKA PPREŻENTATA FEATURED MUSIC			
2.1	Għal wirjiet 'live' il-ħlas ikun <i>For live performances the charge will be.....</i>	12% tal- pagamenti lill-artisti. <i>payments to performers</i>	6% tal- pagamenti lill-artisti. <i>payments to performers</i>
2.2	Għal wirjiet ipprezentati ohra bħala żifniet, diskoteki, karaoke eċċ., il-ħlas ikun <i>For other featured performances such as dances, discotheques, karaoke etc the charge will be.....</i>	6% tad-dħul kollu <i>of turnover</i>	3% tad-dħul kollu <i>of turnover</i>
JEW (jekk il-pagamenti lill-artisti jew l-irċevuti tad-dħul ma' jkunux jistgħu jigu aċċertati) <i>OR (if payments to performers or admission receipts are not ascertainable)</i>			
Il-ħlas għal kull avveniment għal kull kapaċita' ta' 25 persuna jew għal kull kejl ta' 37.5m ² tal-lokal ikun <i>The charge per event per 25 persons capacity or per 37.5m² of the venue will be.....</i>		2.03 / (0.87)	1.01 / (0.43)
Il-ħlas minimu għal Permess jew għal serje ta' mhux aktar minn tlett avvenimenti jkun <i>The minimum charge for a Permit or for a series of not more than three events will be.....</i>		77.15 / (33.12)	38.57 / (16.56)

**3 MUŻIKA INĊIDENTALI ĠEWWA HWIENET TAX-XORB, RISTORANTI, SWALI, HWIENET TAX-XAHAR, GIMNAZJI U L-PARTIJIET KOLLHA KOMUNI
BACKGROUND MUSIC IN BARS, RESTARAUNTS, LOUNGES, HAIRDRESSING SALONS, GYMS AND ALL COMMON AREAS**

Id-dritt annwali għal kull sigġu / post f'kull kamra jkun 5.15 / (2.21) 2.57 / (1.11)
The annual royalty per seat/cover per room will be.....

**4 MUŻIKA INĊIDENTALI FI KMAMAR TAS-SODDA ĠEWWA LUKANDI, KURIDURI U SWALI TA' RIĊEVIMENT
BACKGROUND MUSIC IN HOTEL BEDROOMS CORRIDORS & FOYERS**

**4.1 LUKANDI b'5 STILEL :-
5 STAR HOTELS:-**

Id-dritt annwali għal kull sodda jkun 8.34 / (3.58) 4.17 / (1.79)
The annual royalty per bed will be.....

**4.2 LUKANDI b'4 STILEL :-
4 STAR HOTELS:-**

Id-dritt annwali għal kull sodda jkun 7.85 / (3.37) 3.92 / (1.69)
The annual royalty per bed will be.....

**4.3 LUKANDI bi'3 STILEL u ANQAS :-
3 STAR HOTELS AND BELOW:-**

Id-dritt annwali għal kull sodda jkun 7.36 / (3.16) 3.68 / (1.58)
The annual royalty per bed will be.....

**DEFINIZZJONIJIET
DEFINITIONS**

'audio juke box' tfisser magna (barra minn 'video juke box') intiża għad-daqq ta' mużika reġistrata u li tkun tista' tiġi mħaddma permezz tad-daħla ta' munita jew forma ta' munita.

audio juke box means a machine (other than a video juke box) for playing recorded music and capable of being operated by the insertion of a coin or token.

mużika inċidentali tfisser dik il-mużika li tindaqq permezz ta' 'compact disc player', 'record player', 'tape player', jew 'video player' hliet għall-iskopijiet ta' preżentazzjoni, jew inkella 'audio juke box' jew 'video juke box', jew radju, jew sett tat-televiżjoni mħaddma fil-post jew diffużi permezz ta' 'loudspeaker' minn xi parti oħra tal-post jew minn xi sors barra l-istabbiliment.

background music means music when performed by compact disc player, record player, tape player, or video player otherwise than for featured purposes, or audio juke box or video juke box, or 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.

kapaċita' fejn ma' hemmx mezz formali biex tiġi kkalkolata l-kapaċita' ta' kamra, tali kapaċita' tiġi meqjusa b'riferenza għan-numru massimu ta' persuni illi jistgħu raġjonevolment jiġu akkommodati fil kamra, jew li huwa permiss skond xi regolamenti maħruġa mill-Awtoritajiet tat-Tifi tan-Nar.

capacity where there is no formal means of calculating the capacity of a room, that capacity is assessed by reference to the maximum number of persons which can reasonably be accommodated in the room, or which is permitted under any regulation by Fire Authorities.

mużika ppreżentata tfisser mużika murija permezz ta' :-

artisti personalment, inklużi wirjiet tal-'karaoke', jew, 'record' jew 'tape player' primarjament għal divertiment bħal permezz ta' diskoteka, tgħamir ċinematografu jew 'video player'.

featured music means music performed by:-

performers in person, including karaoke performances, or

a record or tape-player primarily for entertainment such as by means of discotheque equipment or otherwise for dancing or in conjunction with cabaret or similar entertainment or cinematograph equipment or video player.

wirjiet tal-'karaoke' ifissru dawk il-wirjiet mogħtija minn kantanti mingħajr hlas kontestwalment ma' mużika reġistrata prodotta specifkament, bi jew mingħajr il-proviżjoni ta' lirika sinkronizzata ppreżentata viżwalment.

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.

artisti jfissru kantanti u artisti ta' strumenti mużikali u jinkludu s-surmasti jew il-kundutturi ta' l-orkestri, irrispettivament minn jekk jikkombinaw fil-wirjiet tagħhom attivitajiet oħra bħaż-żfin jew jekk jagħmluhiex ukoll ta' 'comperes'.

performers means singers and performers of musical instruments and includes orchestra conductors or leaders, whether or not they combine in their performance other activities such as dancing or acting as comperes.

diska, 'compact disc' jew 'tape-player' tfisser gramafon, 'compact disc', 'tape' jew 'cassette player', jew xi mezz ieħor mekkaniku għad-daqq ta' xogħlijiet mużikali, hlief 'video player', jew mezz ieħor, bħal 'juke box', kapaċi li jkun operat bid-daħla ta' munita, forma ta' munita, jew karta.

record, compact disc or tape-player means any gramophone, compact disc, tape or cassette-player, or other mechanical/electronic 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, token or card.

ir-ripertorju tas-Socjeta' tfisser kull u kwalsiasi xogħlijiet mużikali (inklużi xi kliem assoċjati magħhom), li fir-rigward tagħhom id-dritt tal-wirja pubblika fl-istess huma kkontrollati mis-Socjeta' jew minn xi wahda mis-socjetajiet f'pajjiżi oħra li magħhom is-Socjeta' hija affiljata.

the Society's repertoire means all and any musical works (including any words associated therewith), the public performing rights in which are controlled by the Society or by any of the societies in other countries with which the Society is affiliated.

dhul kollu ifissru id-dhul skond riċevuti mill-ammissjoni u mis-šhubija kif ukoll mill-bejgħ ta' ikel u xorb.

turnover means admission and membership receipts and sales of food and drink

'video player' tfisser kull tgħamir għall-esibizzjoni ta' videogrammi, sew jekk fuq 'tape' jew diska, hlief għal 'video players' kapaċi li jiġu operati bid-daħla ta' munita jew forma ta' munita.

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.

'video juke box' tfisser magna għad-daqq ta' mużika reġistrata sinkronizzata bil- 'video' jew turija oħra viżwali u kapaċi li tiġi operata bid-daħla ta' munita jew forma ta' munita.

video juke box means a machine for playing recorded music synchronised with video or similar visual display and capable of being operated by the insertion of a coin or token.