

**TARIFFA GHAL RISTORANTI  
RESTAURANTS TARIFF**

**Issehh 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 hdan ir-ripertorju tas-Socjeta f'ristoranti, kaffetieri, hwienet tax-xorb u stabilimenti simili  
*This tariff applies to performances of copyright music within the Society's repertoire at restaurants, cafes, snack bars and other similar premises*

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

1.3 It-tariffa hija publikata għall-informazzjoni ġenerali; u il-pubblikazzjoni ma' tikkonstitwix offerta sabiex tingħata liċenzja. Id-dritt applikabbli għal kwalunkwe wirja jew sensiela ta' wirjiet jkun determinat mis-Socjeta' a bażi ta' ċirkostanzi kollha rilevanti. B'mod partikolari, din it-tariffa mhix intiża li tkun eżawrenti w għal dawk il-wirjiet illi fl'opinjoni tas-Socjeta' jaqgħu 'l-barra minn dawk kontemplati hawn taht, 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 irid jagħti dik l-informazzjoni kollha meħtieġa sabiex is-Socjeta' tkun tista tiddetermina d- dritt, jew skond din it-tariffa jew inkella 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 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 to the Society's current tariff.*

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

Kull Detentur ta' Liċenzja taht 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 **REVIŻJONIGHALL-INFLAZZJONI  
INFLATION ADJUSTMENT**

Is-Socjeta' żżomm id-dritt, minghajr avviż, li żżid ir-rati monetarji f'din it-tariffa minn żmien għal żmien, basta illi kumulattivament tali żiediet ma jaqbżux żiediet kontemporanji fir-rati ufficjali tal-inflazzjoni skond kif maħruġa mill-Ufficċju Ċentrali ta' l-Istatistika. (L-Indiċi tal prezzijiet bl-imnut 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	<b>RATI TAD-DRITTIJET ROYALTY RATES</b>	<b>Dritt oghla Higher Royalty € / (LM)</b>	<b>Dritt normali Standard Royalty € / (LM)</b>
2.1	<b>MUŻIKA PPREŻENTATA FEATURED MUSIC</b>		
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 oħra bhala żifniet, diskoteki, karaoke &c., 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 jiġu aċċertati) <i>OR (if payments to performers or admission receipts are not ascertainable)</i>		
	Il-ħlas għal kull avveniment għal kull kapacita' ta' 25 persuna jew għal kull kejl ta' 37.5m <sup>2</sup> tal-lokal ikun ..... <i>the charge per event per 25 persons capacity or per 37.5m<sup>2</sup> 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)

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### 3 MUŻIKA INĊIDENTALI BACKGROUND MUSIC

Id-dritt annwali għal kull sigġu/post kull kamra jkun:  
*The annual royalty per seat/cover per room will be:-*

3.1	Televiżjoni u/jew Vidjo ..... <i>Television and/or Video</i> .....	5.64 / (2.42)	2.82 / (1.21)
3.2	'Audio Juke Box' ..... <i>Audio Juke Box</i> .....	7.36 / (3.16)	3.68 / (1.58)
3.3	'Video Juke Box' ..... <i>Video Juke Box</i> .....	9.81 / (4.21)	4.90 / (2.11)
3.4	CD/Tape/Record Player u/jew Radju ..... <i>CD/Tape/Record Player and/or Radio</i> .....	5.15 / (2.21)	2.57 / (1.11)
3.5	Fejn żewġ strumenti jew aktar differenti imsemmija f'din is-sezzjoni jkunu jinstemgħu fl-istess kamra, l-ogħla hlas b'rispett għal dik il-kamra tiġi applikata kollha kemm hi iżda l-hlasijiet l-oħra jiġu ridotti bin-nofs. <i>Where two or more different kinds of instruments mentioned in this section are audible in the same room, the highest of the charges in respect of that room will apply in full but the other or others will be halved</i>		

### DEFINIZZJONIJIET DEFINITIONS

'**audio juke box**' tfisser magna (barra minn 'video juke box') għad-daqq ta' mużika registrata u kapaċi li tiġi operata bid-dahla 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' 'CD 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 mhaddma fil-post jew diffużi permezz ta' 'loudspeaker' minn xi parti oħra tal-post jew minn xi sors barra l-istabbliment.

*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 jiġi akkommodati fil-kamra, jew li huwa permess skond xi regolamenti mahruġa 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.*

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**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 speċifikament, 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, irrespettivament minn jekk jikkombinaw fil-wirjiet tagħhom attivatajiet 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.

**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 (inkluż xi kliem assoċjati magħhom), li fir-rigward tagħhom id-dritt tal-wirja pubblika fl-istess huma kkontrollati mis-Socjeta’ jew minn xi waħda mis-soċjetajiet 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’** jfisser id-dhul skond riċevuti mill-ammissjoni u mis-sħubija kif ukoll mill-bejgħ ta’ ikel u xorb.

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

**‘video player’** tfisser kull tagħmir għal 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 użata sabiex iddoqq mużika rikordjata xinkronizzata bil ‘video’ jew xi haġa viswalment simili kapaċi li tiġi operata b’ munita jew ‘token’.

**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.