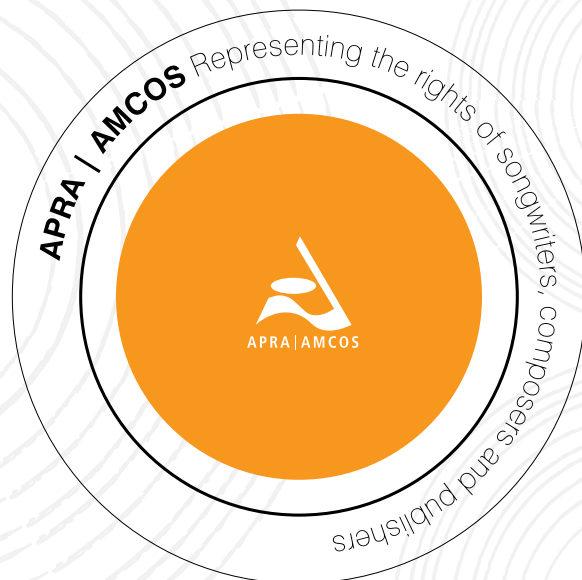


LIVE PERFORMANCE RETURNS - FAQ SHEET



WHAT IS AN LIVE PERFORMANCE RETURN (LPR)?

A Live Performance Return (LPR) is an online form submitted by performers to APRA, which reports details of their live performances in Australia and New Zealand. APRA processes and uses this information to distribute royalties to songwriters whose works are being performed live.

WHERE DOES THE MONEY COME FROM?

APRA collects licensing fees from venues and schools which have live performances on their premises. These licence fees are combined into a "distribution pool". APRA then allocates royalties from the distribution pool to songs performed at licenced venues using information supplied from LPRs.

HOW DOES THIS ALL WORK?

Before the August 31 cut off each band or performer will need to notify APRA of their live performances for the previous financial year (1 July - 30 June). This is done by logging onto the APRA website and completing an LPR. You will be asked to enter your band/performer name, list where and when you performed, and enter the songs you performed at those venues.

WHEN WILL I GET PAID?

LPRs are paid annually, usually in APRAs November distribution payment. To receive a payment LPRs must include performances at eligible licensed venues and be submitted prior to the August 31 cut off date.

WHAT CAN I CLAIM ON MY LPR?

You can claim live performances in public venues in Australia and New Zealand. There are several important exceptions to what you can claim, these are listed below.

WHAT CAN'T I CLAIM ON MY LPR?

Promoted Concerts: Performances at large music festivals, dance parties or venues-for-hire should not be listed on an LPR. APRA calls these events "promoted concerts". Promoted concerts typically include larger ticketed concert events or performances at venues that do not host live music on a regular basis. Examples include the Big Day Out festival, the Gympie Muster or performances at the Palais Theatre in Melbourne. Performances at these events are reported to APRA by event organisers using set lists collected from performers.

Private Functions: Performances at private functions such as weddings and parties (even if held in public venues) or nursing homes, hospitals etc are considered to be private performances in accordance with the Copyright Act. APRA is not able to issue licenses for private performances, and therefore cannot distribute royalties to songs performed at private live performances.

Performances at worship services: APRA does not licence religious worship services.

Performances broadcast on the radio or television: Live performances broadcast over the radio or television are not considered live performances, but rather a Broadcast. We distribute royalties for these performances under our normal distribution for TV and radio.

Busking performances: Busking performances are not licensed by APRA and so are ineligible for APRA royalties.

Ballets, Musicals Operas: If your music is performed in conjunction with acting, costumes, scenic accessories and scripted dialogue, or other dramatic effects it is considered a 'dramatic context' or 'grand rights' performance. Live performance royalties generated music performed in ballets, musicals, operas etc

are managed separately to the LPR system. Please contact your local writer services department for more information.

WHY ARE THERE SO MANY EXCEPTIONS?

There are many different APRA licences that venues can hold when they use music in their business. APRA can only pay a royalty through the LPR scheme for performances at venues that hold an APRA licence specific to hosting live performances. These venues pay APRA licence fees which contribute to the LPR "distribution pool".

WHAT IF I PERFORM AT A CORPORATE GIG OR PRODUCT LAUNCH?

You will need to contact your local APRA office as this may be considered a performance outside of our Live Performance Return parameters.

I'VE DONE PERFORMANCES OVERSEAS. HOW DO I CLAIM ROYALTIES FOR THESE GIGS?

To claim royalties for live performances outside of Australia/New Zealand, you'll need to complete and submit an **Overseas Live Performance Return**. Once APRA has been notified of an overseas performance through an overseas LPR, we will contact the relevant foreign society on your behalf to claim any relevant royalties. The August 31 deadline for LPRs does not apply to Overseas Live Performance Returns.

Please note that payment for overseas performances is not guaranteed, as it depends on the distribution rules of the foreign society.

WHAT IF I PERFORM ON A CRUISE SHIP?

If the cruise line is operated and owned by an Australian company, these performances can go on your regular LPR. If the cruise line is operated and owned by an overseas company, these performances will need to be submitted on an Overseas Live Performance Return.

I MISSED OUT ON SUBMITTING MY LPR FOR A PREVIOUS YEAR, IS THERE ANY WAY I CAN STILL GET PAID FOR THESE PERFORMANCES?

Retrospective performances from previous financial years can be submitted online after receiving authority from a Writer Services Representative.

Please note, retrospective claims can only be backdated three financial years. For the previous financial year, you may submit an LPR as usual however for financial years two and three years previous, you will need to support your claim with third-party evidence such as posters, online advertisements, letters from venues/booking agents, ticket stubs etc. Contact your local writer service representative for more information.

DO WE NEED TO SUBMIT ONE ELPR FOR EACH MEMBER OF OUR BAND?

No, you only need to submit one LPR per band.

DO I NEED TO INCLUDE COVERS?

It is appreciated if you include all covers you perform in your LPR. Royalties will go to the original composers of the work.

I'M SUBMITTING THE LPR FOR MY BAND, BUT SOME OF THE SONGS AREN'T WRITTEN BY ME, HOW DO I SUBMIT THESE SONGS?

You submit these songs just as you would any song not written by you. You will tick the 'Cover?' box to confirm that this work was not written by you (but by another member of your band) then completing in the song title and writer details.

I KEEP GETTING THIS MESSAGE 'VIEWING IN READ ONLY MODE, NO UPDATE SUPPORTED' WHEN I TRY TO UPDATE MY ELPR, WHAT DO I DO NOW?

It sounds like you're trying to access the LPR that you submitted last year.

To enter this year's LPR,

1. Go to the LPR menu and click on 'Create or select the LPR performer'.
2. Type your performer name into the box in the 'New performer for current distribution' section.
3. Select the 'additional' boxes below the name if appropriate

4. Click on the submit button and the performer name should then appear in the 'current distribution P1110' section.
5. Then, hit the 'select' button next to that performer and proceed to enter the venues and works at steps 2 and 3.

WHAT IF I DO AN ARRANGEMENT OF A POPULAR WORK THAT IS STILL IN COPYRIGHT AT MY GIG?

Unless you have permission from the copyright owners of the work, you cannot claim and be paid for an arrangement of another person's work. You will, however need to enter this work on your LPR as being written by the original writers so they will be allocated a royalty for your performance of their song.

WHAT IF I IMPROVISE AT GIGS? HOW DO I LOG THESE?

You will need to register your original improvisations with APRA in order to claim royalties via a LPR.

WHAT DOES IT MEAN BY "RESIDENCY"?

If you are performing in one venue on a regular basis, please indicate this with a 'Y' in the Residency section. Then in the comments section, list the date of your first and last performances at that venue, as well as the total number of performances. This will save you listing the same venue numerous times.

WHAT SHOULD I PUT IN THE "COMMENTS" SECTION?

Anything you think will help APRA process your LPR. Examples include information on long sets you have performed, how many times you performed at the listed venue or if you played certain songs more than once.

WHAT IF I AM A CLASSICAL COMPOSER AND OTHER PEOPLE PERFORM MY MUSIC?

You can complete an online LPR using your name as the Performer. Then, when putting in the date of the performance, you can enter the individual performer name in the "Residency Comment" section.

For example:

Date: 18/04/11 Residency? N Venue: Example Hall Street: 1 Example Road Suburb: SYDNEY State: NSW

Residency Comment: Performed by the Example Youth Orchestra.

This way, you are still notifying us of who is performing your works but you don't have to keep making new LPRs for each individual performer.

If in doubt, call your local APRA office. We are here to help you!

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