

Helen Skuse

8th February 2019

Adjudication Branch
Australian Competition and Consumer Commission
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RE: Australasian Performing Right Association Ltd application for revocation of authorisations A91367 – A91375 and substitution of new authorisation A1000433

To Whom It May Concern,

I am writing this letter to comment on the Australasian Performing Right Association Ltd (APRA) application for re-authorisation and appreciate the opportunity to do so.

In my experience with APRA I have found that their fees and structure of fees are often very confusing and appear to be “double-dipping”. An example of this is when I first applied for my licences for my dance school and I was informed that if we would have someone filming our concerts we would require an additional licence to cover this. At no point was I told that if the videographer we hired had his own licence with APRA that this fee would not apply to us. For years I paid this fee, thinking I was doing the right thing, until a fellow dance school owner informed me it was not necessary. At this point I contacted APRA to confirm if I did not need to be paying for this licence if my videographer had it, I was told this was correct and my licence renewal was cancelled. No refund for the years of paying approximately \$900/ year (\$921.60 in 2017) for this licence was offered. During these years APRA would have been receiving funds from myself and my videographer for the same use of music.

Onemusic and the proposed schedule of fees does not seem fair for the dance school industry and is unaffordable. The proposition to charge extra per venue is unfair when many dance schools work out of multiple venues because of the inability and expense of being able to have their own studio space. Many are forced to use multiple different community halls and the like and will be penalised by Onemusic for this. I also feel being charged per class is not only a big change from the previous charge of per day, but unreasonable. Some classes are half an hour, some are an hour and a half, these should not be charged in the same way as obviously the amount of music being used will greatly differ from 30 minutes to 90 minutes. If anything, an hourly rate would be more acceptable.

APRA's method of calculation of performance licences is dubious. I am completely for paying for the rights to use music and giving back to those who created the music however not once have I been required to tell APRA what songs I am using, so how do they know where to distribute the funds? However they are happy to take my money. Why for this licence are they asking me how much my ticket prices are and what my gross profit of sales is? I feel all of this is irrelevant information and we should be charged based on the music we use and for how long that music is being played.

As a business that is trying to provide education to amateur children in the performing arts I believe we are being exploited by the fees APRA charge and with the introduction of the new Onemusic fees will be out of business in the not too distant future.

I appreciate you taking the time to read my comments.

Yours Sincerely,
Helen Skuse