



Music Authors' Copyright Protection
(MACP) Berhad
DISTRIBUTION POLICY RULES



MACP DISTRIBUTION POLICY RULES GUIDE

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REVISION HISTORY

Rev	Revision Date	Description	Prepared By	Reviewed By	Approved By
001	12/11/2021	Initial release	MACP Management	MACP Management	Board of Directors
002	14/7/2022	1 st Revision	MACP Management	MACP Management	Board of Directors
003	07/06/2023	2 nd Revision	MACP Management	MACP Management	Board of Directors

1. DISTRIBUTION POLICY RULES INTRODUCTION

1.1 Scope of the MACP Distribution Policy Rules

Royalties are paid to Music Authors' Copyright Protection Berhad's ("MACP" or "the Organisation") members and rights holders in batches called distributions throughout the year. The MACP Distribution Policy Rules relates to royalties paid for the performance of music - known as the 'performing right' in law.

The MACP Distribution Policy Rules explains how MACP works out royalties and schedule when MACP distributes royalties to MACP members and right holders. It's not just about the technologies and methods used, but also the principles used for guidance.

Fairness, accuracy, cost effectiveness and transparency are all very important for MACP members. However, sometimes these principles are at odds. This policy document sets out how MACP strike a balance.

While this document covers aspects of policy, it does not cover every aspect of the distribution process. Alternatively, members may raise queries via our website or contact our member services teams by email at general@macp.com.my.

All policies, rates and information are valid as of July 2023, unless otherwise mentioned.

1.2 General Distribution Policy Principles

MACP aims for all aspects of distribution rules and processes to be transparent and easily understood. Cost allocations should be clear, without any unknown or hidden cross-subsidies.

Access to data is also important. MACP needs usage data to identify the licensed music being used and the rights-holders to pay. In some cases, the people using music (known as 'licensees') are unable to provide complete usage data or supply it in a format MACP can process. MACP can use a variety of data collection methods in these situations.

Some methods, like music recognition technology and electronic fingerprinting techniques, can be very accurate yet very expensive. It might be costly in terms of collecting or processing the data. Therefore, principles like cost effectiveness as well as accuracy are considered.

In some situations, achieving 100% data accuracy for each individual performance might cost more than the revenue being collected - meaning there would be nothing left for royalties. Instead, MACP uses cost effective methods of data collection and analysis to provide statistically representative information about music use.

Our Distribution Committee ensures a balance between our principles to provide the greatest value for all our members and rights-holders.

1.3 Policy Review and Decision-making Processes

The MACP Board of Directors is responsible for determining the methods by which MACP revenue is allocated and distributed as outlined in Article 66 of the Memorandum and Articles of Association (“**the Articles**”). The board has delegated practical oversight of this responsibility to the Distribution Committee, a sub-committee of the MACP Board who is responsible for formulating and implementing specific distribution policy. The Committee is required to ensure the following:

- a) this policy is fair, accurate, transparent and cost effective; and
- b) put in place a system to ensure that data supporting royalty allocation is, and continues to be, based on statistically reliable sources. These sources must fairly represent the performing right usage of musical works in Malaysia.

MACP distribution policies are subject to regular review. MACP’s management works closely with the Distribution Committee so that policies in need of review are subject to thorough and timely examination. Many factors could lead to a policy review, including:

- a change in data availability, processing or cost, which affects how royalties would be distributed on a certain section;
- constructive feedback from members on the current policy;
- a change of legislation i.e., Copyright Act 1987, requirement under the CISAC Professional Rules for Musical Societies and the Binding Resolutions.

One or more of these factors could lead to a policy review. MACP prioritise reviews based on factors including:

- value of distributions governed by the policy;
- the potential benefit of a review, such as increased accuracy or cost efficiency; and
- potential risks of not reviewing current policy, such as the absence of a distribution policy for a new revenue stream.

During a policy review, MACP management works closely with the Distribution Committee to determine a means of distribution that is considered as fair, accurate, cost effective, clear and straightforward as possible.

To achieve this, MACP management undertakes extensive analysis to understand the potential impacts of any proposed policy change on member and rights-holder earnings. MACP may consult with rights-holders if they are likely to be materially affected by any change in policy or implementation.

1.4 Entitlement of Royalty

As a general rule, every member will be entitled to participate in distribution out of the royalty earnings received by MACP in respect of the exercise of the rights, licence or authority granted by them to MACP. The Articles have also spelled out the guideline in regards to the entitlement of royalty for Deceased Member and Terminated Member.

1.4.1 Deceased Member

Pursuant to Article 10(a)(iii) of the Articles, any payment to which a member would have been entitled if living, have been entitled shall be made to the successor. Any successor of a deceased writer member is required to apply for admission as Successor Associate Member within three (3) year from the date of the death certificate of writer member. However, only one successor member to be elected to receive the royalties for the deceased Member. In the event a Successor Member is not appointed within 3 years after the demise of a member, Rule 2.16 (ii)(a) below will apply.

1.4.2 Terminated Member

Upon the cessation of membership, a member shall not be entitled to participate in any further distributions, save as to any payment to which he may be entitled in respect of any period prior to cessation of membership in accordance with Article 12 of the Articles.

2. DISTRIBUTION CYCLES AND CONCEPTS

2.1 Standard Distribution Cycles and Frequency

MACP pays royalties to the members and rights-holders in two main MACP distributions each year. These distributions are made as follows:

i) Performing Distribution

Royalties collected from January through December of the preceding year, including royalties received from affiliate societies, will be distributed after the end of a calendar year. Distribution for members for performance royalties is targeted to be made in the Quarter 3 of the succeeding year.

ii) Digital Distribution

Royalties collected from the reporting periods are targeted to be distributed in 1st Quarter, 2nd Quarter and 4th Quarter of the succeeding year, depending on the discussion and agreement among the publishers, who assigned their rights to MACP.

By working to standard distribution cycles, MACP can be as fair, accurate, transparent and cost effective as possible, which gives MACP the time needed to collect revenues, process music usage data, allocate royalties to specific musical works and pay these out in a distribution.

To ensure that distributions are cost effective, minimum payment thresholds for distribution were established, which are RM100.00 for MACP members and RM1000.00 for sister societies. If the payment does not exceed the minimum payment threshold, payment will be made in the next distribution when the accumulative amount exceeds the above-mentioned amounts.

2.2 Distribution basis

MACP base distributions on the following methods, in order of preference:

i) Census

MACP's preferred basis for all pools. A census distribution involves data collection, processing and payment for every single performance within the licence period. Unfortunately, it is not always feasible to distribute on a census basis, due to the nature and volume of music usage by some licensees. Usually, this is where no cost-effective solution for collecting and processing data is available, for example music played in the background by licensed pubs.

ii) Sample

Where census distribution is not feasible, MACP seeks to collect a representative sample of actual performances as the basis to distribute total section revenue. This method is effective when:

- a) music usage is highly repetitive or there is a small breadth of total repertoire used; and
- b) MACP can collect statistically relevant sample information cost effectively.

Sampling is not an appropriate distribution basis if data collection is expensive and there is a very high volume of music usage. For example, it would not be cost effective to collect a sample of background music played in pubs that is statistically representative.

iii) Analogy

An analogy-based payment is used for any pool where census and sample methods are not feasible. This is usually because sufficient data is not readily available. The analogy method uses a similar, or analogous, data set as the basis for revenue distribution. Analogy is most frequently used for general public performance of non-featured recorded music. In some instances, combinations of these approaches may be used.

Should a licensee fail to supply usage data at the correct time to enable MACP to make a distribution from out of the royalties received from that licensee, the royalty revenue will be distributed using analogous data.

2.3 Distribution pool

A distribution pool is a pool of revenues collected from one or more sources and distributed together because they are related in some way. The two distributions are as follows:

i) Performing Distribution

Performance royalties (performing rights, broadcast and performing rights online) collected in a fiscal year allocated into 6 main pools namely Concerts, General, Cinema / Film, Television, Radio and Others. Performing right online refers to online music usage where MACP licenses for communication to the public rights only and the mechanical rights has been licensed directly by the rightsholder. Separate codes are created for major concerts.

ii) Digital Distribution

Digital Royalties involves performing and mechanical royalties collected in the distribution period for Ring Back Tone/Ring Tones, Streaming and Downloading services.

2.4 Distribution Numbering System

The Society's distribution numbering system consists of four alphanumeric codes.

- i) the first code indicates the type of distribution
 - "P" – Local performing royalties
 - "O" – Overseas performing royalties
 - "D" – Downloading performing & mechanical royalties
 - "L" – Claim basis performing & mechanical royalties

“I” – Streaming performing & mechanical royalties

ii) the details of each distribution can refer to each distribution cover letter

2.5 Other Income

Other Income is the interest earned on investments and Commission Income. We apportion this revenue between rights-holders in direct proportion to their earnings. Other income is paid out in Performing Distribution.

2.6 Operating Cost

MACP's operating cost is recovered from revenue collected by MACP. MACP will not deduct any operating cost from royalties received from affiliate societies.

Operating costs covers admin cost, membership cost and provision of tax, in the production of royalties collection and distribution. These general costs include many essential activities such as maintaining a database of copyright information, negotiating with industry bodies and issuing licenses so that organisations can use licensed music.

2.7 Royalties received from affiliate societies

These royalties are distributed to members together with the General performance royalties on an annual basis. MACP do not deduct any operating cost from royalties received from affiliate societies.

2.8 Net Distributable Royalties Calculation

Net Distributable Royalties would be calculated once MACP's financial statements had been audited and reported by MACP's appointed external auditor. The calculation for both Performing Distribution and Digital Distribution Net Distributable Royalties are as follows:

i) Performing Distribution

Calculation of Net Distributable Royalties is arrived at as follows:

	GROSS REVENUE ¹
Less	DUBBING / SYNCH ROYALTIES
Less	DIGITAL ROYALTIES ²
Add	PERFORMING RIGHTS ONLINE ROYALTIES
Equals	PERFORMING REVENUE
Less	ADMIN COSTS
Less	MEMBERSHIP EXPENSES
Less	PROVISION OF TAXES
Equals	NET DISTRIBUTABLE ROYALTIES

The calculation of Net Distributable Royalties is performed by the Management team consists of the General Manager, Finance Manager and Documentation and Distribution Manager using Distributable Net Royalty Summary Final Excel Spreadsheet. Thereafter, the calculation of Net Distributable Royalties would be presented to and approved by the Distribution Committee three (3) weeks before the targeted distribution date.

Distribution Committee Approval	Week 1	Week 2	Week 3	Distribution date
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Calculation of Royalty Payout to Member is arrived as follows:

a) $\text{Total Point} = \text{Point Per Work}^3 \times \text{Frequency}$

b) $\text{Point Value} = \frac{\text{Distribution Royalty-UPA}}{\text{Total Point}}$

c) $\text{Royalty Payout} = \text{Total Point} \times \text{Point value}$

The following report would be prepared by the Documentation & Distribution Manager for the review of the Finance Manager and General Manager to release payment to MACP members:

¹ includes Other Income

² includes Performing Rights Online revenue

³ Please refer section Points and point values for more details on allocation of points and calculation of point values

- Point Value Calculation for Pool
- Society Summary
- Member Summary

ii) Digital Distribution

Calculation of Net Distributable Royalties is arrived at as follows:

	TOTAL REVENUE
Less	COMMISSION
Less/ Add	ADJUSTMENTS, if any
Equals	NET DISTRIBUTABLE ROYALTIES

The royalties shall be allocated in the following manner depending on the type of services, in accordance with the below matrix:

SERVICE	PERFORMING	MECHANICAL
Download	25%	75%
Ringback tone ("RBT") / Ringtone ("RT")	25%	75%
Streaming	66.67%	33.33%
Over the Top ("OTT")	50%	50%

2.9 Unlogged Performance Allocation (UPA)

The UPA is made to compensate for performances that are omitted in our analysis due to sampling and other factors. This allocation is paid to local and overseas members and is allocated in Performing Distribution. No UPA is allocated in Digital Distribution.

i) For MACP members

UPA is fixed by the Board of Directors at RM300.00 for each participating MACP member. A participating MACP member is one who has been a continuous member for at least two (2) years and who earns performing royalty in the Distribution Year.

UPA will be allocated to MACP member who earns performing royalty (exclusive of UPA) and cease to be allocated to a MACP member who has not earned any performing royalties in the Distribution Year. However, UPA will reapply in the year the member begins to receive royalties again.

ii) For overseas societies

The UPA (Overseas) ratio for a Distribution Year will be based on the ratio of the royalties distributed to MACP members against royalties paid to all overseas societies in the previous performance year.

The amount of UPA is then calculated according to the UPA (overseas) ratio, and allocated to all overseas societies in a lump sum pro-rated over their performing royalties' income of that

Distribution Year.

No UPA is allocated to the interested parties of works in the Public Domain and Special Accounts.

2.10 Veteran Allowance

For MACP members, an allowance of RM500.00 will be paid to those who meet all the 3 following criteria below:

- i) Age 55 years and above in this year distribution;
- ii) have 50 and above work registered with MACP; and
- iii) have been a member of MACP for at least 10 years in this year distribution.

The allowance would not be entitled to the deceased Members.

2.11 Programme Returns

MACP obtains details of music performed (programme returns) from broadcasters, general licensees, live concert licensees, airlines, retail outlets, restaurants, entertainment outlets, cinemas, and hotels.

2.12 Points and point values

MACP allocates a number of points to each usage. A point represents a different value depending on the distribution pool. Music would be assigned to 3 tiers, namely T1, T2 and T3. Thereafter, points will be awarded based on the duration of the music. If duration is not provided in Work Registration Form, MACP DIVA System will set the song duration at default duration, 3 minutes.

Please refer **Appendix 1** for Music Classification and Points Award Table.

Within each pool, the total points for each work are added up. Work that have more usages accumulate more points. Each point within a pool will have the same value. Therefore, works that have accumulated more points will receive more royalties.

2.13 Exclusions

Under the present Deed of Assignment of performing right with MACP members, the Society is empowered to administer a number of performing rights for its member. However, as a matter of policy, MACP does not administer and license Grand Right Performances (Dramatico-musical works) in Malaysia in its normal licensing distribution work unless specifically requested by its interested parties to do so. The reasons are as follows:

i) Overseas Works

Overseas societies are not given the right to license Grand Right performances by their members in the first place. Consequently, MACP is not empowered to license in Malaysia.

ii) Local Works

Grand Right Performances of local works are infrequent. MACP members may prefer to collect royalties directly from the presenters involved.

2.14 Adjustments

An adjustment is a change in royalties for a paid work, after the original royalty distribution has taken place.

In the normal course of distribution, error may occur due to misidentification of works or their interested parties. Members and foreign societies are entitled to adjustments if MACP is notified within 1 year of such distribution.

Royalties due to sampled audio visuals are not payable owing to lack documentation will be paid if MACP is notified with the relevant cue sheets from the members or affiliated societies within 3 years of distribution.

2.15 Allocation of Shares

After deducting administration expenses from the revenues collected, MACP begin to work out how royalties are to be divided between the interested parties in the works exploited under our licences.

The Allocation of Shares net revenue for a work between the interested parties in that work is divided between the member, the affiliated society and other rights holders as appropriate. These interested parties are entitled to participate in the relevant share of the net revenue attributed to the use of the work. If and where MACP is unable to reasonably determine the identity of the interested person, because the share in question is disputed by two or more persons claiming to be interested or otherwise entitled to the royalties, the net revenue will be dealt with under our rules governing Disputes and Duplicate Claims and related policies (Please see **Special Accounts** section).

Each member must notify MACP of the allocation of shares and the full names of all interested parties, in sufficient detail, of each musical work in which they have an interest.

Notifications in respect of active works from affiliated societies will be accepted by MACP from societies in the customary manner. For example, FICHE Internationale.

Royalties will be divided between the parties involved in the work in the proportions agreed between them, subject to the following:

- The 'writer's share' in a MACP distribution is the share of monies allocated by MACP to the writer(s) of a work (or where the writer(s) is/are a member of an affiliated society, to that society). A member's right to an allocation of the writer's share under the Rules arises by virtue of his or her authorship of the work to which the distribution relates and regardless of whether or not the writer is entitled to retain that sum under the terms of his/or her contract (if any) with the publisher(s) and/or

rightsholder(s) of the work).

- There is no inherent publisher share; a publisher share will only be allocated to a person claiming to be a publisher provided that it is the 'publisher' of the work concerned. Unless MACP has evidence or claims to the contrary, MACP will assume that publishers do meet the official definition of being a publisher as defined in our formal rules.

The divisions are subject to modifications that may be agreed upon in writing between the interested parties, except that in no case may the share of publisher, or the combined share of all publishers of a particular work, exceed one-half (50%) of the total distribution fees.

The below non-exhaustive distribution of performing royalties to interested parties can be referred by the Members as reference:

Description	Share
Composer/s	100.00%
Composer/s	50.00%
Author/s	50.00%
Composer/s	100.00%
Author/s (Public Domain)	0.00%
Composer/s (Public Domain)	0.00%
Author/s	100.00%
Composer/s	50.00%
Author/s (Public Domain)	0.00%
Author/s of new lyrics	50.00%
Composer/s	50.00%
Author/s (Public Domain)	0.00%
Author/s of new lyrics	50.00%
Composer/s (Public Domain)	0.00%
Arranger/s	100.00%
Composer/s & Author/s (Public Domain)	0.00%
Arranger/s	100.00%
Composer/s & Author/s (Public Domain)	0.00%
Author/s of new lyrics	50.00%
Arranger/s	50.00%
Composer/s	50.00%
Publisher/s	50.00%
Composer/s	25.00%
Author/s	25.00%
Publisher/s	50.00%
Composer/s	25.00%
Author/s	25.00%
Publisher/s (for composer/s)	25.00%
Publisher/s (for author/s)	25.00%

Description	Share
Composer/s	25.00%
Author/s	25.00%
Publisher/s & Sub-Publisher/s	50.00%
Composer/s	16.66%
Author/s	16.66%
Sub-Author/s	16.66%
Publisher/s & Sub-Publisher/s	50.00%
Composer/s (Public Domain)	0.00%
Author/s	50.00%
Publisher/s (for author/s)	50.00%
Composer/s	50.00%
Author/s (Public Domain)	0.00%
Publisher/s (for composer/s)	50.00%
Composer/s (Public Domain)	0.00%
Arranger/s	50.00%
Publisher/s (for Arranger/s)	50.00%
Composer/s (Public Domain)	0.00%
Author/s	25.00%
Arranger/s	25.00%
Publisher/s (for author/s)	25.00%
Publisher/s (for arranger/s)	25.00%

i) Guidelines on Arrangements

For performances of an arrangement of a copyright musical work, MACP will not allocate a share to the arranger.

For performances of a copyright arrangement of an otherwise non-copyright work, MACP will credit the arranger as if he/she was the composer of an original composition.

ii) Guidelines Translations of Lyrics and Addition of Amended or Substituted Lyrics

Where an authorised translation of copyright lyrics is made, or lyrics are changed or substituted with the authority of the copyright owner, the share allocated to the Translator/Sub-Lyricist and original lyricist respectively should be equal. This share is deducted from the shares of the composers and original lyricists in proportion, which would be the default practice unless mentioned otherwise.

Where there is a doubt as to whether the original or translated version was performed, the CISAC Amalfi Resolution will apply where the composer, author, sub-author and publisher will receive 25%, 16.70%, 8.30% and 50% respectively.

In line with the CISAC's recommendation known as the 'Amalfi Resolution', the author of an authorized local version should be entitled to receive a share in the distribution of performance royalties only if:

- it is the local version which has been performed; or

- the performance was a performance of an instrumental version; or
- there is genuine doubt as to which version was performed.

iii) Guideline on Non-member shares

a) MACP-originated work

When a composer, lyricist or publisher is not a member, his /her / its share is placed in the Non-member Special Account ("NM").

b) Non-MACP-originated work

Non-member writer (foreign) – Where a composer or author is not a member, his / her share will be paid to the society of the original publisher. If the work is unpublished, the non-member writer share will be paid to the society of the co-writer, if any.

Non-member publisher (foreign) – Where a publisher is not a member, its allocated share will be paid to the society of composer and author.

iv) Guidelines relating to Sub-Published works

Where the contract between the writer(s) and its original publisher of work provides for a specific total publisher share, that share alone is divisible in accordance with the provisions of the sub-publication contract.

If the original publishing contract does not specify the share payable to the writer(s) and publisher respectively, but provides that the division shall be in accordance with MACP rules, the society will allocate the publisher a maximum of 50% of the total share and the balance of 50% will divide equally between the composers and authors of the musical work.

2.16 Special Accounts

At each performance distribution, royalty payable to a work or to certain interested party (parties) of a work may be held in suspense in the following Special Account:

i) Public Domain Special Account ("PD")

Works that are arrangements of works in the public domain may have a share of royalties withheld for the non-copyright element in the work. The share will be placed in this account. The amount allocated to this account will be ploughed back into the distribution pool and allocated proportionally to all other parties receiving royalties in the current distribution category.

ii) Non-member Special Account ("NM")

a) MACP-originated work

If the MACP originated work derived from:-

(i) one of the interested parties who is not a member, that share will be a non-member share and shall be placed in this account. The royalties will be held for up to three (3) years until the non-member become a member only then will the amount held be released. No interest accrues or is paid to the interested parties if the interested parties become a member after the (3) years period;

(ii) a successor for a deceased member whom have not been elected as a successor associate member within three (3) years after the death of the deceased writer, that share will be a non-member share and shall be placed in this account where the royalty will be held for this period,

If the non-member does not become a member within the 3 years, the non-member royalties will be ploughed back into the distribution pool in the 4th year's distribution and allocated proportionally to all parties receiving royalties in the current Distribution Year.

b) Non-MACP-originated work

When a composer or author is not a member, his/her share will be paid to the society of the original publisher for the society to admit this non-member having his/her business relationship with the original publisher.

iii) Dispute Special Account ("DIS")

Royalties or a share of royalties for a work in dispute (e.g. arising from alleged infringement or conflicting ownership claim) would be held in this account. Royalties will remain in suspense until MACP is notified of a settlement.

Under no circumstances shall the parties have any claims against MACP for the distributed royalties of the work prior to the notification of the dispute. MACP shall not be held responsible to make any adjustments with regards to the distribution of the said royalties.

iv) Credits in Suspense (CIS)

In case there is no documentation and in which case even the CISAC Warsaw Rule is not applicable, royalties will be placed in this special account. If the work is identified before the next distribution, the royalties will be paid to the interested parties accordingly. The remaining royalties will be ploughed back into the corresponding distribution category and be allocated proportionally to all parties receiving royalties in the current distribution category.

Calculation of Unidentified Royalty Plough Back to Members

Plough Back Royalties = Work Unidentified Royalty – Work Identified Royalty

Allocation of Plough Back Royalties = Plough Back Royalties x Categories by Ratio

3. MACP POOLS

3.1 Concerts Pool

i) Introduction

MACP collects this revenue on an event-by-event basis from Major Live Events such as Concerts for Mechanical and Live Music.

Mechanical music means music performance by any form of recordings (including digital format), CD, DVD, tape player, radio and television and includes from and copied onto digital devices such as tablets and smartphones where the music is provided for background only.

Live music means music performance by live artiste performers including singers, bands, musicians, dancers, models and conductors.

Please refer Appendix 2 for Concerts MACP Licensing Tariff.

ii) Royalty Source

Revenue is collected directly from the Major Live Events such as Concert, Carnivals, etc., for Mechanical and Live Music.

iii) Distribution Policy

Concerts are paid on an event-by-event basis. The licence fees relating to the event is paid to the individual concert base on relevant programme return form after deducting the administration cost. The net collection is distributed on a full census basis. Individual concert with programme return form will be created. Concert without programme return form and less than RM1,000 will be lumped under Concert miscellaneous.

All programme return forms have to be submitted to MACP by March of the following year in order to be included in the Performing Distribution. Residual revenue from events where no playlists are reconciled with analogue from detail obtains from newspaper / YouTube / notifications from members, societies & etc.

iv) Other Notes

Licensees send in a programme return form detailing the titles of works performed at the Major Live Events such as Concert, Carnival, etc. once payment is made.

3.2 General Pool

i) Introduction

a) Restaurant / Café

MACP collects this revenue from eating or drinking establishment outlets such as restaurants, café, coffee houses, food courts, canteen, fast food joints & budget eatery outlets for the performance of mechanical music and live music.

Mechanical music means music performance by any form of recordings (including digital format), CD, DVD, tape player, radio and television and includes from and copied onto digital devices such as tablets and smartphones where the music is provided for background only.

Live music means music performance by live artiste performers including singers, bands, musicians, dancers, models and conductors.

Please refer Appendix 2 for General – Restaurant / Café MACP Licensing Tariff.

b) Airlines

MACP collects this revenue for performances of its repertoire in aircraft registered in Malaysia by any means other than live music.

Please refer Appendix 2 for General – Airlines MACP Licensing Tariff.

c) Hotel / Members Club

MACP collects this revenue from the hotel or members club, including all guest rooms or public areas directly on the hotel or members club.

Rooms shall mean the total number of guest rooms at the licensed premises.

Please refer Appendix 2 for General – Hotel / Members MACP Licensing Tariff.

d) Entertainment

MACP collects this revenue from an entertainment outlet for the performance of mechanical music, featured music and live music.

Mechanical music means music performance by any form of recordings (including digital format), CD, DVD, tape player, radio and television and includes from and copied onto digital devices such as tablets and smartphones where music is provided for background only.

Featured music refers to performance of music by DJ and includes music provided to accompany singing by patrons (karaoke) besides the use of any form of recordings (including

digital format), CD, DVD, tape player, radio and television and includes form and copied onto digital devices such as tablets & smartphones.

Live music means music performance by live artiste performers including singers, bands, musicians, dancers, models and conductors.

Please refer Appendix 2 for General – Entertainment MACP Licensing Tariff.

e) Retail

MACP collects this revenue directly from major chains to individual stores using mechanical music.

Mechanical music means music performance by any form of recordings (including digital format), CD, DVD, tape player, radio and television and includes from and copied onto digital devices such as tablets and smartphones where music is provided for background only.

Retail premises mean a retail store or establishment open to the general public used exclusively to sell goods and/or services to the public.

Please refer Appendix 2 for General – Retail MACP Licensing Tariff.

f) Others

For public performance, MACP collects revenue from a variety of more than ten different tariffs, largely based on venue types.

Mechanical music means music performance by any form of recordings (including digital format), CD, DVD, tape player, radio and television and includes from and copied onto digital devices such as tablets and smartphones where the music is provided for background only.

Please refer Appendix 2 for General – Others MACP Licensing Tariff.

g) One-Off Event

MACP collects this revenue from One-Off Event Permit Licence for Mechanical and Live Music offered for events per day / per venue / per event.

Mechanical music means music performance by any form of recordings (including digital format), CD, DVD, tape player, radio and television and includes from and copied onto digital devices such as tablets and smartphones where the music is provided for background only.

Live music means music performance by live artiste performers including singers, bands, musicians, dancers, models and conductors.

Please refer Appendix 2 for General – One-Off Event MACP Licensing Tariff.

ii) Royalty Source

a) Restaurant / Café

Revenue is collected directly from restaurants ranging from major chains to independent premises that utilise mechanical music and live music.

b) Airlines

Revenue is collected by MACP from different airlines and contains separate charges for:

- Boarding and/or disembarkation music performed by loudspeakers
- In-flight entertainment music, which is all other music, whether audio or audio-visual and whether or not it is made available via headsets

c) Hotel / Members Club

Revenue is collected directly from hotels and members club that utilises mechanical music and live music.

d) Entertainment

Revenue is collected directly from various entertainment outlets with karaoke, including pubs, clubs and resto-bar. All identifiable charges are included in this distribution pool.

e) Retail

Revenue is collected directly from retails ranging from major chains to independent premises that utilise mechanical music.

f) Others

For public performances. Revenue is collected directly, ranging from major chains to independent premises that utilise mechanical music.

g) One-Off Event

For One-Off Event, revenue is collected directly from the One-Off Event mentioned above for Mechanical and Live Music.

iii) Distribution Policy

a) Restaurant / Café, Hotel / Members Club, Entertainment, Retail, Others

Based on programme return form provided by licensees & live performance notification provided by members & societies.

Analogue will be applied if an insufficient programme return form is received.

b) Airlines

Based on programme return provided by airlines and the list in Going Places Magazine by MAS (Malaysia Airlines System).

iv) Other Notes

a) Airlines

Not all airlines use in-flight entertainment music.

b) Entertainment, Retail and Others

Licensees send in a programme return form detailing the titles of works performed at the premises once payment is made for the year.

c) One-Off Event

For One-Off Event, licensees send in a programme return form detailing the titles of works performed at the events once payment is made.

3.3 Cinema / Film Pool

i) Introduction

MACP collects revenue from cinemas to cover the performance of our music as – in a film, soundtrack, trailer, advertisement and any Background Music audible in Common Areas / Foyer of the cinema.

Please refer Appendix 2 for Cinema / Film MACP Licensing Tariff

ii) Royalty Source

MACP collects cinema revenue from cinema operators under specific cinemas tariffs. Charges are based on cinemas' annual gross box office minus entertainment tax.

iii) Distribution Policy

MACP base on International Box Office, MOJO & Malaysia Box Office, FINAS to pro-portion the collection for Cinema Pool.

iv) Other Notes

Licensees send in a programme return form detailing the titles of works performed at the premises once payment is made for the year.

3.4 Television Pool

i) Introduction

MACP collects revenue from government and commercial television broadcasters in Malaysia that broadcast music controlled by MACP.

ii) Royalty Source

The television broadcasters pay annual blanket licence fees based on a lump sum or revenue sharing covering their performing and broadcast usage. The lump sum or revenue sharing ratio is negotiated and agreed upon by both parties.

iii) Distribution Policy

Analysis of broadcasting stations either 1 in 3 days or 1 in 6 days based on sampling date.

Analogue will be applied if an insufficient programme return form is received.

3.5 Radio Pool

i) Introduction

MACP collects revenue from government and commercial radio broadcasters in Malaysia that broadcast music controlled by MACP.

ii) Royalty Source

The radio broadcasters pay annual blanket licence fees based on a lump sum or revenue sharing covering their performing and broadcast usage. The lump sum or revenue sharing ratio is negotiated and agreed upon by both parties.

iii) Distribution Policy

Playlists will be provided by radio broadcasting stations. We will base on sampling of 1 in 3 days or base on census.

Analogue will be applied if an insufficient programme return form is received.

3.6 Others

i) Introduction

MACP collects these revenue from online music usage for the performing rights only and where the relevant rightholder have licensed the mechanical rights directly. The licence cost depends upon the type of service and the extend of usage under a variety of different tariffs.

a) Music Streaming/ Download

MACP issues licences to a number of online streaming and downloading services that use music in their online services.

Please refer to Appendix 2 for Others – Music Streaming/ Download

b) Online Radio

A digital audio service is transmitted via the Internet.

Please refer Appendix 2 for Others – Online Radio MACP Licensing Tariff

c) Podcast

A digital audio file contains music made available on the Internet for downloading to a computer or mobile device, typically available as a series that can be received by users/ subscribers automatically.

Please refer Appendix 2 for Others – Podcast MACP Licensing Tariff

d) Website/ Social platform

A set of related web pages are located under a single domain name, typically produced by a single person or organization where music is being utilised.

Please refer Appendix 2 for Others – Website/Social platform MACP Licensing Tariff

e) Online Background Music (“BGM”) Provider

A music service that supplies background music to a commercial venue for subscription fee. The service enables digital reproduction of musical works on encrypted physical media and the non-interactive streaming of musical works to Customers’ venues such as hotel lobbies, restaurants and retail establishments.

Please refer Appendix 2 for Others – Online BGM Provider MACP Licensing Tariff

f) Online Advertisement / Promotion

Any production for the below purposes:

- any commercial products and/or services involving promotional elements or endorsement;
- use of any corporate image or message as a communication tool; and
- maintaining and enhancing public relations of a commercial entity, a celebrity or a public figure.

Please refer Appendix 2 for Others – Online Advertisement / Promotion MACP Licensing Tariff

g) Online Live Music Show

Online Live Music Show refers to any music centric online live show such as Concerts, Dinner Show and other events of similar nature.

Please refer Appendix 2 for Others – Online Live Music Show MACP Licensing Tariff

h) Online Live General Entertainment Show

Online Live General Entertainment Show refers to any non-music centric online live show such as Graduation, Product Launching, Carnival, Exhibition, Sports Show and other events of similar nature.

Please refer Appendix 2 for Others – Online Live General Entertainment Show MACP Licensing Tariff

ii) Royalty Source

Revenues are collected directly from an online service that utilise music using different fees or calculation for each type of service, which use a mixture of different criteria and minimum payment threshold.

iii) Distribution Policy

Based on program return / playlists provided by licensees & notification provided by members & affiliated societies.

Analogue will be applied if insufficient program return receives.

iv) Other Notes

Licensees send in a programme return form / usage reports detailing the titles of works performed at the online service once payment is made for the year or as per contract terms.

4. APPENDIX

4.1 Appendix 1 – Music Classification and Points Award Table

i) Music Classification

No.	Music Type	Definition
<i>Featured Work</i>		
1	Serious Music	All serious music performed live in concert or by TV or radio broadcast.
2	Pop Music	All featured music not included as serious music performed in concert or by TV or radio broadcast and general licensees.
<i>Programme Music</i>		
3	Title Music	Music used for an event, cinema film, radio and TV programme and is found at the beginning and/or end of an individual programme, that identifies an event or a film.
4	Visual Music	Music used in a TV programme or cinema film that facilitates the flow of the programme of film and is audible to the actors in the programme or film.
5	Interval Music	Music used on TV which does not form part of advertised programmes and which is played during a voluntary or involuntary break in transmission e.g. music video.
6	Background Music	Music which is heard by viewers as an accompaniment to the scene portrayed but not audible to the actors in the programme or film.
7	Programme Identification Music	Music used on TV at the end of a voluntary or involuntary break in transmission, which does not form part of advertised programmes but relates to subsequent programme.
8	Trademark / Emblem / Logo	A short musical item performed at the beginning or end of (but not specially related to) a film or TV programme, and advertises the producer or distributor of that film or programme.
9	Signature Tune	Music used on radio and TV to identify or set the mood of an individual programme or each programme of a series of a film used before and after each commercial break, or music used on radio and is found at the beginning and/or end of each non-music programme including traffic news, financial report, weather report and news.
10	Commercial Jingle	A short musical item performed on radio and TV to advertise a product or promote an event.

No.	Music Type	Definition
11	Station Identification Music	A short musical item on radio or TV performed to identify and performed to identify and promote a particular broadcasting station or channel.

ii) General Music Classification in Tiers

No.	Acronym	Description	Tier
1	WS	Serious Music	T1
2	WP	Pop Music	T1
3	FT	Title Music	T2
4	FV	Visual Music	T2
5	IM	Interval Music	T2
6	FB	Background Music	T3
7	PI	Programme Identification Music	T3
8	TM	Trademark/ Emblem / Logo Music	T3
9	ST	Signature Tune	T3
10	CJ	Commercial Jingle	T3
11	ST	Station Identification Music	T3

iii) Points Allocations according to Tiers

No.	Tier	Duration		Points
		From	To	
1	T1	0'1"	4'0"	3.0
		4'1"	6'0"	4.0
		6'1"	8'0"	6.0
		8'1"	10'0"	7.5
		10'1"	15'0"	13.0
		15'1"	20'0"	17.0
		Above 20'		30.0
2	T2	First 30 seconds		0.3
		Every 10 seconds thereafter		0.01 every 10 seconds
3	T3	First 30 seconds		0.2
		Every 10 seconds thereafter		0.01 every 10 seconds

4.2 Appendix 2 – MACP Licensing Tariff

The tariffs are subject to yearly increase or decrease in accordance with the Consumer Price Index as published by the Department of Statistics, Malaysia.

No.	Pool	Pool Category	Type of Music		MACP Licensing Tariff
1	Concert	An Initial Deposit before the Events or Concerts	Not applicable		2% x 60% of the Total Value of Tickets on Sale ⁴
2		Major Live Event such as Concert ⁵	Not applicable		<ul style="list-style-type: none">• 2% on Actual Gross Box Office receipts; or• 1% on the Nominal Value for Complimentary Tickets.
3	General	Restaurant / Café – Restaurant, Café, Coffee House	Mechanical Music	First 50 persons	RM 820.00
				Each additional person	RM 8.20
			Featured & Live Music	First 50 persons	RM 1,332.50
				Each additional person	RM 13.33
4		Restaurant / Café – Food Court, Canteen	Mechanical Music	First 100 persons	RM 717.50
				Each additional person	RM 7.18
			Featured & Live Music	First 100 persons	RM 1,025.00
				Each additional person	RM 10.25
5		Restaurant / Café – Budget Eatery Outlet	Mechanical Music	Flat Fee	RM 307.50
6		Airlines	Not applicable	Rate Per 500 Passenger Hours	RM 51.25
7		Hotel / Members Club – Hotel,	Two stars and below	Minimum fee	RM 153.75

⁴ To be paid by way of a bank draft within the time specified on the invoice or two working days before the event, whichever is earlier. The actual fees will be calculated after the Event or Concert based on an audited Ticket Sales Report submitted by the Organisers.

⁵ The above fees are subject to a minimum of RM500.00 per event / per venue / per day.

No.	Pool	Pool Category	Type of Music		MACP Licensing Tariff	
		Motel, Serviced Apartment ⁶	Three stars and below	Each guest room	RM	10.25
				Each guest room	RM	16.40
				Lobby/Reception	RM	307.50
8		Hotel / Members Club – Member Club ⁷	Not Applicable	Each guest room	RM	16.40
				Lobby/Reception	RM	307.50
9		Entertainment – Executive KTV Lounge, Discotheque & Multi-Entertainment Outlet	Featured Music	First 50 persons	RM	5,637.50
				Each additional person	RM	56.38
			Featured & Live Music	First 50 persons	RM	7,380.00
				Each additional person	RM	73.80
10		Entertainment – Non-Executive Karaoke	Featured Music	First 50 persons	RM	5,125.00
				Each additional person	RM	51.25
11		Entertainment – Karaoke Singing Training Centre	Featured Music	First 50 persons	RM	922.50
				Each additional person	RM	9.23
12		Entertainment – Stand-Alone Karaoke Kiosk Box	Featured Music	Each Kiosk Box	RM	307.50
13		Entertainment – Community Singing Centre	Featured Music	Flat fee	RM	307.50
14		Entertainment – Pub, Bar, Beer Garden, Bistro, Lounge, Resto Bar	Mechanical Music	First 50 persons	RM	1,537.50
				Each additional person	RM	15.38
			Featured & Live Music	First 50 persons	RM	2,870.00
				Each additional person	RM	28.70
15		Retail – Departmental Store,	Mechanical Music	First 2,000 square feet (min fee)	RM	384.40

⁶ Separate charges apply for other outlets within the establishment

⁷ Separate charges apply for other outlets within the establishment

No.	Pool	Pool Category	Type of Music		MACP Licensing Tariff	
		Supermarket, shopping mall, Retail Shop, Electrical Shop		Each additional square feet thereafter	RM	0.198
16		Retail – Stand-Alone Retail Kiosk	Mechanical Music	Flat fee	RM	179.38
17		Others – Hospital, Medical Centre	Not Applicable	Each patient room	RM	16.40
				Lobby / Reception	RM	307.50
				TV monitor surcharge	RM	179.38
18		Others – Clinic	Not Applicable	Flat fee	RM	205.00
19		Others – Buses, Coach, Limousine, Boat, Ferry, Train	Not Applicable	Each Unit	RM	205.00
			Video-On-Demand	Each seat with video-on-demand screen	RM	10.25
20		Others – Bank & Banking Hall, Office Premise, Factory, Saloon, Beauty Centre, Spa & Health Centre, Showroom, Service Station & Workshop, Petrol Kiosk, Terminal, Bowling Centre, Snooker Centre, Internet Café	Mechanical Music	First 2,000 square feet (min fee)	RM	384.40
				Each additional square feet thereafter	RM	0.138
21		Others – Amusement Centre, Theme Park, Skating Rink	Mechanical Music	First 2,000 square feet (min fee)	RM	922.60
				Next 50,000 square feet	RM	0.256
				Each additional square feet thereafter	RM	0.103
22		Others – Fitness Centre, Dance & Music School	Mechanical Music	First 2,000 square feet (min fee)	RM	461.20

No.	Pool	Pool Category	Type of Music		MACP Licensing Tariff	
				Each additional square feet thereafter	RM	0.179
23		Others – Music Retailer Shop	Mechanical Music	Flat fee	RM	179.38
24		Others – Carpark	Mechanical Music	First 2,000 square feet (min fee)	RM	205.00
				Each additional square feet thereafter	RM	0.077
25		Others – Telephone Switch Board	Not Applicable	Per switch board	RM	358.75
26		Others – Convention Centre, Ballroom / Function Room	Mechanical Music	First 50 persons	RM	820.00
				Each additional person	RM	8.20
27		One-Off Event – Dinner & Dance, Luncheon or Dinner Show, Graduation, Product Launching, Family Day, Fashion Show, Beauty Pageant, Sport & E-Sports Event, Carnival, Free Concert, and Other Events of Similar Nature.	Mechanical Music	First 100 persons	RM	300.00
				Each additional person thereafter	RM	1.50
			Featured and/or Live Music	First 100 persons	RM	600.00
				Each additional person thereafter	RM	3.00
28		One-Off Event – Wedding Dinner	Mechanical Music or Featured and/or Live Music	Flat Fee	RM	300.00
29		One-Off Event – Casual Public Performance at Concourse and Common Area, Roadshow	Mechanical Music or Featured and/or Live Music	Flat Fee	RM	300.00
30		One-Off Event – Exhibition, Seminar and Conference	Mechanical Music	1 - 2 days	RM	300.00
				3 – 6 days	RM	225.00

No.	Pool	Pool Category	Type of Music		MACP Licensing Tariff	
				7 – 14 days	RM	175.00
				15 days or more	RM	125.00
			Featured and/or Live Music	1 - 2 days	RM	400.00
				3 – 6 days	RM	300.00
				7 – 14 days	RM	225.00
				15 days or more	RM	150.00
31		One-off Event – Blanket Licence for One-off Music Event	Mechanical/ Featured/ Live Music	Per annum	RM	30,000.00
32	Cinema / Film	Music in movie	Not applicable		0.20% of Gross Receipts less Entertainment Tax	
33		Common area / foyer in cinema	Mechanical Music	First 2,000 square feet (min fee)	RM	384.40
				Each additional square feet thereafter	RM	0.138
34	Others	Streaming / Download	Music content	Tariff	15.1% of Gross Revenue	
				Minimum Guarantee	60% of Estimated Gross Revenue or RM30,000 per annum, whichever is greater	
			General Entertainment content	Tariff	5% of Gross Revenue	
				Minimum Guarantee	60% of Estimated Gross Revenue or RM20,000 per annum, whichever is greater	
			News or Sport content	Tariff	2% of Gross Revenue	
				Minimum Guarantee	60% of Estimated Gross Revenue or RM10,000 per annum, whichever is greater	
35		Online Radio	Music content	Tariff	3.5% of Gross Revenue	
				Minimum Guarantee	60% of the Estimated Gross Revenue or RM15,000, whichever is greater	
			Non-Music content	Tariff	1.5% of Gross Revenue	

No.	Pool	Pool Category	Type of Music		MACP Licensing Tariff
				Minimum Guarantee	60% of the Estimated Gross Revenue or RM10,000, whichever is greater
36		Podcast – Podcast	Music content	Tariff	3.5% of Gross Revenue
				Minimum Guarantee	60% of Estimated Gross Revenue or RM 10,000 whichever is greater
				Add Platform	RM 2,000.00 per platform / annum
			Non-Music content	Tariff	1.5% of Gross Revenue
				Minimum Guarantee	60% of Estimated Gross Revenue or RM 6,000 whichever is greater
				Add Platform	RM 1,000.00 per platform / annum
37		Podcast – Single Podcast	Music content	1 – 3 Months (Main Platform)	RM 300.00 per annum
				1 – 3 Months (Add Platform)	RM 100.00 per platform / annum
				4 – 6 Months (Main Platform)	RM 500.00 per annum
				4 – 6 Months (Add Platform)	RM 120.00 per platform / annum
				Above 6 Months (Main Platform)	RM 700.00 per annum
				Above 6 Months (Add Platform)	RM 150.00 per platform / annum
			Non-Music content	1 – 3 Months (Main Platform)	RM 150.00 per annum
				1 – 3 Months (Add Platform)	RM 50.00 per platform / annum
				4 – 6 Months (Main Platform)	RM 200.00 per annum
				4 – 6 Months (Add Platform)	RM 80.00 per platform / annum
				Above 6 Months (Main Platform)	RM 300.00 per annum
				Above 6 Months (Add Platform)	RM 100.00 per platform / annum
38		Commercial Website/ Social platform	Music content	1 – 6 Months (Main Platform)	RM 10,000.00 per annum
				1 – 6 Months (Add Platform)	RM 1,500.00 per platform / annum
				7 – 12 months (Main Platform)	RM 15,000.00 per annum

No.	Pool	Pool Category	Type of Music		MACP Licensing Tariff	
39			Non-Music content	7 – 12 months (Add Platform)	RM	3,000.00 per platform / annum
				1 – 6 Months (Main Platform)	RM	6,000.00 per annum
				1 – 6 Months (Add Platform)	RM	500.00 per platform / annum
				7 – 12 months (Main Platform)	RM	10,000.00 per annum
				7 – 12 months (Add Platform)	RM	1,000.00 per platform / annum
		Non-Commercial Website/ Social platform	Music content	1 – 6 Months (Main Platform)	RM	1,000.00 per annum
				1 – 6 Months (Add Platform)	RM	150.00 per platform / annum
				7 – 12 months (Main Platform)	RM	1,500.00 per annum
				7 – 12 months (Add Platform)	RM	300.00 per platform / annum
			Non-Music content	1 – 6 Months (Main Platform)	RM	600.00 per annum
1 – 6 Months (Add Platform)	RM			60.00 per platform / annum		
7 – 12 months (Main Platform)	RM			1,000.00 per annum		
7 – 12 months (Add Platform)	RM			100.00 per platform / annum		
40	Online BGM Provider	Not applicable	Tariff	8% of Gross Revenue		
			Minimum Guarantee	60% of Estimated Gross Revenue or RM20,000 per annum, whichever is greater		
41		Online Advertisement / Promotion	Not exceeding 30 sec	1 – 3 Months	RM	1,500.00 per platform / annum
				4 – 6 Months	RM	2,000.00 per platform / annum
				7 – 12 months	RM	2,500.00 per platform / annum
				Add Platform	RM	200.00 per platform / annum
		Exceeding 30 sec but not exceeding 2 minutes	1 – 3 Months	RM	2,000.00 per platform / annum	
			4 – 6 Months	RM	2,500.00 per platform / annum	
			7 – 12 months	RM	3,000.00 per platform / annum	
			Add Platform	RM	250.00 per platform / annum	
Exceeding 2 minutes	1 – 3 Months	RM	3,000.00 per platform / annum			

No.	Pool	Pool Category	Type of Music		MACP Licensing Tariff	
42		Online Live Music Show		4 – 6 Months	RM	3,500.00 per platform / annum
				7 – 12 months	RM	4,000.00 per platform / annum
				Add Platform	RM	350.00 per platform / annum
			Ticketed Show	Tariffs	10% of Gross Revenue, subject to minimum fee on number of cumulative viewers, whichever is greater	
				1 – 1,000 Cumulative Viewers	RM	500.00 per show
				1,001 – 3,000 Cumulative Viewers	RM	800.00 per show
				3,001 – 5,000 Cumulative Viewers	RM	1,200.00 per show
				5,001 – 7,000 Cumulative Viewers	RM	1,600.00 per show
				7,001 – 9,000 Cumulative Viewers	RM	2,000.00 per show
				9,001 – 11,000 Cumulative Viewers	RM	2,500.00 per show
				Above 11,000 Cumulative Viewers	RM	3,500.00 per show
			Non – Ticketed Show	1 – 1,000 Cumulative Viewers	RM	500.00 per show
				1,001 – 3,000 Cumulative Viewers	RM	800.00 per show
				3,001 – 5,000 Cumulative Viewers	RM	1,200.00 per show
				5,001 – 7,000 Cumulative Viewers	RM	1,600.00 per show
				7,001 – 9,000 Cumulative Viewers	RM	2,000.00 per show
				9,001 – 11,000 Cumulative Viewers	RM	2,500.00 per show
				Above 11,000 Cumulative Viewers	RM	3,500.00 per show
43		Online Live General Entertainment Show	Not Applicable	1 – 1,000 Cumulative Viewers	RM	300.00 per show
				1,001 – 3,000 Cumulative Viewers	RM	500.00 per show
				3,001 – 5,000 Cumulative Viewers	RM	700.00 per show
				5,001 – 7,000 Cumulative Viewers	RM	900.00 per show
				7,001 – 9,000 Cumulative Viewers	RM	1,100.00 per show
				9,001 – 11,000 Cumulative Viewers	RM	1,300.00 per show

No.	Pool	Pool Category	Type of Music	MACP Licensing Tariff
			Above 11,000 Cumulative Viewers	RM 2,000.00 per show

Definitions:

No.	Term	Definition
1	Gross Revenue	Revenue received and receivable, including but not limited to ticket sales, subscription fee, service fee, donation/contribution, advertisement and sponsorship payments and any benefit in kinds, virtual gifts, barter trade perks, advantages or consideration (which shall be calculated based on their estimated monetary values).
2	Music content	Any music centric content (audio and/or audio-visual material incorporating one or more musical works), including but not limited to concerts, music videos, audio music tracks, singing contests and music-centric games where the musical works are the main focus.
3	Non-Music content	Any non-music centric content (audio and/or audio-visual material incorporating one or more musical works), where the content is more on information and musical works are not the main focus.
4	General Entertainment content	Any non-music centric content (audio and/or audio-visual material incorporating one or more musical works), where the musical works are not the main focus (e.g., TV shows, films, audio books). For the avoidance of doubt, music videos do not constitute General Entertainment Content.
5	News or Sport content	Audio only or audio-visual material incorporating one or more musical works, where the musical works are not the main focus.
6	Minimum Guarantee	A minimum payable fee in the event that the amount of Licence Fees payable is less than or equal to the Minimum Guarantee. The non-refundable but recoupable advance payment to be paid upon issuance of the licence.
7	Cumulative Viewers	Total non-overlapping number of users accessing the online live show service, and the number of such, in principle, shall be determined on the basis of media access control (MAC) address. In case where it is unable to determine the accurate number of viewers, it shall be decided upon mutual agreement.
8	Online Live Music Show	Any music centric online live show such as a concerts, music show, dinner show and other events of similar nature.
9	Commercial Website/ Social platform	Any website and/or social platform primarily intended for or directed toward commercial advantage or monetary compensation.

No.	Term	Definition
10	Non-commercial Website/ Social platform	Any website and/or social platform that is not primarily intended for, or directed towards, commercial advantage or monetary compensation by an organization.
11	Online Live General Entertainment Show	Any non-music centric online live show such as graduation, product launching, carnival, exhibition, sports show and other events of similar nature.
12	Online Advertisement/ Promotion	Advertisement and/ or promotion designed specifically to promote goods or services to the general public via any online platform.

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