

# THE INDIAN PERFORMING RIGHT SOCIETY LIMITED

## TARIFF – MLS: MALLS

### 1. SCOPE OF TARIFF

This Tariff applies to the Public Performance of Music at Shopping Mall premises by any mechanical or electronic device, including radio, television, record/CD/tape players and digital music service by way of Background Music and or performance of Live/DJ Music.

### 2. GENERAL CONDITIONS

This Tariff is subject to the society's General Conditions Applicable to Tariffs and Licenses.

### 3. ROYALTY/ LICENSE FEE RATES

The Following Royalty/License Fee Rates shall apply:

Size of the Premises (Sq. Ft.)	Applicable Royalty/License Fee Rate per Annum for:			
	Music in common Areas		Music in Common Areas and Shops	
	Non- Classified Cities	Classified Cities*	Non-Classified Cities	Classified Cities*
Less than 50,000 SqFt	Rs. 50,000/-	Rs.1,00,000/-	Rs. 1,00,000/-	Rs.2,00,000/-
Between 50,001 upto 3,00,000 Sq Ft	Rs.2,00,000/-	Rs.4,00,000/-	Rs. 4,00,000/-	Rs.8,00,000/-
Above 3,00,000 SqFt	Rs.5,00,000/-	Rs.10,00,000/-	Rs.10,00,000/-	Rs.20,00,000 /-

### 4. SPECIFIC CONDITIONS

- a. This Tariff Applies to the Public Performance of Music at the premises either for the staff Members or for the General Public.
- b. Background music is the performance of music by recorded or mechanical means as background music.
- c. Live music means music by performers in person, whether staff or customers, vocalists or instrumentalists.
- d. Mechanical Music means music performed by any mechanical or electronic device, including radio, television, record/CD/tape players, digital music service or a loudspeaker connected to any of the equipment mentioned herein
- e. This tariff excludes music performed at the premises where liquor is served such premises shall be licensed under respective tariffs.
- f. Floor Area / Square Feet of the Premises will mean the wall-to-wall Area / Built up Area of the Premises.
- g. \*Classified Cities are Mumbai (MMR), Delhi (NCR), Chennai, Kolkata, Ahmedabad, Bangalore, Chandigarh, Hyderabad, Jaipur, Pune Lucknow, Amritsar, Goa, Cochin, Trivandrum.
- h. Non- Classified Cities: All other cities not defined under -Classified cities.
- i. All the special days /occasions like New Year, Christmas, Holi and Valentine Day, are specifically excluded from the scope of this tariff and for all such Events / DJ/ Live Performances, a separate license is required to be obtained as per Tariff Events.
- j. For all DJ/Recorded music/ Live Performance / Events /Performance by third parties/

outside organizers/ within the Premises, Relevant Tariff Event shall apply.

- k. All Royalty/license fees are payable in advance and inclusive of license fee & authors statutory royalty.

## **5. APPLICABILITY OF TARIFF**

- a. This Tariff comes into force from the 1<sup>st</sup> April 2025 and applies to all Royalties/License fee falling due on or after that date.
- b. Non-compliant Licensees seeking to resolve and regularize past or existing infringement, violation, or breach(s) of the Society's rights and licenses or license terms (including but not limited to failure to adhere to agreement(s) terms, unauthorized use, or vexatious litigation) may be subject to a higher royalty rate [(i.e., existing tariff plus a minimum of 50% of the existing tariff ("additional fee/royalty")), at the Society's discretion. The additional fee/royalty quantum may be assessed by the Society in its sole discretion depending on the nature and/or extent and/or duration and/or egregious nature of the (past or existing) infringement, violation, or breach(s) of the Society's rights and licenses or license terms as being higher than 50% of the existing tariff.
- c. Royalty/License Fee rate shall be adjusted to reflect the increase, if any, in the general price level (inflation), as measured by the Consumer Price Index. Such adjustment in royalty/license fee rate can be yearly or cumulative over a period of time.
- d. All Royalties/License fee are exclusive of all applicable GST/ taxes / levies