



26 April 2023

Naomi Lizak
Contact Officer
Competition Exemptions
Australian Competition & Consumer Commission

BY EMAIL – exemptions@acc.gov.au

Dear Ms Lizak

LIVE PERFORMANCE AUSTRALIA – APPLICATION FOR AUTHORISATION – AA1000637

We write in response to your letter of March 17, in relation to the application lodged by Live Performance Australia. We understand that a copy of this letter will be placed on the public register.

PPCA does not object, but has comments on some aspects of the application lodged. We have now had an opportunity to review the submission of Banki Haddock Fiora, made on behalf of the Australasian Performing Right Association Limited (**APRA**). We note that APRA administers the operations of OneMusic Australia, an initiative to simplify and streamline the public performance licensing process for music users, and that PPCA has granted particular sound recording rights to APRA for that purpose.

PPCA agrees with the points made by APRA in its March 31 submission.

We further note that PPCA's sound recording rights have always been, and remain, non-exclusive. Consequently the PPCA sound recording rights sub-licensed to APRA are also non-exclusive, and music users (including LPA members) can and do on occasion exercise their option to obtain direct licences from PPCA Licensors.

It is common for OneMusic schemes to incorporate mechanisms for adjustment where the user requires permissions for only the musical works or only the sound recordings that it wishes to perform. The events licence scheme in question was specifically designed to accommodate circumstances where some or all sound recording rights were obtained other than via the OneMusic scheme, and it is unreasonable to suggest otherwise.

Please don't hesitate to contact us if you require any additional information.

Yours sincerely,



Lynne Small

Chief Operating Officer