

Terms and conditions for concerts and events

Are you planning to stage a concert or event?

When you hold a concert or event including musical works whose rights are managed by TONO, you must have permission and pay a fee to TONO. The following terms and conditions apply when a concert or event is to be staged:

1. Permission prior to the event

You must apply to us for permission to perform music managed by TONO no less than seven days before the event is to take place. If we can grant permission, you will then be sent a TONO authorisation/form that must be returned to us at marked@tono.no no later than 10 days after the event has taken place. It is not permitted to stage an event at which music managed by TONO is played, without TONO's permission. TONO may require payment of a fee or compensation pursuant to Section 81 of the Norwegian Copyright Act if music under TONO's management is performed without our permission.

2. Fees and fee schedule

A fee must be paid to the rights holders through TONO. The fee will normally be calculated in accordance with TONO's fee schedule for concerts and events. The schedule presumes that no revenues other than ticket sales are associated with the event, or that no revenues are generated at all. If material revenues other than ticket sales are associated with the event, including public funding, this may need to be taken into account when determining the fee, to ensure that it is reasonable. In that case, a separate agreement regulating this must be entered into with you. If this is relevant, we will contact you after your application has been received.

If the ticket price includes catering and/or overnight accommodation (for the ticket buyer/audience), the portion of the ticket price relating to catering/accommodation may be deducted from the calculation of gross ticket revenues. The same applies ticket handling charges, etc. Any deductions must be documented.

3. Calculation of the fee

The fee schedule for concerts and events is based on the presumption that all the music played at the event is managed by TONO. If, during the event, music not managed by TONO is played (i.e. music no longer protected by copyright or music whose originator has not authorised its management by TONO), the fee will be reduced pro rata. (For example, if works under TONO's management account for 70 per cent of the total playing time at the event, the fee calculated according to the fee schedule's rates will be reduced by 30 per cent.) However, the minimum fee payable shall never be reduced in this way.

4. Reporting after the event

No later than 10 days after the event has taken place, you must fill out and return the form you received when permission was granted. You must disclose the number of audience members, gross ticket revenues and a repertoire/playlist. If, at the event, music was played that you believe is not

managed by TONO and you wish the fee to be reduced correspondingly (see clause 3 above), you must also state which works this concerns, as well as the playing time for each individual work played at the event and the combined playing time for the event.

5. Defective reporting

In the event of incomplete reporting or failure to report at all (see clause 4 above), TONO will determine and invoice a fee for the event on the basis of the information which TONO has at its disposal. You are not entitled to contest the fee so determined by claiming that it does not align with the information you should have reported under clause 4 above, unless TONO's determination of the fee payable must be deemed obviously unreasonable or unfair, based on the information that TONO had at its disposal.

