

Macau Association of Composers, Authors & Publishers 作曲家、作家及出版社協會

Address 地址：
Alameda Dr. Carlos d'Assumpção No.258, Praça Kin Heng Long C10, Macau
澳門宋玉生廣場258號建興龍廣場10樓C座

Tel. 聯絡電話：
(853) 2888 2380

Official Website 官方網站：
www.maca.org.mo

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(853) 2888 2597

Email Address 電郵地址：
licensing@maca.org.mo

8. DEFINITIONS 定義

In this agreement 在本牌照合約中:

License Year means any 12-month period as specified in the Invoice in accordance with Clause 2.

牌照年期是指根據本牌照合約第二項條款發票指定的12個月。

Licensed Area means the Premises named in the Invoice where Works within MACA's repertoire performed under this license are audible.

牌照範圍是指在發票指定的物業範圍內演奏或播放MACA管理的曲目。

Works within MACA's repertoire means all musical works, including any words normally associated with those works, the rights of public performance of which is owned or controlled by MACA for Macau.

MACA的曲目範圍是指在澳門，MACA所管理的所有音樂作品，其中包括與這些作品相關的任何文字。

9. NOTICES 注意

9.1 A notice under this agreement must be in writing and may be given to the applicant by:

與本牌照合約有關的通知，必須以書面形式，通過以下途徑給予申請人：

- sending it by post to the address of the applicant; or
以郵遞方式給予申請人提供的地址; 或
- sending it by fax to the fax number of the applicant, and the notice will be deemed to have been received by the applicant on receipt.
通過傳真方式寄往申請人的傳真號碼，而該通知將被視為已被申請人收到。

9.2 A fax is deemed to have been received on production of a transmission report by the machine from which the fax was sent which indicates that the fax was sent in its entirety to the fax number of the applicant.

所述的傳真被視為已收到，是根據由機器傳輸報告,當中列明傳真被發送,表明該傳真被全部發送到申請人的傳真號碼。

10. MISCELLANEOUS 其他事項

10.1 No waiver by MACA of any breach of any provision of this agreement operates as a waiver of another breach of the same or of any other provision of this agreement.
MACA保留追究任何違反本牌照合約條款或任何與本合約中規定的違約行為之權利。

10.2 This agreement is personal to the Applicant. The Applicant is not entitled to assign any of its rights without MACA's prior written consent.
這項協議是針對申請者個體的。如沒有MACA的書面同意，該申請人不得轉讓其合約權利。

10.3 This agreement may only be varied by the written agreement of both parties.
本牌照合約僅接受由雙方以書面方式作出變更。

10.4 This agreement must be construed in accordance with the laws in force in Macau and the parties agree to submit to the jurisdiction of Macau Courts.
本牌照合約按照澳門現行法律制訂，並在雙方同意下提交到澳門法院管轄。

In case of discrepancy between English version and Chinese version in respect of all or any part of the contents in this agreement, the English version shall prevail.

所有內容或其他部分之中，英文版本如有歧義，一律以英文版為準。

LICENSE AGREEMENT 牌照合約

1. SCOPE OF LICENSE 牌照範圍

1.1 MACA grants the Applicant a license to perform publicly or authorize the public performance of any on all musical works within MACA's repertoire in the circumstances and by the methods herein described.
在MACA的曲目範圍內及根據本文所述的條件，MACA授予申請人在公開場合播放或演出的許可證。

1.2 The license in clause 1.1 does not include or authorize 在第1.1項條款不包括或授權：

- the public reception of any performance beyond the precincts of the Premises;
牌照所述場所以外地方的公開播放或演出;
- One-off event, new media and third party owned business should be licensed separately.
短期活動、新媒體及第三方營運的業務皆須獨立申請牌照。
- the performance of any musical work with new or substituted lyrics, or any lyrics which have been notified by MACA as prohibited; or
任何音樂作品的表演具有全新或改編的歌詞，或已被告知MACA所禁止的任何歌詞; 或
- any other right not expressly granted under this agreement.
未在本協議中明確授予的任何其他權利。

2. DURATION OF THE AGREEMENT 合約年期

Unless otherwise specified, this agreement is for an initial period of 12 months for the period described in the Invoice. Either party will need to send the other party a written notice at least 1 month in advance to terminate the initial period.

除特別註明外，這項協議是根據發票上所列為期12個月。任何一方將必須提前至少1個月向另一方發出書面終止合約通知。

3. LICENSE AREA 授權區域

Specific location mentioned in the invoice and license certificate issued by MACA.

被授權場所須按照由MACA發出的發票及牌照為準。

4. CALCULATION OF AMOUNT PAYABLE 版權費計算細節

4.1 Subject to MACA's right to reassess the amount payable under clause 4.2, the Applicant must pay MACA an amount equal to the total sum stated in the invoice for the first License Year.

根據第4.2項,申請人應於申請牌照的第一個年度付相等於發票上由MACA評估的總額。

4.2 On MACA's receipt of the information, MACA may issue an invoice for the increased/decreased amounts payable.

根據MACA所收到的資料，MACA可以開出有關增加/減少應付款項的發票。

5. SUPPLY OF INFORMATION 資料提供

5.1 The Applicant must send MACA a written notice within 14 days of any change to the particulars in the application form.

如申請表內有任何變更,申請人必須在變更起14天內以書面形式通知MACA變更之詳情。

5.2 The Applicant must, on request by MACA, supply MACA with a list of all music performed at the Premises in the form and for the period specified by MACA from time to time.

申請人必須根據MACA的要求，於MACA所指定的期間以表格形式提供該場所所使用音樂的資料。

6. PAYMENT 付款方式

The Applicant must pay the amount payable calculated in accordance with clause 4 for each License Year within 30 days after the date of MACA's invoice stating the amount payable for the License Year.

申請人必須在發票日期起30天內繳納根據第4項條款之應繳金額。

7. TERMINATION 合約終止

MACA may immediately terminate this agreement by notice to the Applicant if the Applicant:

MACA有權向申請人發出立即終止合約的通知，如果申請人:

- fails to pay any sum when due under this agreement within 30 days after the due date;
未能在協定30天內繳納牌費;
- breaches any other term of this agreement and fails to remedy the breach within 7 days after being requested in writing to do so by MACA;
違反本牌照合約任何其他條款以及未能在MACA發出違例通知書的7天內糾正;
- being a corporation, goes into liquidation, has a receiver or receiver and manager appointed to it or any part of its assets, enters into a scheme of arrangement with creditors or suffers any other form of external administration; or
作為一個企業，倘若持牌人非因合併或重組而進行無論是強制或自願清盤、或持牌人與債權人互讓了結債務、或有一“破產管理人”被委任接管持牌人之全部或任何部份資產、或因欠債、或成為破產、或無力償債務結果而採取或發生相似之行動; 或者
- being an individual, commits any act of bankruptcy or enters into a scheme of arrangement with creditors.
作為一個個體，倘若採取任何破產的行為或與債權人共同訂立方案。

Music Public Performance License Application - Annual License

音樂播放牌照申請表 年度牌照

Please complete the relevant section(s), sign, chop and return to MACA:
請填寫以下相應的部份並簽署, 蓋章及交回MACA:

- ▼ **By Post 郵寄:**
Alameda Dr Carlos d' Assumpção No. 258, Praça Kin Heng Long C10, Macau;
澳門宋玉生廣場258號建興龍廣場10樓C座
- ▼ **By Email 電郵:**
licensing@maca.org.mo
- ▼ **By Fax 傳真:**
(853) 2888 2597

I/We apply for a permit license from MACA which, subject to the terms as set out on this page and overleaf, for authorising the performance in public musical works within MACA's repertoire, in the venue / event and by the means and method(s) as described below.

本人／本機構根據本頁及背頁的條款向MACA申請授權本人／本機構於以下描述之場所/活動使用MACA管理之曲目。

- ▼ Where multiple venues/events are covered under this application, a schedule must be attached providing the relevant details of each venue/event.
▼ 如有多於一個場所／活動，必須以附件形式提交相關額外場所／活動資料。

1. PARTICULARS OF PERMIT LICENSE HOLDER 持證人資料

▼ Name of Venue/Shop 場所或店鋪名稱

▼ Address of Venue/Shop 場所或店鋪地址

▼ Name of Company 經營公司名稱

▼ Address of Registered Office of Company 經營公司註冊地址

▼ Business Registration Certification No. 商業登記號碼

▼ Future Correspondence Sent to 將來所有信函寄往

Venue/Shop 場所或店鋪 Company 公司

2. CONTACT INFORMATION 聯絡人資料

▼ Name (1) 聯絡人姓名(1)

▼ Position (1) 聯絡人職位(1)

▼ Contact No. (1) 聯絡人電話(1)

▼ Email Address (1) 電郵地址(1)

▼ Name (2) 聯絡人姓名(2)

▼ Position (2) 聯絡人職位(2)

▼ Contact No. (2) 聯絡人電話(2)

▼ Email Address (2) 電郵地址(2)

3. SHOP DETAILS 店鋪詳情

▼ Please choose the respective industry 請選擇行業類型

Cinema 電影院 HiFi Shop 影音店 Department Store 百貨公司 Retail Shop/ Shopping Centre 零售商鋪/商場

Billiard Room/ Skating Venue 桌球室/溜冰場 Game Centre 遊戲機中心 Multi-Function Room 多功能室/展覽廳 Passenger Buses/ Coaches 載客巴士/旅遊巴

Sauna or Fitness Centre 桑拿/健身中心 Musical Fountain / Lighting Show 音樂噴泉/燈光表演 Airline 航空公司 Restaurant/Bars/Café 餐廳/酒吧/食肆

Bowling Centre No. of Lanes 保齡球館 球道數目 _____ Hospital/Clinic 醫院/醫務所 _____ bed(s) (個)床位 Discotheques/ Karaoke/Nightclub 的士高/卡拉OK/夜總會 _____ seat(s) & standing capacity (個)座位及企位

Video Wall & LED Screen 影像屏幕 _____ sq.ft. Government Building/ Banking Premises 政府辦公場所/銀行大樓 Beauty Salon/Hair Salon 美容院/髮型屋 _____ seat(s)/bed(s) (個)座位/床位

First Performance Date (yyyy-mm-dd) 開始使用音樂日期 (年-月-日) _____ Total Floor Area 總面積 _____

_____ / _____ / _____ ft² 平方尺 _____ m² 平方米

Background Music 背景音樂 Yes 有 No 沒有 No. of Audio Speaker 播放器數目 _____ Unit 個 No 沒有

Live Music Performance 現場音樂演奏 Yes 有 No 沒有 Minutes 分鐘 _____ Session 節 _____

Visual Music Performance 影像音樂

Video Screen(s) with Sound 有聲螢幕數目 Under 50 inch 50吋或以下 _____ Unit 部 50 inch – 100 inch 50吋 – 100吋 _____ Unit 部 Over 100 inch 100吋或以上 _____ Unit 部

Music-On-hold 接駁鈴聲 Yes 有 No 沒有 Telephone No. 電話號碼 _____ No. of Tel Lines 電話線數量 _____ (條)

4. EXTRA INFORMATION 額外資料

Please fill in the information if you choose 請填寫以下內容,如您的選擇是:

▼ Government Building/Banking Premises 政府辦公場所/銀行大樓

No. of employees 僱員人數 _____ No. of Working Hours per day 每天工作時數 _____ No. of Visitors 訪客人數 _____

Other Facilities 場地設施 Theatre 演奏廳/劇院 Karaoke 卡拉OK Multi-function Room 多功能廳 Sport Facilities 體育設施

▼ Musical Fountain/ Lighting Show 音樂噴泉/燈光表演

Type of Event 活動類型 Musical Fountain 音樂噴泉 Lighting Show 燈光表演

Date(s) of Event 舉行日期 _____ Time(s) of Event 舉行時間 _____

Venue 舉行地點 _____ Sessions of Performance 演出場次 _____

Minutes per Session 每次表演(分鐘) _____ Estimated No. of Attendance 預計觀看人數 _____

▼ Passenger Buses and Coaches 載客巴士及旅遊巴

Company Name of Passenger Buses and Coaches 載客巴士及旅遊巴公司名稱

Route Information 巴士路線 _____ Passengers Buses and Coaches Quantity 巴士及旅遊巴數量(輛) _____

Maximum Accommodation Capacity 最高載客量 _____ Seats 座位 _____ Standing Capacity 企位 _____

▼ Airline 航空公司

Music/ Movie Play 音樂/電影播放 During Take-off/Landing 起飛/降落 During Flight 飛行期間

Carrying Capacity 載客量 _____ pax 人

▼ Cinema 電影院

Film Premier Box Office 電影首映票房 _____ Public Screening Box Office 澳門幣 MOP _____ 電影公映總票房 澳門幣 MOP _____

5. DECLARATION AND AGREEMENT BY APPLICANT 申請人聲明

I/We acknowledge that I/We have read the terms as stated in the overleaf and agree to be bound by those terms should my/our application be accepted, including but not limited to my/our obligation to pay the license fees due and payable under the agreement. I/We further confirm that the information provided herein is true and accurate.

本人／本機構已閱讀並同意接受背頁的條款，且接受牌照申請之條款及根據牌照協議在到期付款日前繳交牌照費用。本人／本機構確定以上提供之資料皆是真實及準確。

(Signature) (簽署)

(Company Stamp) (公司印章)

(Print Full Name) (正楷姓名)

(Date) (日期)

INTERNAL USE ONLY

(Application Number) (Tariff Type) (MACA Staff)