



# Official Irish Singles Chart

## Rules for Chart Eligibility for the IRMA Official Charts **Singles**

Adopted by the Board of IRMA on the 5<sup>th</sup> of September 2018

# **Rules for Irish Chart Eligibility**

## **September 2018**

### **INTRODUCTION**

The following Chart Rules exist to determine eligibility for entry into the Irish Recorded Music Association CLG (IRMA) Official Charts. The aim of the Rules is to protect the integrity of the Charts and to ensure that they are an accurate reflection of the popularity of each recording by reference to genuine transactions.

The Rules apply not only to members of IRMA but equally to all record producers and/or distributors of records. They set out the conditions upon which a record will be eligible for inclusion in the Charts.

It should be noted that record producers and distributors remain free to package and market their products in any way they choose. However, releases which do not comply with the Rules will not be eligible to be included in the IRMA Official Charts.

The Chart Rules are issued by the Official Charts UK Company (OCC) and IRMA. OCC is responsible for interpreting and applying the Chart Rules on a day-to-day basis under the supervision of IRMA. OCC may, at its discretion, refer any matter concerning the interpretation of the Chart Rules with respect to one or more recordings to the Council of Inquiry set up by IRMA, for a decision. A record producer or distributor that wishes to dispute a decision made by OCC may also apply to the Council of Inquiry of IRMA for a decision. The decision of the Council of Inquiry will be final.

## 1.0 Genuine Sales

1.1	<p>All information used to compile the Chart must be recorded as a result of a genuine transaction by a genuine consumer.</p>
	<p>No record producer, distributor, retailer, artist or other party should act or encourage others to act in any way designed to distort, or which has the effect of distorting the Chart by achieving a higher or lower Chart position for a record than it would otherwise achieve.</p>
	<p>Actions which will be considered a breach of these rules include:</p>
	<ul style="list-style-type: none"><li>a) promoting the sale of any record by supplying a retailer with records by another artist free of charge or upon terms more favourable than would be the case but for that promotion;</li><li>b) purchasing records or causing records to be purchased or streamed other than as a genuine consumer transaction;</li><li>c) multiple transactions of records on behalf of other persons,</li><li>d) interference with the operation of transaction recording machines or other equipment or computer software used to compile the Charts or collect or collate its information or in any other way being a party to the submission of false or inaccurate data to the Chart compiler;</li><li>e) offering money or other benefits to a chart reporting retailer or service contingent upon a record entering any of the Charts or attaining a minimum chart position;</li><li>f) procuring the sale and/or consumption of a record in conjunction with a non-related gift or a valuable gift (where “valuable gift” means any gift which has a market value of its own however small), i.e. which gives the consumer a product, voucher or benefit or anything else which is either unrelated to the record concerned or of a value in excess of the value of the record without that gift.</li><li>g) any other activity intended unfairly to influence Chart positions.</li></ul>
	<p>Where OCC has reason to believe that a record is the subject of any of the above types of activity, it will, at its discretion, either remove identifiable irregular transactions from the data used to compile the Chart, or exclude the record from the Chart with immediate effect.</p>
	<p>OCC’s nominated Chart Compiler (currently Kantar Millward Brown) will ensure the accuracy and completeness of any transaction information provided to it by a retail outlet to the extent it is possible to do so using good industry practice. Where the nominated chart compiler has reason to believe that the inclusion of transactions from a retail outlet or a number of retail outlets maybe inaccurate, misleading or incomplete and run contrary to the guidelines expected by a skilled and experienced market research firm, then the retail outlet(s) in question will be excluded to avoid potential distortion.</p>
	<p>If a record is excluded from the Chart, OCC will inform the record producer, distributor, and IRMA in writing on the first working day after the exclusion takes effect. If unusual or irregular transactions cause OCC to remove data from the Chart sample, OCC will inform IRMA, as appropriate, on the first working day after the data is removed.</p>

## 2.0 Codes of Conduct

<b>2.1</b>	
	These rules in so far as members of IRMA are concerned are additional to any rules contained in the IRMA member's agreement regarding chart rules.

## 3.0: Singles Definitions Summary

<b>3.1</b>	
	The playing time of a single (which may include both audio and video on demand streams) shall be a maximum of 25 minutes and A single shall have no more than four songs plus alternative versions of those songs.
	The playing time of video tracks will not count towards total permitted playing time providing the video is cut to substantially the same mix as the audio tracks or is the only commercially available video for the tracks
	A Remix Single may have one Featured Song and any number of remixes of that Featured Song to a maximum of 40. One promotional video for lead track only.
	<b>NOTES</b>  <ol style="list-style-type: none"> <li>1. <b>Playing Time</b> refers to the amount of recorded material irrespective of content.</li> <li>2. A <b>Track</b> is a continuous piece of recorded material.</li> <li>3. <b>Singles Multi-packs</b> are not eligible for the Official Singles Chart</li> <li>4. <b>Featured Song</b> is defined as the lead track nominated by releasing label and common to all formats</li> <li>5. For Chart purposes "on demand streams" are those streams delivered by an "on demand service", namely a service which offers: (a) only a la carte streams (those which have been actively selected by the user); or (b) a mixture of a la carte streams and also streams which have been played from curated playlists, where the user has access to what is considered by OCC / IRMA to be a reasonable number of skips. For removal of doubt, services which provide access to streams solely via curated / non- interactive playlists will not be deemed to be "on demand" services.</li> </ol>

## 4.0 Combining of Transactions

<b>4.1</b>	<b>Criteria for Combining Transactions</b>
<b>a</b>	Sales of different formats and variants of a single are combined for chart purposes where each format contains the featured song(s), and not the featured song(s) from any other chart single.
<b>b</b>	For chart purposes, the sales of different formats are combined where they can reasonably be held to be variants or alternative formats of the same piece of product. The criteria for combining transactions are detailed below.
<b>c</b>	<ol style="list-style-type: none"> <li><b>i)</b> The featured song of a Top 40 single cannot be released as a B-side or extra track on a subsequent chart eligible single until the former has dropped out of the Top 40, subject to c ii) and c iii).</li> <li><b>ii)</b> If a song that has fallen out of Top 40 is then used as a B-side or extra title on a new release and the original song re-enters the Top 40, the new release will remain chart eligible.</li> <li><b>iii)</b> Labels may include previously unreleased remixes or alternative versions of a current Top 40 single on a new release providing the version used has not previously appeared on a chart eligible release.</li> </ol>

d	<p>A maximum of three singles within the Top 100 by the same artist will be chart eligible. These will be the three most popular singles in a week based on combined sales and streams. (See also 5.0 Exclusions).</p> <p>In the case of singles featuring a secondary artist (s), they will only count towards the primary named artist's maximum of three chart eligible singles.</p> <p>In the case of singles that are equal collaborations between two or more artists, a single will count towards the maximum of three chart eligible singles of the artist on the releasing label.</p> <p>Where all collaborating artists appear on the same label releasing a single, the releasing label must nominate the primary artist.</p>
e	<p>A maximum of three <b>physical</b> formats for each title is eligible for the singles chart. The first 3 formats to be domestically released will feature in the Chart unless the record company elects a different combination <u>before release</u>. 4<sup>th</sup> and subsequent physical formats of a single will not be eligible for a chart position.</p>
f	<p>A maximum of three <b>digital bundle</b> formats for each title is eligible for the singles chart. The first 3 formats to be domestically released will feature in the Chart unless the record company elects a different combination <u>before release</u>. 4<sup>th</sup> and subsequent digital bundle formats of a single will not be eligible for a chart position.</p>
g	<p>In addition to 3 physical formats and 3 digital bundles, an unlimited number of digital variants of the featured song may be combined for a chart position.</p> <p><b>Note:</b> The featured song across all formats of a single need not be identical for their transactions to be combined, but should be substantially the same - that is, an identical OR extended OR remixed OR live OR alternative version of the basic song.</p>
h	<p>Premium on demand Streams will be combined with transactions of chart eligible digital downloads using an industry set ratio of 100 or 200 streams (see 6.0 Accelerated Decline) to 1 digital download (or as otherwise amended by OCC in association with IRMA).</p> <p>On demand Ad Funded Streams will be combined with transactions of chart eligible digital downloads, using an industry ratio of 600 or 1,200 streams (see 6.0 Accelerated Decline) to 1 digital download (or as otherwise amended by OCC in association with IRMA)</p> <p>All other chart eligibility rules relating to digital downloads shall apply equally to digital streams. Digital transactions (the combined sum of streams and downloads, as outlined above) will be combined with physical singles sales on a one-to-one basis.</p> <p><b>“Premium Streams”</b> refers to “paid for” on demand streaming subscription services including any trial offers of the same and</p> <p><b>“Ad Funded Streams”</b> refers to “free to consumer” on demand streaming services that are funded by advertising.</p>
4.2	<p><b>Imports</b></p>
	<p>An imported single which is available at the same time as a similar or identical Irish release by the same artist but from a different distributor will not be combined with sales of the domestic release and will not qualify for a chart position in its own right whilst the Irish release is in the Top 75.</p>
4.3	<p><b>Simultaneous Availability</b></p>
	<p>When the same record (or combinable variant) is available on Irish release from two different record producers / distributors, transactions will not be combined except at the request of both.</p>

	<b>Note:</b> The other rules for combination as outlined in 4.1 also apply in all such cases.
<b>4.4</b>	<b>ISRCs and Digital Barcodes</b>
	All digital formats of a track (including videos) must carry an ISRC reported to the Chart Compiler together with the barcode of the physical product it is to be linked to, three weeks prior to release.
	All digital bundles must carry a unique identifier (i.e. digital barcodes) and ISRC codes for individual tracks.
	Music Videos included within Digital Bundles must carry a valid ISRC.
	<b>Note:</b> Digital tracks without an ISRC or Digital Singles without a barcode will not have their transactions tracked for chart purposes.
<b>4.5</b>	<b>Catalogue Numbers and Barcodes</b>
	All physical formats should carry a unique catalogue number, and a unique barcode should relate to the catalogue number. This is applicable even when identical recordings are issued in different packaging, including colour variations of CD's and vinyl.
	All physical formats of a single release should be reported to the Chart Compiler. <b>Note:</b> Physical products without a barcode will not have their sales tracked for chart purposes.

## 5.0 Exclusions

<b>5.1</b>	<b>Exclusion By Request</b>
	<p>An Irish rights owner/licensee may request OCC to exclude a record from the Charts where the record is not generally available from the owner's normal distributor (for example - deleted titles, or pre-release transactions caused by distribution leaks). OCC may at its absolute discretion exclude a record from the Chart in such circumstances. A record that otherwise meets all eligibility criteria will not be excluded from the charts.</p> <p>An Irish rights owner/licensee may elect to exclude the third bestselling single by an artist and replace it with their fourth bestselling track if the third bestselling track is outside of the Top 20 chart positions. Tracks excluded in this way cannot become chart eligible again for a period of six months.</p> <p>In exceptional circumstances, an Irish rights owner/licensee may elect to exclude the second bestselling single by an artist and replace it with their fourth bestselling track if the second bestselling track is outside of the Top 20 chart positions on the Accelerated Chart Ratio (see definition at 6.1 below). Tracks excluded in this way cannot become chart eligible again for a period of six months.</p>
<b>5.2</b>	<b>Promotional Products</b>
	Any promotional (free to consumer) physical product or digital product will not be eligible for inclusion in the chart with the exception of Ad Funded Streams.

## 6.0 Accelerated Decline

<b>6.1</b>	<b>Streaming Ratio</b>
	<p>New Releases will have a streaming to sales ratio of 100:1 (in the case of Premium Streams) or 600: 1 (in the case of Ad Funded Streams) (or as otherwise agreed by IRMA in conjunction with OCC) applied for the combining of chart eligible transactions. These ratios will be known as the Irish Standard Chart Ratios (ISCR)</p> <p>After 3 consecutive weeks of decline a stream to sale ratio of 200:1(in the case of Premium Streams) or 1200:1 (in the case of Ad Funded Streams) (or as otherwise agreed by IRMA in conjunction with OCC) will be applied. This is known as Accelerated Chart Ratios (ACR).</p>

	Decline is defined as negative week on week variance of combined sales and streams AND which is below the market rate of change week on week.
<b>6.2</b>	<b>Exceptions</b>
	Accelerated Chart Ratio cannot be applied to any product with fewer than 9 weeks on chart (i.e. ACR can only be applied in its 10 <sup>th</sup> week on the Top 100 chart, at the earliest).
<b>6.3</b>	<b>Resets</b>
	<p>Automatic Reset – a track within the Top 100 on ACR and which is within 3 years of release can automatically return to ISCR if it's combined sales and stream total increases by 50 percentage points greater than the market change week on week. For example, a track with a week on week variance of +39%, in a week where market variance is -11%, would be automatically reset.</p> <p>Manual Reset – In exceptional circumstances, where a track is being scheduled for promotion, a label may elect to manually reset a track to SCR. This manual reset is limited to two tracks per artist album, only where the track in question is outside the Top 100 and subject to one weeks' notice being given from the releasing label that they wish to implement a manual reset. Manual reset shall be strictly subject to OCC and IRMA approval.</p>

## 7.0 Competitions, Vouchers and Retailer Promotions

<b>7.1</b>	<b>Competitions / Vouchers</b>
	Competition inserts may <b>not</b> be included in any physical or digital single release. (see 7.3 retailer promotions)
	A competition featured on or within the packaging of any single release, including but not limited to the 'enhanced section', microsite or any other chart eligible software application or program will render the format ineligible for inclusion in the charts.
	A release incorporating an exclusive voucher giving discounts on other goods or services, or exclusive access to such goods and services are considered free gifts and are ineligible for inclusion in the chart.
<b>7.2</b>	<b>Data Capture Incentives</b>
	Standard generic company/record label data capture mechanics that offer a small incentive in exchange for consumer details do not make a product ineligible for the chart.
<b>7.3</b>	<b>Retailer Promotions</b>
	Any incentive in the form of a retailer sponsored free gift or discount, to purchase one or more chart eligible singles, will not disqualify transactions of records from contributing to the Chart position provided that the records, comply with all other chart eligibility rules. If a retail promotion does not conform to this, transactions of the record concerned will be excluded from the chart.
	OCC will require written confirmation from retailers confirming sponsorship of promotions to confirm chart eligibility.
	If a retailer is running a competition it may not be dependent on the purchase or selection of specific singles. Consumers must be provided a simple, prominent "no purchase necessary" option to enter the competition and in the case of online competitions access to entry must be made available via a direct hyperlink a maximum of one click through from the promotional page (cut and paste links are not permitted)

In the case of digital formats of a release consumers should not be automatically entered into a competition upon purchase.

## 8.0 Pre Order Incentives

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8.0	Pre Order Incentives
	No competition incentive may be offered on a digital and/or physical pre order except that Retailers may conduct pre order incentives on physical or digital products providing they comply with all other chart rules.
	Digital tracks are not permitted as instant gratification for the pre-order of a single release.
	Instant Grat tracks from an album pre-order are not eligible for the IRMA Official Singles Chart unless purchased as a standalone permanent download, subject to IRMA Album Chart Rule 7.1
	Streaming pre-orders known as “pre-saves” are permitted provided there is no automatic streaming of a pre-saved track.