

Mobile businesses and limited uses

Applies to: performances of copyright music* by certain mobile businesses, amateur music clubs and other limited music uses, at premises and in open spaces that should not otherwise be licensed to the proprietor of the premises or are not covered by other *PRS for Music* tariffs.

The proprietor of a premises will normally be responsible for arranging a licence to cover all music use at that premises. This tariff does not apply to licences issued to the owner or management of the premises where performances take place. This tariff does not apply to music in or from vehicles, which will be charged under the applicable *PRS for Music* tariffs.

This tariff is for mobile businesses and individuals playing music in different locations. It does not apply to the use of music with mobile phones.

1. Royalty rates

The rates apply to all royalties falling due from the effective date of this tariff and are shown **exclusive of VAT**.

Higher rate charge: Where our music* is used before a licence is obtained, *PRS for Music* reserves the right to increase its fees by 50% for the first year of the new licence.

1.1 Mobile music users

Level	Types of users included	Standard royalty rate
1	Background music* to a small audience (1 or 2 persons), including personal trainers, mobile beauty/complementary therapists. Rate is per trainer/therapist.	£30.00 per year
2	Background music for an audience of more than 2 persons or music as part of a class or workshop, including children's entertainers using background music only. Rate is per entertainer, organiser etc. Background music from a market stall, per stall. Aerobic and dance instructors, children activity providers for up to 60 sessions per year. ¹ Rate is per instructor/provider.	£70.00 per year
3	Featured recorded music*, including children's entertainers using featured music, mobile DJs and karaoke operators ² . Rate is for each operator of a mobile unit. Aerobic and dance instructors, children activity providers for 61 or more sessions per year. ¹ Rate is per instructor/provider.	£114.10 per year

Note 1: This tariff cannot cover performances at a permanent gym, leisure centre, dance school or similar premises.

Note 2: This tariff cannot cover events held in discotheques, nightclubs, pubs or similar venues. This tariff cannot cover permanent/regular engagements and events promoted by a mobile DJ, karaoke operator or similar.

Note 3: This section of the tariff cannot be applied to live music (except live music by children's entertainers or children activity providers).

Note 4: *PRS for Music* does not make a charge for private family parties*, such as wedding receptions, christening parties or domestic birthday parties (see full definition).

1.2 Amateur, non-profit making music clubs*

Per 50 members (or part thereof)	£50.00 per year
----------------------------------	-----------------

Limited to music performed as part of meetings of the members of the music club. All members of the club must be involved in performing music. This tariff does not cover performances to audiences who are not members of the club, or whom have paid to attend a performance (separate to a charge for membership).

1.3 Other limited uses

From time to time, *PRS for Music* may (at its own discretion) apply these charges to certain music uses that are not covered by any other *PRS for Music* tariff. Music uses charged under this section will be listed in an appendix to this tariff which will be updated periodically.

Level		Standard royalty rate
1	See appendix	£24.30
2	See appendix	£50.00

2. GENERAL CONDITIONS

This tariff is subject to *PRS for Music's* General Conditions Applicable to Tariffs and Licences, available on request.

3. VALUE ADDED TAX

Every Licensee under *PRS for Music's* tariffs will pay to *PRS for Music* in addition to the royalty due, a sum in respect of Value Added Tax calculated at the relevant rate on the royalty payable.

4. INFLATION ADJUSTMENT

Every year on 1st November the monetary sums in this tariff will be adjusted for inflation. The adjustment formula will apply to the standard rates the mean (to the nearest whole percentage point) of the percentages by which the Retail Prices Index and the Average Earnings Index (unadjusted) change in the year to the previous June.

June is the latest month prior to the anniversary date for which figures are likely to be published for both indices.

After application of the percentage adjustment the royalty rate will be rounded up to the nearest 50 pence.

All royalties will be charged at the royalty rate in force at the beginning of the licence-year.

5. DEFINITIONS

- **amateur music club** means an informal group of music enthusiasts meeting in a room or hall and performing live music for their own entertainment. This tariff only applies to non-profit making clubs.
- **background music** means music when performed by a record player, compact disc player, tape player, video

player or other mechanical/electronic device for playing music otherwise than for featured purposes, or music performed by a radio or television set operated on the premises or diffused through a loud-speaker from another part of the premises or a source outside the premises

- **featured recorded music** means music performed by record, compact disc, tape player or other mechanical/electronic device for entertainment such as by means of discotheque equipment (with or without dancing) or in conjunction with cabaret or similar entertainment
- **performances of copyright music** means performances of copyright music within *PRS for Music's* repertoire
- **private family parties** means functions of a purely domestic or family nature, such as wedding receptions, christening parties or domestic birthday parties, when:
 - attendance of guests is by personal invitation only (except for staff, performers, etc.)
 - the function is held in a privately-booked room, not at that time open to the general public
 - there is no form of charge made for admission
 - there is no financial gain to the function's organiser or host (eg the person hiring the venue)
- **PRS for Music** is the trading name of the Performing Right Society Limited
- **PRS for Music's repertoire** means all and any musical works (including any associated words), the right of public performance in which is controlled by *PRS for Music* or by any of the societies in other countries with which *PRS for Music* is affiliated.

Performing Right Society Limited 29-33 Berners Street, London, W1T 3AB. www.prsformusic.com

Registered in England, No. 134396, VAT Reg. No. 440 6342 76.

Appendix to 'Mobile businesses and limited uses' tariff

Appendix to section 1.3: Other limited uses

Level 1 limited uses

- **Handbell ringing teams** (rate is per team, per year) performing at premises or events which are not otherwise licensed, or which should be licensed, by the proprietor or organiser.

- **Amateur mobile mechanical organ owners**

(rate is per owner, per year), restricted to amateur-enthusiasts

Level 2 limited uses

- None listed at this time

Contact us on 0800 068 4828 to apply for an 'ML' Tariff Licence
(formerly 'Mechanical Organ' or 'MO' Tariff)

INFORMATION ONLY



Former 'Mechanical Organs' Tariff 'MO' (2009.07) **Replaced with Tariff 'ML' from 1st Nov 2009**

Effective from 1st July 2009

(Also showing previous year's details in brackets)

1. Scope of tariff

This tariff applies to occasional public performances (such as at fetes and fairs), by mobile mechanical organ(s)* played by amateur owner-enthusiasts (such as affiliates of the Mechanical Organ Owners' Society), of copyright music within *PRS for Music's** repertoire*.

Excluded from this tariff are performances by mechanical organs commercially operated by travelling showmen chargeable under *PRS for Music's* Tariff APS; organs permanently installed in fixed premises, and concerts or recitals (such as by cinema organs or otherwise).

2. General conditions

This tariff is subject to *PRS for Music's* General Conditions Applicable to Tariffs and Licences, available on request from *PRS for Music*.

3. Royalty rates

Where our music is used without a licence having first been obtained, 50% will be added to the royalty charged and payable for the first year of the new licence.

Otherwise, the following rate of charge applies to all royalties falling due on or after the effective date of this tariff.

**Standard
royalty**

4. Mechanical organ(s)*

The annual royalty per mechanical organ owner is	£24.30 (£23.82)
--	--------------------

* See Definitions, section 7

5. Value Added Tax

Every Licensee under *PRS for Music's* tariffs will pay to *PRS for Music* in addition to the royalty due, a sum in respect of Value Added Tax calculated at the relevant rate on the royalty payable.

6. Inflation adjustment

Every year on 1st July, the standard rate in this tariff will be adjusted for inflation. The adjustment formula will apply to the standard rate the mean (to the nearest whole percentage point) of the percentages by which the Retail Prices Index and the Average Earnings Index (unadjusted) change in the year to the previous February.

February is the latest month prior to the anniversary date for which figures are likely to be published for both indices.

After application of the percentage adjustment the royalty rates will be rounded to the nearest penny.

All royalties will be charged at the royalty rate in force at the beginning of the licence-year.

7. Definitions

- **mechanical organ** means one where the music to be played is stored in a machine-readable format such as a pinned barrel, perforated cardboard book, perforated paper/plastic roll, electronic memory or similar means and read by the mechanism of the organ playing the music so stored.
- ***PRS for Music*** is the trading name of the Performing Right Society Limited.
- ***PRS for Music's repertoire*** means all and any musical works (including any words associated therewith), the right of public performance in which is controlled by *PRS for Music* or by any of the societies in other countries with which *PRS for Music* is affiliated.

2009.07 edition