



Performing Right Society (PRS) and Phonographic Performance Licence (PPL)

What is a PRS Licence?

- A PRS is required for premises that are used for live or recorded musical performances
- It is obtained from the Performing Right Society
- It costs 1% of the hall's 'defined income'
- It is required even if you have only one performance a year
- All halls are likely to need one

PRS Hotlines (existing licences) – 0845 309 3090
(for new licences) – 0800 068 4828

If you do not have a PRS and realise that you should have, there will be no penalties or backdating.

What is a PPL Licence?

- A PPL licence is required for any use of recorded music (outside of a domestic setting or religious services, hospitals etc)
- It is required for premises used for public performances of recorded music/sound recording (CDs/records/tapes)
- It is not required for weddings, birthday parties etc., as these are classed as 'private'.

Amendments have been made to Sections 67 and 72 of the Copyright Designs and Patents Act 1988 (CDPA) and took effect from January 2011.

- It is a legislative change to introduce a tariff/charge to organisations that were previously exempt. The exemption for 'not-for-profit' organisations (village halls/ community buildings etc) has been lifted.
- Prior to the change, halls were exempt if the activities were not for public gain or formed part of 'charitable' activity (ie playing 'Twinkle, twinkle little star' in Mums and Toddlers).
- Groups hiring a hall will be covered by the hall's PPL (Community Building blanket licence). Groups should check that the hall has a relevant licence in place.
- Someone hiring the hall for example for an exercise class, playing music and taking a 'fee' or commercial income, will be responsible for their own PPL licence under the 'exercise class tariff' (this has not changed). Other examples include Weight-watchers, Tumbletots ...
- The requirement for a licence is not limited to areas to which members of the public have access – a 'public performance' covers any use of recorded music outside a domestic setting – so it would apply if you play a radio in the office of your workplace!

Costs and other information

- Halls with a 'defined income' of under £10,000 per annum will pay a flat fee of £42.00 (plus vat)
- Halls with a 'defined income' of over £10,000 per annum will pay 1% of that income (only that income listed as per the PRS tariff. PPL want to match PRS tariff as far as possible to avoid confusion).
- ACRE and Community Matters are in discussions with PRS to try to change/extend the items that are included/defined as 'income'. They are also trying to clarify details regarding issues such as 'feed-in tariffs' etc.
- Though legislation was passed in January 2011, there is a 'grace period' until January 2012 – this applies to Community Buildings.
- All halls with a PRS licence will receive a letter in October (from PRS) telling them about the changes and what they need to do re PPL. PRS will sort out details and any queries.
- PRS will collect both lots of fees. They will send one invoice which will specify the two costs: PPL @ £x and PRS @ £x. The two tariffs will be collected on one invoice (on one cheque/payment)
- ACRE is dealing with specific queries on behalf of halls:-
- for example – if a hall does not have a licence and it says in their hiring agreement that 'hirers are responsible for their own licences', will this exonerate the hall? Will it be legally binding?
- If a committee states that the hall does not use recorded music in the building – this will need to be proved – but 'how' and 'what' would be acceptable proof??
- The Department of Culture, Media and Sport have released a consultation regarding the removal of entertainment from regulation. This will mean that a Premises Licence or temporary Event Notice will not be needed for the provision of 'regulated entertainment' as defined under the Licensing Act 2003. There will NOT be changes to alcohol licensing.
- SFE (Specially Featured Entertainment) – there has also been received, notification regarding consultation from PPL about SFE. This involves the use of sound recordings in a more prominent manner than 'background' music – but this should not impact on village halls/community buildings – it is likely to relate to rural pubs and working men's clubs.