



MUSIC LICENSING REQUIREMENTS

The Association has been engaging on the issue of music licensing for nearly three years and have been actively lobbying alongside other parties including the Community Law Sector Law Monitoring Group "CLSMG" (of which the Association is a member) and other interested groups such as the Church of England and sports clubs: a very similar alliance as we used for rain tax and other lobbying exercises. This has achieved some progress in that whilst the rules came into force generally in January 2011, they were put on hold in respect of community groups and charities for a year whilst the debate/lobbying continued. In that time Scouting has sought to talk directly to the two bodies, PRS and PPL who have remain unclear on certain aspects throughout.

Their current rules seem very clear; however. Scouting is bound by the rules and Gilwell Park has published general guidance (see below).

There still remain vast areas of interpretation which remain unclear in practice (e.g. inconsistent advice by PRS regarding the tariffs) and we continue to be in direct contact with the PRS/PPL to resolve some of these uncertainties. In light of this, it is difficult for Scout HQ to offer more specific guidance at this stage. We will make sure you are kept informed of developments.

Guidance from Gilwell Park

On 1 January 2012 PPL (Phonographic Performance Ltd) and PRS (Performing Rights Society), who represent the interests of different music copyright holders, launched a joint licence scheme.

This scheme will affect all premises owned or used by Scouting as they may now need a new PPL and PRS licence. Failure to obtain a licence may be a breach of copyright and be subject to prosecution.

The following is provided as a brief guide. For more detailed information about what type of licence is

required, the costs and how to obtain it, you will need to contact PRS directly. Please note that you can contact them for general enquiries too.

PRS has provided the following simple four step guidance to understanding the licensing requirement.

STEP ONE: Do you need to get a licence?

Firstly you need to consider whether you are responsible for arranging a licence.

If you own or manage your own premises, you should obtain a licence if you or anyone else are using music in your premises.

If you are using someone else's premises, for example if you hire a hall once a week, then you should check that the owner has a licence to cover your music use.

If you are running an event which is not in fixed premises, for example, in a park, on your village green or in the street, you will probably be responsible for arranging a licence to cover use.

STEP TWO: Is there a charge for your music use?

There are some circumstances where no charge is made for the licence, such as music used in some educational establishments, as part of divine worship or in hospices.

Please contact the PRS or visit their website to see the exceptions in more detail. A scout group is unlikely to come within the exceptions but, if in doubt, checks should be made with PRS.

STEP THREE: How much will the licence cost?

There are a number of tariffs tailored to meet the needs of different types of premises and events.



In general, under this new licensing scheme, community buildings with an annual income of £10,000 or less are required to pay a flat fee of £42 per year. Community buildings with an annual income of more than £10,000 are required to pay a fee equal to 1% of that income.

In order to get information about which tariff applies please contact PRS at 0800 068 48 28.

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In general, under this new licensing scheme, community buildings charges are:

- For community buildings with an annual income of £10,000 or less: £42 per annum (subject to annual adjustment for inflation)
- For community buildings with an annual income of over £10,000: 1% of annual income

PRS for Music charges continue to be calculated as: 1% of annual income subject to a minimum charge of £42 per annum

To provide a simple solution for customers, PPL's tariff for community buildings is very similar to the existing PRS for Music tariff. In particular, it applies to the same types of community buildings as PRS for Music tariff CB and uses the same definition of "income".

Full details of the PPL and PRS for Music tariffs for community buildings can be found at the links below:

View the PRS for Music tariff (PDF) at:

<http://prsformusic.com/SiteCollectionDocuments/PRS/PPL/CB-2012-01%20interim%20tariff.pdf>

View the PPL tariff (PDF) at:

<http://prsformusic.com/SiteCollectionDocuments/PRS/PPL/101311%20PPL%20Community%20Buildings%20Tariff%20%28FINAL%29.pdf>

In order to get information about which tariff applies please contact PRS at 0800 068 48 28.

STEP FOUR: Get in touch

PRS

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www.prsformusic.com

PPL

020 7534 1070

ppcustomer.service@ppluk.com

www.ppluk.com

Scout Shows

Scout Shows – The Legal Aspect (FS120162) factsheet is currently being updated and will be available in due course.