

Amusement parks, saloons, arcades & travelling showmen



Tariff 'APS' (2012.01)

Effective from 1st January 2012

(Also showing previous year's details in brackets)

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1. Scope of tariff

This tariff applies to performances of copyright music within *PRS for Music's** repertoire*:

- (i) at open-air amusement parks and similar permanent fairgrounds and large amusement arcades under a single management, as general background music or in connection with roundabouts, side shows and other amusement facilities.

* See Definitions, section 6

- (ii) at funfairs, small amusement arcades, pinball saloons and other similar indoor premises used principally for the playing of mechanical games.
- (iii) by travelling showmen in connection with roundabouts, riding devices, side shows, etc. on open spaces or temporary fairgrounds.

It does not apply to:

- performances in restaurants, cafés or licensed bars;
- performances to which there is a charge for admission, such as at a dance hall or skating rink.

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 the music user *has* applied for and obtained *PRS for Music's* licence before musical performances commence, the **standard** royalty rate will be charged and payable for the first year of the licence.

Where the music user *has not* applied for and obtained *PRS for Music's* licence before musical performances commence, the **higher** (standard plus 50%) royalty rate will be charged and payable for the first year of the licence.

After the first year of the licence, in either case, the **standard** royalty rate will be charged and payable.

The following rates of charge apply to all royalties falling due from 1st January 2012.

	Higher royalty	Standard royalty
3.1 Amusement parks		
3.1.1 Record or compact disc or tape player* (excluding Jukeboxes - see section 3.4)		
The annual royalty per instrument is	£722.06 (£694.29)	£481.37 (£462.86)
and for each additional relay point*	£177.74 (£170.90)	£118.49 (£113.93)
3.1.2 Seasonal performances & minimum royalty		
Where the performances take place during a period of the year only, the charges shown in section 3.1.1 above will be calculated proportionately plus an administration fee of	15%	15%
and be subject to a minimum annual royalty of	£238.77 (£229.59)	£159.18 (£153.06)
3.2 Amusement saloons		
3.2.1 For performances by means of a radio and/or television receiving set or other audio-visual equipment with a screen no larger than 26 inches (66 cm) (excluding Jukeboxes - see section 3.4) the annual royalty is	£238.77 (£229.59)	£159.18 (£153.06)
and for each additional relay point	£119.40 (£114.81)	£79.60 (£76.54)
3.2.2 For performances by means of a record, compact disc or tape player (excluding Jukeboxes - see section 3.4) the annual royalty is	£358.17 (£344.40)	£238.78 (£229.60)
and for each additional relay point	£179.09 (£172.20)	£119.39 (£114.80)

* See Definitions, section 6

	Higher royalty	Standard royalty
3.2.3 Seasonal performances & minimum royalty		
Where the performances take place during a period of the year only, the charges shown in sections 3.2.1 and 3.2.2 above will be calculated proportionately plus an administration fee of	15%	15%
and be subject to a minimum annual royalty of	£119.40 (£114.81)	£79.60 (£76.54)
3.3 Travelling showmen		
3.3.1 For each ride* , in use for 101 days or more per annum	£241.11 (£231.84)	£160.74 (£154.56)
3.3.2 For each ride* , in use for 100 days or less per annum	£120.56 (115.92)	£80.37 (£77.28)
3.4 Jukeboxes*		
The annual royalty per machine is:		
3.4.1 Audio jukebox	£311.36 (£299.39)	£207.57 (£199.59)
3.4.2 Audio jukebox with background music facility	£415.19 (£399.21)	£276.79 (£266.14)
3.4.3 Video jukebox	£409.71 (£393.95)	£273.14 (£262.63)
3.4.4 Video jukebox with background music facility	£546.27 (£525.26)	£364.18 (£350.17)

* See Definitions, section 6

4. 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.

5. Inflation adjustment

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

August 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.

6. Definitions

- **jukeboxes:**

audio jukebox means a machine (other than a video jukebox) for playing recorded music, capable of being operated by the insertion of a coin, token or card.

video jukebox means a machine for playing recorded music synchronised with a video or similar visual display and capable of being operated by the insertion of a coin, token or card.

audio jukebox with background music facility or **video jukebox with background music facility** means a combination of units of equipment capable of playing recorded music from more than one source through a single sound system, or any **jukebox** capable of being switched to continuous free-play.

- **record, compact disc or tape player** means any gramophone, compact disc, tape or cassette player, or other mechanical/electronic device for playing musical works, except:

a mechanical organ, or

a video player, or

a device, such as a jukebox, capable of being operated by the insertion of a coin, token or card.

- **relay point** means an additional loud-speaker or loud-speaker cluster connected to a mechanical/electronic instrument.
- **ride** means any single fairground ride or similar, including swings and inflatables, where music, performed by any means, is audible to people using or passing the ride. For the avoidance of doubt, this does not include music which is audible from other rides if that music is not intended to be audible by people using or passing the ride.
- **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.

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