

# Further education colleges

## Tariff 'FE' (2012.02)



*Effective from 1st February 2012*  
(Also showing previous year's details in brackets)

### 1. Scope of tariff

This tariff applies to performances of copyright music (including any words associated therewith) which is controlled by The Performing Right Society Limited ('*PRS for Music*'\*) or any of the societies in other countries with which *PRS for Music* is affiliated, at sixth form colleges and colleges of further education.

This tariff does not apply to:

- performances specified in section 34 of the Copyright, Designs and Patents Act 1988 as amended;
- 'grand right works' ('dramatico-musical works' and ballets), for which permission must be sought direct from the appropriate rights owner.

### 2. Exclusions

The following are excluded from the tariff and licensed separately by *PRS for Music*:

- performances at schools which are wholly or partially government funded or independent ('private' and 'public'); universities and other institutions of higher education, and their student unions
- gyms or leisure centres, in dedicated areas or buildings, open to individuals not associated with the college and/or operated commercially
- featured music at events, or in facilities, run by a party other than the college *or* where any profit or benefit does not go entirely to the college. This includes, but is not limited to, concerts, festivals, theatrical performances, dance and aerobic classes
- any other commercial uses that could not reasonably be considered part of college activities and would be licensable under other *PRS for Music* tariffs
- performances at any other premises

### 3. 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*.

\*See Definition, Section 7

## 4. Royalty rates

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

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

After the first year of the music 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 February 2012.

### 4.1 The annual royalties payable for *individual* music licences are as follows:

	<b>Higher Royalty</b>	<b>Standard royalty</b>
<b>4.1.1 Background or mechanical music</b> For each college for performances of musical repertoire controlled by PRS for Music (including by means of film or video shows, television, radio, record, compact disc, tape player, jukebox or telephone music on hold) the royalty for each unit of 50 full-time equivalent students, or part thereof, is .....	£33.69 (£32.40)	£22.46 (£21.60)
<b>4.1.2 Live or featured recorded music</b> such as live bands, concerts, dances, discos or karaoke, unless excluded in the Scope of this tariff.		
<b>4.1.2.1</b> where a charge is made for admission, the royalty per event is .....	4.5% of gross box office receipts	3% of gross box office receipts
subject to a minimum per event of .....	£17.39 (£16.71)	£11.59 (£11.14)
<b>4.1.2.2</b> where there is no admission charge, the royalty per event is .....	£17.39 (£16.71)	£11.59 (£11.14)

	<b>Higher Royalty</b>	<b>Standard royalty</b>
<b>4.2 Aerobic, keep fit &amp; dancing classes</b> the charge per class is as follows:		
<b>4.2.1</b> for rooms/studios/pools with a capacity* up to 30 persons.....	£2.00 (£1.92)	£1.33 (£1.28)
<b>4.2.2</b> for rooms/studios/pools with a capacity* over 30 persons..... (calculated at the rate in 4.2.1 above plus 25%)	£2.49 (£2.40)	£1.66 (£1.60)
<b>4.3 Minimum annual royalty</b>  For an individual further educational establishment music licence continuing from year to year, the minimum annual royalty is .....	£139.17 (£133.82)	£92.78 (£89.21)

## 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 February 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 September.

After application of the inflation adjustment the royalty rates are rounded to the nearest penny.

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

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

## 7. Definition

- *PRS for Music* is the trading name of the Performing Right Society Limited