

Passenger vessels (ocean-going, coastal & inland) Tariff 'PV' (2011.12)



*Effective from 1st December 2011
(Also showing previous year's details in brackets)*

Contents

1. Scope of tariff
2. General conditions
3. Royalty rates
 - 3.1 Featured music
 - 3.1.1 Live music (expenditure £13,383 or more)
 - 3.1.2 Live music (expenditure less than £13,383)
 - 3.1.3 Live music (no expenditure)
 - 3.1.4 Discotheques, karaoke, music quizzes & other featured recorded music
 - 3.1.5 Live music (expenditure £13,383 or more) with featured recorded music
 - 3.1.6 Video or cinema performances with special seating arrangements
 - 3.1.7 Aerobic, keep fit & dancing classes
 - 3.1.8 Bingo sessions
 - 3.2 Background music in lounges, bars, saloons, dining saloons & other public rooms
 - 3.3 Background music in gangways, companionways, staterooms and cabins
 - 3.4 Jukeboxes
 - 3.5 Background music (including demonstration music) in shops
 - 3.6 Background music in doctors' & dentists' waiting rooms & hairdressing salons
 - 3.7 Exhibitions, trade & fashion shows, etc.
 - 3.8 Minimum annual royalty
4. Value Added Tax
5. Inflation adjustment
6. Definitions

1. Scope of tariff

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

- cruise liners and other ocean or sea-going vessels;
- local ferries, lake, river and pleasure craft;
- and all other vessels.

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 rates of charge apply to all royalties falling due from 1st December 2011.

3.1 Featured music*

3.1.1 Where the total annual expenditure on the provision of music* by performers* is £13,383 (£12,868) or more the royalty in respect of performances covered by such expenditure is

PRS for Music
royalty

4% of such expenditure

3.1.1.1 **Provided that** where, per engagement, performers perform on days which are less than 20% of all the days they stay on board, the royalty shown in 3.1.1 will be reduced by 50% but only in respect of those particular performers.

* See Definitions, section 6

| | | PRS for Music royalty |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| 3.1.2 | For performances of live music where the total annual expenditure on the provision of music by performers is less than £13,383 (£12,868) and/or | |
| 3.1.3 | For such performances where the Licensee incurs no expenditure, the charge per session for the first 100 persons capacity* is | £9.11 (£8.76) |
| | and per 25 persons capacity (or part thereof) thereafter | £2.32 (£2.23) |
| | provided that: | |
| | the maximum annual royalty for performances in category 3.1.2 is | £535.32 (£514.72) |
| 3.1.4 | For discotheques, karaoke performances*, music quizzes* , and other featured performances of recorded music , the charge per session for the first 100 persons capacity of the room is | £9.11 (£8.76) |
| | and per 25 persons capacity (or part thereof) thereafter | £2.32 (£2.23) |
| 3.1.5 | provided that: | |
| | sessions where both live and featured recorded music is performed will be charged at the same rate unless the live music is chargeable under 3.1.1 in which case the charge for the recorded music for the first 100 persons capacity is | £4.56 (£4.38) |
| | and per 25 persons capacity (or part thereof) thereafter ... | £1.14 (£1.10) |

* See Definitions, section 6

| | | PRS for Music royalty |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| 3.1.6 | Video or cinema performances in part of the vessel which is being specially used for the primary purpose of video or film shows and with seating arranged accordingly (whether or not a charge is made for admission) the charge per session (a maximum period of 4 hours) for the first 100 persons capacity is | £2.26 (£2.17) |
| | and per 25 persons capacity (or part thereof) thereafter ... | £0.57 (£0.55) |
| 3.1.7 | Aerobic, keep fit and dancing classes The charge per class is as follows | |
| 3.1.7.1 | for rooms/studios/pools with a capacity* up to 30 persons | £1.39 (£1.34) |
| 3.1.7.2 | for rooms/studios/pools with a capacity* over 30 persons (calculated at the rate in 3.1.7.1 plus 25%) | £1.74 (£1.68) |
| 3.1.8 | For background music* at bingo sessions the charge per session for the first 100 persons capacity is | £2.32 (£2.23) |
| | and per 25 persons capacity (or part thereof) thereafter ... | £0.56 (£0.54) |
| 3.2 | Background music in lounges, bars, saloons, dining saloons and other public rooms The annual royalty per room for performances by the following is: | |
| 3.2.1 | Terrestrial television and/or satellite television (without video): Up to 30 seating capacity | £113.81 (£109.43) |
| | Each additional 20 seating capacity (or part thereof) subject to a maximum of 70 seating capacity in respect of a single television screen no greater than 26 inches (66 cm) | £37.93 (£36.47) |

* See Definitions, section 6

| | | PRS for Music royalty |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| 3.2.2 | Radio | |
| | Up to 30 seating capacity | £113.81 (£109.43) |
| | Each additional 20 seating capacity (or part thereof) | £37.93 (£36.47) |
| 3.2.3 | Record and/or compact disc and/or tape player* | |
| | Up to 30 seating capacity | £200.34 (£192.63) |
| | Each additional 20 seating capacity (or part thereof) | £66.77 (£64.20) |
| 3.2.4 | Music centre and/or radio-cassette player and/or CD radio-cassette player* | |
| | Up to 30 seating capacity | £227.64 (£218.88) |
| | Each additional 20 seating capacity (or part thereof) | £75.88 (£72.96) |
| 3.2.5 | Video player* (with or without television facilities through the same screen) except performances where there are special seating arrangements for viewing, or when the player is used for discotheque performances: | |
| | Up to 30 seating capacity | £173.06 (£166.40) |
| | Each additional 20 seating capacity (or part thereof) subject to a maximum of 70 seating capacity in the case of a video played through a single television screen no greater than 26 inches (66 cm) | £57.69 (£55.47) |

* See Definitions, section 6

| | | <i>PRS for Music royalty</i> |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| 3.3 | Background music in gangways, companionways, staterooms & cabins | |
| | The annual royalty for all or any performances as above is calculated by reference to the number of cabins available for passengers. The rates per 15 cabins (or part thereof) are as follows: | |
| 3.3.1 | Terrestrial television and/or satellite/cable television and/or radio and/or video player | £45.54 (£43.79) |
| 3.3.2 | Record and/or compact disc and or/ tape player | £75.88 (£72.96) |
| 3.3.3 | Terrestrial television and/or satellite/cable television and/or radio and/or video player, plus record and/or compact disc and/or tape player | £91.08 (£87.58) |

provided that

- for music in cabins the royalty is calculated by reference to the number of cabins **fitted** for such musical performances and
- where music is performed only in gangways and/or companionways the annual royalty is the equivalent of that for 60 cabins, and
- where the music is performed both in cabins and in gangways and/or companionways only one royalty (the greater of that calculated above) is charged.

| | | <i>PRS for Music royalty</i> |
|--------------|-----------------------------------------------------------------------------|-----------------------------------------|
| 3.4 | Jukeboxes | |
| | The annual royalty per machine for performances by the following is: | |
| 3.4.1 | Audio jukebox* | £211.53 (£203.39) |
| 3.4.2 | Audio jukebox with background music facility* | £297.86 (£286.40) |

* See Definitions, section 6

| | | PRS for Music royalty |
|--------------|----------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| 3.4.3 | Video jukebox* | |
| | with a screen no greater than 26 inches (66 cm) | £278.36 (£267.65) |
| | with a screen greater than 26 inches (66 cm) | £334.01 (£321.16) |
| 3.4.4 | Video jukebox with background music facility* | |
| | with a screen no greater than 26 inches (66 cm) | £344.60 (£331.35) |
| | with a screen greater than 26 inches (66 cm) | £386.90 (£372.02) |
| 3.4.5 | Combined audio/video jukebox with background music facility* | |
| | with a screen no greater than 26 inches (66 cm) | £381.31 (£366.64) |
| | with a screen greater than 26 inches (66 cm) | £416.21 (£400.20) |
| 3.4.6 | For each additional coin entry point for sections 3.4.1, 3.4.2, 3.4.3, 3.4.4 or 3.4.5, the charge per entry point is | £27.86 (£26.79) |

3.5 Background music (including demonstration music) in shops

3.5.1 Mechanical music only by record or compact disc or tape player, radio or terrestrial television or satellite/cable television

The charge subject to clauses 3.5.2 and 3.5.3 below will be:

* See Definitions, section 6

| | <i>PRS for Music</i> royalty |
|----------------------------------------------|-----------------------------------------------|
| Area of vessel where music is audible | |
| Up to 100 square metres | £133.83 (£128.68) |
| 101 - 200 square metres | £200.72 (£193.00) |
| 201 - 300 square metres | £267.63 (£257.34) |
| 301 - 500 square metres | £334.57 (£321.70) |
| 501 - 750 square metres | £401.47 (£386.03) |
| 751 - 1,000 square metres | £468.35 (£450.34) |
| 1,001 - 1,250 square metres | £535.27 (£514.68) |
| 1,251 - 1,500 square metres | £602.16 (£579.00) |
| 1,501 - 1,750 square metres | £669.07 (£643.34) |
| 1,751 - 2,000 square metres | £736.01 (£707.70) |
| 2,001 - 2,500 square metres | £802.88 (£772.00) |
| 2,501 - 3,000 square metres | £869.82 (£836.37) |
| 3,001 - 3,500 square metres | £936.72 (£900.69) |
| 3,501 - 4,000 square metres | £1,003.65 (£965.05) |

| | | <i>PRS for Music royalty</i> |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| | 4,001 - 4,500 square metres | £1,070.52 (£1,029.35) |
| | 4,501 - 5,000 square metres | £1,137.45 (£1,093.70) |
| | For each additional 1,000 square metres (or part thereof) add | £66.91 (£64.34) |
| 3.5.2 | Where the sole means of performance in the shop is a single portable transistor radio , with or without a compact disc or tape player incorporated in it and with wholly integrated speaker or speakers, or a single television receiver with a screen no greater than 26 inches (66 cm) then the annual royalty is reduced to | £66.91 (£64.34) |

3.5.3 Where the sole means of performance is by means of radio or other audio or audio-visual equipment (other than those referred to in 3.5.2 above) which is for sale in the shop, and the performances are bona fide given for the purpose of demonstrating that equipment at or near the point of sale, then the applicable royalty is reduced by 30%. This does not apply where the performances are by means of discs, tapes or other recordings where those goods are also for sale or hire in the shop.

| | | <i>PRS for Music royalty</i> |
|--------------|---------------------------------------------------------------------------------------------------|-----------------------------------------|
| 3.6 | Background music in doctors' & dentists' waiting rooms; hairdressing and beauty salons | |
| 3.6.1 | The annual charge for performances by means of any electronic/mechanical device is | £73.22 (£70.40) |

3.7 Exhibitions, trade and fashion shows, etc.

For performances of music at events such as exhibitions, trade & fashion shows, the **daily** royalty is as follows:

Area of venue

(measured from bulkhead to bulkhead)

| | <i>PRS for Music</i> royalty |
|-------------------------------|---------------------------------|
| Up to 100 square metres | £15.16 (£14.58) |
| 101 - 150 square metres | £22.79 (£21.91) |
| 151 - 200 square metres | £30.37 (£29.20) |
| Over 200 square metres | £37.93 (£36.47) |

3.8 Minimum annual royalty

The royalties payable under this tariff are subject to a minimum of

£72.17
(£69.39)

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 December, 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 July.

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

After application of the inflation adjustment the expenditure threshold figures will be rounded to the nearest pound. All other 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

- **annual expenditure on the provision of music** means the total of:

gross salaries, gross wages; plus fees, expenses or other emoluments paid to performers (excluding any disc jockeys);

and gross fees (net of any Value Added Tax) paid to third parties for the services of performers.
- **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.
- **audio jukebox with background music facility** or **video jukebox with background music facility** or **combined audio/video jukebox with background music facility** means a combination of units of equipment capable of reproducing sound from more than one source through a single sound system.
- **background music** means music when performed by a record, compact disc, or tape player otherwise than for featured performances or music performed by a radio or television set operated on the premises or diffused through a loudspeaker from another part of the premises or a source outside the premises, but (unless the context requires otherwise) excludes performances by a video player.
- **capacity** means where there is no formal means of calculating the capacity of a vessel or a room, that capacity is assessed by reference to the maximum number of persons which can reasonably be accommodated in the room, or which is permitted under any regulation or law.
- **featured music** or **featured recorded music** means music performed by:

performers in person, or

a record, compact disc or tape player primarily for entertainment such as by means of discotheque equipment (with or without dancing) or in conjunction with cabaret or similar entertainment, or

cinematograph equipment or video player.
- **karaoke performances** means those performances given by unpaid singers in conjunction with specially-produced recorded music, with or without the provision of video-presented synchronised lyrics.
- **music centre** and/or **radio cassette player** and/or **CD radio-cassette player** means a combination of units of equipment (comprising radio and recorded means) capable of reproducing sound from more than one source through a single sound system.

- **music quizzes** means performances of music given in conjunction with entertainments in which the general music knowledge of the participants is tested and where such performances form a major part of the quiz.
- **performers** means singers and performers of musical instruments, including orchestra conductors or leaders, whether or not they combine in their performance other activities such as dancing or acting as comperes.
- **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.
- **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 video player, or
 - a contrivance, such as a jukebox, 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.
- **video player** means any equipment for exhibiting videograms, whether on tape or disc, except video players capable of being operated by the insertion of a coin, token or card.

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