



Commercial Radio Licence

Analogue Stations

Application Pack

Checklist

- Completed Application Form
- Estimated NBR Form
- Actual NBR Form
- Direct Debit Form

Please return your completed form to:

Radio Licensing
Broadcast and Online Licensing
PRS for Music
Copyright House
29-33 Berners Street
London
W1T 3AB

radiolicensing@prsformusic.com

Introduction

We are here to guide you through each stage of the licensing process and are on hand to answer any questions you may have so please feel free to get in touch if you would like to discuss any aspect of your licence.

For help completing your application form, please contact: radiolicensing@prsformusic.com or 020 7306 4430.

Who are we?

The Mechanical-Copyright Protection Society Ltd (MCPS) and The Performing Right Society Ltd (PRS) represent the vast majority of music composers and publishers in the UK and, by agreement with overseas societies, most of the world. We issue licences to allow the recording, public performance and broadcast of our members' musical works for most purposes (in accordance with the 1988 Copyright, Designs and Patents Act) and collect and distribute the royalties due to our members.

PRS for Music manages common activities, services both societies and is jointly owned by them.

Why do you need a licence from MCPS and PRS?

Copyright is the right granted by law to the creators of original literary, dramatic, artistic and musical works to ensure that copyright owners are rewarded for the exploitation of their works.

Any person who, without the permission of the copyright owner, does or authorises someone else to do any of the restricted acts may be liable for what is known as primary infringement of copyright. In addition, a person may be liable for secondary infringement if he assists in copyright infringement by such means as handling or selling infringing copies.

What other music licences do I need?

You may also require a licence from record companies for the use of the sound recording. To obtain this licence you should first contact:

Phonographic Performance Ltd (PPL)
1 Upper James Street
London
W1F 3DE

Tel: 020 7534 1000
Fax: 020 7534 1111

www.ppluk.com

Licence Term

The licence year will end on the 30th September of any given year. The performing licence will renew automatically each year with a notification being sent to you prior to the new licence year starting, advising of the fees for the forthcoming year and requesting you complete your NBR submission for the forthcoming year as detailed below.

The NBR bands and minimum fees are adjusted annually by RPI for each new licence year.

Date	PRS Licence Event
1 st October	New licence year starts.
10 th September	Rates are announced for the next licence year and forms are requested estimating the NBR for the forthcoming licence year.
25 th September	Due date for estimated NBR forms to be received.
30 th September	End of licence year.
28 th October	Audited actual NBR report is due for the previous licence year.
November/December	Invoices are issued for any balance of royalties due or refunds made for any overpayments made (based on the audited NBR report)

In the absence of receipt of your estimated NBR PRS shall be entitled to make such estimate by a notional increase over the previous licence year of 10%.

Licence Fees

Performing Rights Licence (PRS) - 1 October 2010 – 30 September 2011

The charge for the PRS licence is based on a percentage of Net Broadcasting Revenue (NBR).

The royalty fees for the licence year 1 October 2010 – 30 September 2011 are:

Annual Net Broadcasting Revenue (NBR)	Rate of Royalty
Between £21,201 and £597,861	3%
Between £597,862 and £1,195,722	4%
£1,195,723 or more	5.25%
Where the total music use is less than 15% of the total Broadcast time then regardless of the level of the NBR the percentage rate to be applied will be	1%

Invoicing and payment will be monthly in advance, based on the estimate you provide 21 days prior to commencement of the licence year.

Mechanical Rights Licence (MCPS) - 1 October 2010 – 30 September 2011

All radio stations that are members of the Radio Centre (previously CRCA) are covered by a lump sum MCPS/Radio Centre agreement.

Non-Radio Centre radio stations will require clearance from MCPS directly. However, this licence is under review and details will be provided in due course. Please contact us at radiolicensing@prsformusic.com for more information.

Net Broadcasting Revenue

The definition of Net Broadcasting Revenue is 85% of the gross valuable consideration (before any deduction of agency commissions or any other deductions) whether in money, or money's worth derived and received by the Licensee from broadcasts pursuant to this Licence including, advertising sponsorship, subscriptions, donations, barter and contra deals, and **other** revenue directly related to the programmes broadcast.

External costs directly and reasonably incurred by the licensee in producing sponsored Outside Broadcast events may be deducted, providing that if such costs exceed the value of the sponsorship revenue the value of the said sponsorship revenue shall be nil. The amount by which such costs exceed sponsorship revenue may not be set off against other non-sponsorship revenue.

Any applications sent without an Estimated NBR form will not be accepted.

For help completing this form, please contact: radiolicensing@prsformusic.com

Payment

To keep administration to a minimum PRS requires all licensees pay by direct debit and in return PRS offers a discount on the annual royalty.

The direct debit collection will take place on the 1st working day of each month and will be one-twelfth of the estimated royalties for the licence year each month. If the 1st falls on a weekend or bank holiday then the collection will take place on the following working day.

A non-audited NBR report must be submitted within 28 days of the end of the licence year using the form provided and must detail the relevant revenue earned in the period. Upon receipt of the audited actual report if the actual royalty is greater than that estimated you will be required to pay the balance due to PRS within 21 days from the date of invoice for such balance. If the actual royalty is less than that estimated PRS will refund the balance within 21 days.

What Your Licence Covers

PRS Licence

The licence issued by PRS allows OFCOM licensed stations to broadcast PRS controlled repertoire.

MCPS Licence - RadioCentre Members

RadioCentre has negotiated a central blanket licence with MCPS on behalf of all its members to cover the use of MCPS members' musical works and production music sound recordings. Therefore, for the avoidance of doubt that using our members' repertoire in the following circumstances would be licensed via your membership of RadioCentre:

- The recording of MCPS members' repertoire into programmes and trailer material by yourselves for use on your service only.
- The broadcast of Production Music Sound Recordings.
- The storage of our members' repertoire on your hard disc storage system.
- The right to broadcast these items via digital radio simulcast.

However, it is important to note that use of music in the following situations would not be covered under the terms of the current RadioCentre agreement. Therefore, any music used would require individual clearance, usually directly with the copyright owner;

- The use of any music in adverts.
- Any alteration or adaptation of the music or lyrics.

- The use of music online, whether in the form of a simulcast broadcast of an existing service, or in new material produced for your website.

Your music licence is exclusive and does not extend to cover the use of music in *any* programming or trailer material produced for your service by third party independent production companies. Individual clearances would *always* be needed for this type of exploitation. Therefore, where stations broadcast a programme made by an independent production company then the independent production company needs to obtain the appropriate licence from *PRS for Music*.

For more information on the scope of your licence please contact RadioCentre directly on 020 7306 2603.

MCPS Licence – Non- RadioCentre Members

Non-Radio Centre radio stations will require clearance from MCPS directly. However, this licence is under review and details will be provided in due course. Please contact us at radiolicensing@prsformusic.com for more information.

Music Returns

As a Commercial Radio licensee you will need to report all listed below that are played during the sample or census period:

- Music
- Idents (including beds, jingles, FX, promos etc).
- Commercials

Reporting should be supplied within 35 days of each sample date or census period and should include; song title, composer, publisher, artist and **duration** in one of our agreed formats.

Your reporting can be submitted to us in a number of formats (Format 5, Format 303, Selector, Radio Generic (Excel based) and delivered in various ways (i.e. email, FTP etc). Extensive help and guidance in using our formats is available.

For further information or help regarding data submissions please contact: musicreporting@prsformusic.com

Licence Application Commercial Radio Services

(Analogue Radio)



Station name / Call sign					
Company / Business name					
Group name <i>(if applicable)</i>					
Licensee Name <i>(Name of Ofcom licence holder)</i>					
Registered address, including post code					
Registered Company number					
Correspondence address, including post code					
Website Address					
Commencement date of service					
Which areas will you be broadcasting to?					
Will you be having any test transmissions?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	If Yes, please specify dates		
			to		
Platforms broadcasting on <i>(please check box)</i>	Analogue <input type="checkbox"/>	DAB <input type="checkbox"/>	Satellite <input type="checkbox"/>	Cable <input type="checkbox"/>	Internet <input type="checkbox"/>
If you are on DAB which multiplex(s) will you be broadcasting on					
Are you a member of RadioCentre? <i>(please check box)</i>	Yes <input type="checkbox"/>		No <input type="checkbox"/>		
Will you be making your own adverts? <i>(please check box)</i>	Yes <input type="checkbox"/>		No <input type="checkbox"/>		

**ESTIMATED NET BROADCASTING REVENUE
(NBR FORM)**

LICENCE YEAR: 1 October 2010 – 30 September 2011

STATION NAME: _____	£
GROSS ADVERTISING REVENUE - GAR 1) is the total advertising revenue it is anticipated will be billed before the deduction of any commissions. 2) Deduct 15% 3) Net Advertising Revenue (NAR)	_____ _____ _____
GROSS OTHER REVENUE - GOR 4) for the avoidance of doubt this should include any additional revenues not stated above in relation to any simulcast of your service as well as donations, 'contra', 'barter' deals, and any other revenue directly related to the programmes broadcast before the deduction of any commissions. 5) Deduct 15% 6) Net Other Revenue (NOR)	_____ _____ _____
GROSS PROGRAMME SPONSORSHIP REVENUE - GPSR 7) a programme is sponsored if the licensee derives in relation to any programme broadcast any financial benefit (whether direct or indirect) 8) Deduct 15% 9) Less Sponsored OB Costs 10) Net Programme Sponsorship Revenue (NPSR)	_____ _____ _____ _____
NET BROADCASTING REVENUE (add NAR + NOR + NPSR ((lines 3 + 6 + 10))	£ _____

Please complete this form if you were broadcasting anytime between 1st October 2009 and 30th September 2010.

If not please disregard this form.

**ACTUAL NET BROADCASTING REVENUE
(NBR FORM)**

LICENCE YEAR: 1 October 2009 – 30 September 2010

STATION NAME: _____	£
<p><u>GROSS ADVERTISING REVENUE - GAR</u> 1) is the total advertising revenue it is anticipated will be billed before the deduction of any commissions.</p> <p>2) Deduct 15%</p> <p>3) Net Advertising Revenue (NAR)</p>	 _____ _____ _____
<p><u>GROSS OTHER REVENUE - GOR</u> 4) for the avoidance of doubt this should include any additional revenues not stated above in relation to any simulcast of your service as well as donations, 'contra', 'barter' deals, and any other revenue directly related to the programmes broadcast before the deduction of any commissions.</p> <p>5) Deduct 15%</p> <p>6) Net Other Revenue (NOR)</p>	 _____ _____ _____
<p><u>GROSS PROGRAMME SPONSORSHIP REVENUE - GPSR</u> 7) a programme is sponsored if the licensee derives in relation to any programme broadcast any financial benefit (whether direct or indirect)</p> <p>8) Deduct 15%</p> <p>9) Less Sponsored OB Costs</p> <p>10) Net Programme Sponsorship Revenue (NPSR)</p>	 _____ _____ _____ _____
<p><u>NET BROADCASTING REVENUE</u> (add NAR + NOR + NPSR ((lines 3 + 6 + 10))</p>	 £ _____