

# Eating & drinking establishments Tariff



Effective 31<sup>st</sup> July 2018

**Applies to:** the performance of copyright music within *PRS for Music's* repertoire\* at premises (with seating) serving food and drink to the public as agreed with **the Bermuda Chamber of Commerce – Restaurant Division**

*Please note, other PRS for Music tariffs may apply to music uses not explicitly mentioned in this tariff. Examples include music on hold, office staffrooms and **featured music\* events** (e.g. live bands, DJs).*

## 1. Royalty rates

- The rates apply to all royalties due from the effective date of this tariff. Rates are annual unless otherwise noted.
- A **50% additional charge** may be payable, at the discretion of the society, for the first year of the licence where the music user **has not** obtained *PRS for Music's* licence before musical performances commence.

### 1.1 Background Music\*

The annual royalty rate **Per Room** for performances by the following (in Bermudian Dollars) is

|   |          |
|---|----------|
| Up to 25 seating capacity                       | \$157.62 |
| 26 – 50 seating capacity                        | \$315.25 |
| 51 – 75 seating capacity                        | \$472.87 |
| 76 – 100 seating capacity                       | \$630.50 |
| 100+ seating capacity, for each additional seat | \$6.31   |

NB: **Seasonality** - An annual average room seating capacity is used where the seating capacity changes over the course of the licence year due to the peak tourist season.

## 2. Tariff Conditions

- This tariff is subject to *PRS for Music's* General Conditions. The general conditions of this tariff are available on request.
- Every year on 31<sup>st</sup> July the monetary sums in this tariff may be increased in line with inflation using the percentage by which the latest publically available Bermuda Consumer Prices Index change.

**Background music** means music when performed by a CD, Digital Music Device, Record and/or Tape Player\* or video player otherwise than for featured purposes, or radio or television set operated on the premises or diffused through a loud-speaker from another part of the premises or an external source.

**CD, Digital Music Device, Record and/or Tape Player** means any CD, gramophone, digital device (including PCs) or tape player, or other mechanical/electronic device for playing musical works.

**Featured music** means music performed by performers\* in person for entertainment, or other such as by means of discotheque equipment or otherwise, for dancing or in conjunction with cabaret or similar.

**Performers** means singers and performers of musical instruments and includes orchestra conductors, whether or not they combine in their performance other activities such as acting as compères.

**PRS for Music's repertoire** means all and any musical works, the right of public performance in which is controlled by *PRS for Music*, or any society in other countries with which *PRS for Music* is affiliated.

**Video player** means any equipment for exhibiting videograms, whether from tape, electronic chip or disc.