

# Nurseries, pre-schools, playgroups and crèches Tariff 'N' (2016.04)



Effective from 1st April 2016

## 1. Scope of tariff

Subject to section 2, 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 nurseries, pre-schools, playgroups, crèches and the like, whether run by a local authority or independently, and as part of the activities of such establishment (see page 3 FAQ 2A).

For the purposes of this document "nurseries" or "nursery" will refer to crèches, nurseries, playgroups, pre-schools and the like.

## 2. Exclusions

This tariff does not apply to:

- Performances to which other *PRS for Music* tariffs specifically apply, including;
  - Performances at nurseries which form part of schools whether wholly or partially government funded or independent ('private' and 'public'), to which other of *PRS for Music's* tariffs specifically apply.
  - Featured music at events, or in facilities, run by a party other than the nursery (as in 1 above) *or* where any profit or benefit does not go entirely to the nursery. This includes, but is not limited to, concerts, festivals, theatrical performances, dance and aerobic classes.
- This tariff does not apply to performances specified in section 34 of the Copyright, Designs and Patents Act 1988 as amended (see page 3 FAQ 2B).

### 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*.

### 4. Royalty rates

The following rate applies to all royalties falling due from 1<sup>st</sup> April 2016.

The annual royalty for each nursery, pre-school, playgroup or crèche is:

**£40 per premises**

### 5. Value Added Tax

Every Licensee under this tariff 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 April the monetary sum in section 4 will be adjusted for inflation. The adjustment formula will apply to the standard rate, 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 November.

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

November 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.

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

**2016.04 edition**

## FREQUENTLY ASKED QUESTIONS

### 1. What is *PRS for Music*?

To be within the law (the Copyright, Designs and Patents Act 1988, as amended), you must have permission from the copyright owners when music is performed in public (outside the domestic or family life of the audience). The Performing Right Society Limited (*PRS for Music*) is an organisation established to grant licences which allows them to collect and distribute the money (known as 'royalties') to its members – the composers and publishers of the music – and to affiliated societies overseas.

*PRS for Music* is entitled to grant a blanket annual licence makes it easy for you to fulfil your legal obligation to countless copyright owners. For further information please visit <http://www.prsformusic.com>.

### 2A. What activities are covered by Tariff N?

Tariff N charges cover the use of music within your Nursery, Playgroup, Pre-school & Crèche, including, but not limited to; extra-curricular dance and movement classes (for example; Mummy & Baby Yoga), fetes and fairs, child minding services, film and cartoon showings, extra-curricular external musicians, breakfast/holiday clubs, parent evenings/open days, background music and music on hold.

**2B.** No charges are made under tariff N for performances considered part of the curriculum (i.e. for the purposes of providing education suitable to the requirements of the children who have reached the age of two but are under compulsory school age) where the performance is restricted to teachers, pupils or someone directly connected to the activities of the establishment, as stipulated in section 34 of the Copyright, Designs & Patents Act 1988. A person is not directly connected to the activity of the establishment simply because they are a parent of a pupil.

### 3. Who is responsible for holding a *PRS for Music* licence?

- a. Nursery, pre-school, playgroup or crèche (**not** integral to a school) in a dedicated room or building: *PRS for Music* looks to the proprietor or responsible operator to obtain its music licence under Tariff 'N'.
- b. Nursery, pre-school, playgroup or crèche *integral* to a "school" ("educational establishment"): the full-time equivalent pupil numbers of that facility are included in the total pupil numbers for the school and are licensable via *PRS for Music's* agent CEFM (Centre for Education and Finance Management Ltd) under a separate Tariff 'EE'.
- c. Any other type of premises (such as a multi-purpose centre, place of work, etc), which you hire or visit: please discuss with *PRS for Music* the appropriate licensing arrangements.

### 4. What is PPL?

Phonographic Performance Limited (PPL) is a separate licensing body representing producers of *sound recordings* on which *original copyright musical works* (controlled by *PRS for Music*) may be embodied. So, where music is played from CDs, records, tapes, etc, a *PRS for Music* and a PPL licence may be necessary.

For PPL Tel: 020 7534 1000 Website: [www.ppluk.com](http://www.ppluk.com)

### 5. Do I have to pay VAT?

Yes. Whether you are registered for VAT or not, *PRS for Music* is required by H M Customs & Excise to invoice VAT at the relevant rate on its royalty charges.

## 6. Where does the money go?

All the money *PRS for Music* receives is paid out in royalties to UK copyright owners and to affiliated societies overseas, with only essential administration costs being deducted.

## 7. How can I obtain further information or apply for a *PRS for Music* licence?

With regard to types 3(a) & 3(c) above	<b>Performing Right Society Ltd (PRS for Music)</b> Tel: 0800 068 48 28 E-mail: <a href="mailto:musiclicence@prsformusic.com">musiclicence@prsformusic.com</a> Website: <a href="http://www.prsformusic.com">www.prsformusic.com</a>
With regard to type 3(b) above	<b>Centre for Education &amp; Finance Management Ltd (CEFM)</b> Tel: 01494 473014 E-mail: <a href="mailto:prs@cefm.co.uk">prs@cefm.co.uk</a> Website: <a href="http://www.cefm.co.uk">www.cefm.co.uk</a>