

Bahamas



# General tariff

(Tariff "19")

Effective 1<sup>st</sup> January 2019

**Applies to:** the performance of copyright music within *PRS for Music's* repertoire at functions, events and premises which are not within the scope of other tariffs published by *PRS for Music*.

## 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 licence.

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

After the first year of the licence, in either case, the standard royalty rate will be charged and payable.

For performances given in church halls, schools and similar premises operated or otherwise not for profit by voluntary persons the Society will at its discretion allow a rebate of one-third on royalties' payable under this tariff.

Where the \$ currency symbol is used in this tariff it refers to the Bahamian Dollar

### 1. Featured Music (Live or Recorded)

	First Year Royalty	Standard Royalty
<b>1.1.</b> For concerts, cabaret, variety, karaoke, dances and discotheques the charge will be....	6% of admission receipts	4% of admission receipts
<b>OR</b> (if receipts are not ascertainable) the charge will be....	6% of annual expenditure on the provision of music by performers	4% of annual expenditure on the provision of music by performers
<b>OR</b> (if annual expenditure is not ascertainable)		
the charge per event per 100 persons capacity or per 400 Square Feet of the venue will be.....	\$20.06	\$13.37
and for each 25 persons capacity or 100 Square Feet thereafter....	\$4.89	\$3.26
The <b>MINIMUM CHARGE</b> for a licence or permit is.....	\$49.87	\$33.24

<b>1.2.</b> For music played during the course of cinema screenings (whether the music is performed by sound track or otherwise) the charge will be a percentage on all receipts for admissions and for the screening of advertisements, of.....	1.5%	1%
<b>1.3.</b> For video or cinema performances in a room or place which is part of the premises and used for other purposes but 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 for the first 100 persons capacity is.....	\$9.76	\$6.50
and per 25 persons capacity (or part thereof) thereafter....	\$2.42	\$1.62
<b>1.4.</b> For aerobic and keep fit classes and for dancing classes, the charge per event is.....	\$4.89	\$3.26
<b>1.5.</b> For background music at boxing, wrestling and similar sports events or at bingo sessions the charge per session for the first 100 persons capacity is.....	\$4.89	\$3.26
and per 25 persons capacity (or part thereof) thereafter....	\$1.23	\$0.82

## 2. Indoor Exhibitions Trade and Fashion Shows etc.

	<b>First Year Royalty</b>	<b>Standard Royalty</b>
For performances of music at indoor events such as exhibitions, trade & fashion shows, the DAILY royalty is as follows:		
Floor area of room (measured from wall to wall) - Sq. Ft.		
Up to 1,000.....	\$33.61	\$22.41
1,001 - 1,500.....	\$49.87	\$33.24
1,501 - 2,000.....	\$68.29	\$45.53
Over 2,000.....	\$84.54	\$56.36

## 3. Juke Boxes

	<b>First Year Royalty</b>	<b>Standard Royalty</b>
The annual royalty per machine is: -		
<b>3.1. Audio Juke Boxes</b>		
Up to 30 seating capacity.....	\$505.16	\$336.77
Each additional 20 seating capacity (or part thereof).....	\$164.77	\$109.84
<b>3.2. Video Juke Boxes</b>		
Up to 30 seating capacity.....	\$708.95	\$472.63
Each additional 20 seating capacity (or part thereof).....	\$240.66	\$160.44

**4. Background Music in Lounges, Bars, Restaurants, Dining Rooms and Similar Rooms Where Seating is provided; on Motor Coaches, and in Other Similar Circumstances**

	<b>First Year Royalty</b>	<b>Standard Royalty</b>
The annual royalty PER ROOM for performances by the following is: -		
<b>4.1. Terrestrial Television (without video)</b>		
Up to 30 seating capacity.....	\$252.57	\$168.38
Each additional 20 seating capacity (or part thereof).....	\$84.19	\$56.13
<b>4.2. Satellite Television (without video)</b>		
Up to 30 seating capacity.....	\$379.42	\$252.95
Each additional 20 seating capacity (or part thereof).....	\$125.74	\$83.83
<b>4.3. Radio</b>		
Up to 30 seating capacity.....	\$252.57	\$168.38
Each additional 20 seating capacity (or part thereof).....	\$84.19	\$56.13
<b>4.4. CD and/or Record and/or Tape Player</b>		
Up to 30 seating capacity.....	\$455.29	\$303.53
Each additional 20 seating capacity (or part thereof).....	\$151.77	\$101.18
<b>4.5. Music Centre and/or Radio Cassette Player</b>		
Up to 30 seating capacity.....	\$506.25	\$337.50
Each additional 20 seating capacity (or part thereof).....	\$164.77	\$109.84
<b>4.6. Video Player</b> (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.....	\$379.42	\$252.95
Each additional 20 seating capacity (or part thereof).....	\$125.74	\$83.83

**5. Background Music in Hotel Bedrooms, Corridors and Foyers**

	<b>First Year Royalty</b>	<b>Standard Royalty</b>
The rates per 15 bedrooms (or part thereof) are as follows:		
<b>5.1.</b> Terrestrial Television and/or radio and/or video player.....	\$100.82	\$67.21
<b>5.2.</b> Cable and/or Satellite Television.....	\$151.77	\$101.18
<b>5.3.</b> CD and/or Record and/or Tape Player.....	\$164.77	\$109.84
<b>5.4.</b> Television and/or Radio and/or Video player plus CD and/or Record and/or Tape Player.....	\$202.70	\$135.14

**6. Background Music performed by any means in Shops, Stores and Concourses and in Foyers and Other Circulating and Miscellaneous Areas**

	<b>First Year Royalty</b>	<b>Standard Royalty</b>
The annual charge is: -		
Area of Premises where music audible - Sq Ft		
Up to 1,000.....	\$316.54	\$211.02
1,001 – 2,000.....	\$481.30	\$320.87

2,001 - 3,000.....	\$633.07	\$422.05
3,001 - 5,000.....	\$797.84	\$531.89
5,001 - 7,500.....	\$949.61	\$633.07
7,501 - 10,000.....	\$1,114.38	\$742.92
10,000 - 12,500.....	\$1,267.21	\$844.81
12,501 - 15,000.....	\$1,394.06	\$929.37
15,001 - 17,500.....	\$1,519.80	\$1,013.20
17,501 - 20,000.....	\$1,646.63	\$1,097.75
20,001 - 25,000.....	\$1,773.46	\$1,182.31
25,001 - 30,000.....	\$1,900.29	\$1,266.86
30,001 - 35,000.....	\$2,027.11	\$1,351.41
35,001 - 40,000.....	\$2,153.94	\$1,435.96
40,001 - 45,000.....	\$2,280.79	\$1,520.53
45,001 - 50,000.....	\$2,407.62	\$1,605.08
50,001 - 60,000.....	\$2,534.45	\$1,689.63
60,001 - 70,000.....	\$2,661.27	\$1,774.18
70,001 - 80,000.....	\$2,788.10	\$1,858.73
80,001 - 90,000.....	\$2,913.84	\$1,942.56
90,001 - 100,000.....	\$3,040.67	\$2,027.11
For each additional 1,000 Sq Ft (or part thereof) add....	\$125.74	\$83.83
Where a speaker is situated so that the performances are audible outside of the premises the area of the premises is deemed to have been increased by 1,000 Sq Ft.		

## 7. Background Music in Factories, Offices, Banks, Canteens & Other Similar Industrial Premises

	<b>First Year Royalty</b>	<b>Standard Royalty</b>
For music audible to workers in the above premises the royalty per day for each half-hour (or part thereof) of performance for each unit of 25 employees (or part thereof).....	17.653c	11.768c
A proportionate reduction will be made in the charges when the total number of employees is fewer than 25, subject to a minimum annual charge of.....	\$433.61	\$289.07

## 8. Music On Hold

	<b>First Year Royalty</b>	<b>Standard Royalty</b>
1 - 5 lines.....	\$252.57	\$168.38
6 - 15 lines.....	\$347.98	\$231.98
each 15 lines (or part thereof) thereafter.....	\$87.80	\$58.54

## 9. Mobile Disc Jockeys

	<b>First Year Royalty</b>	<b>Standard Royalty</b>
The annual royalty will be....	\$303.52	\$202.35

## 10. Radio and/or CD and/or Tape Player Installed in Taxis/Hired Cars

	<b>First Year Royalty</b>	<b>Standard Royalty</b>
The annual royalty will be....	\$100.82	\$67.21

## 11. Amusement Machines (Computer, Video and Other). Playing intermittent tunes or musical "stings"

	<b>First Year Royalty</b>	<b>Standard Royalty</b>
The annual royalty per machine is.....	\$162.61	\$108.41

## 12. Service and Other Bands

	<b>First Year Royalty</b>	<b>Standard Royalty</b>
<b>12.1.</b> Bands of the Regular Forces or of civilian services such as Police, Fire Brigades.....	\$674.75	\$449.83
<b>12.2.</b> Pipe, drum or fife bands.....	\$337.38	\$224.92
<b>12.3.</b> Territorial Army or Junior Bands (incl Majorette Troupes).....	\$168.69	\$112.46

## 13. Aircraft

	<b>First Year Royalty</b>	<b>Standard Royalty</b>
<b>13.1. Boarding and/or disembarkation music</b> The charge per passenger per flight is.....	1.355c	0.904c
<b>13.2. In-flight entertainment music</b> The charge per passenger who takes up the option of in-flight entertainment music per flight is.....	26.198c	17.465c

## On Account Payments

Royalties due under tariffs 1.1, 1.2, 13.1 and 13.2 are payable on account and annually in advance at the start of the licence year. The on account charge will be based on an estimate of the particulars required for calculating the royalty due in respect of the licence year and the charge may be adjusted after the Licensee has furnished the Society with details of the actual particulars required for calculating the royalty due. The actual particulars in respect of any licence year will generally form the estimated particulars for the on account charge for the ensuing licence year, however, should the Licensee fail to furnish the actual particulars, the Society reserves the right to make a reasonable estimate of the particulars and to invoice the Licensee accordingly.

## 14. CONDITIONS

The tariff is published for general information; publication does not constitute an offer to grant a licence. The royalty applicable to any performance or series of performances will be determined by *PRS for Music* on the basis of all the relevant circumstances. In particular, this tariff is not intended to be exhaustive and for performances which in *PRS for Music* opinion fall outside those contemplated below, rates will be quoted on application.

An applicant for a licence must give whatever information is necessary to enable *PRS for Music* to determine the royalty, either in terms of this tariff or otherwise if inappropriate.

For performances given in church halls, schools and similar premises operated or otherwise not for profit by voluntary persons the Society will at its discretion allow a rebate of one-third on royalties payable under this tariff.

## 15. PAYMENT OF ROYALTIES

Royalties are payable annually in advance at the commencement of each licence and then on each renewal date for the licence in accordance to *PRS for Music's* current tariff.

## 16. 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.

## 17. DEFINITIONS

**Aircraft of the licensee** means any aircraft registered in the Bahamas on which the licensee does, or (where such acts are otherwise unlicensed by the Society) authorises another to do (in relation to any work within the Society's repertoire) any of the acts restricted by copyright.

**Amusement machines (computer, video and other)** means machines known as, for example: amusements with prizes; amusements-with-gift; skill with prize; fruit or gaming machines; games, quiz and similar machines, whether or not capable of being operated by the insertion of a coin or token.

**Annual expenditure on the provision of music by performers** means the total of gross salaries, gross wages; plus fees, expenses or other emoluments paid to performers (excluding any disc jockeys)

**Audio juke box** means a machine (other than a video juke box) for playing recorded music and capable of being operated by the insertion of a coin or token.

**Background Music** means music when performed by compact disc ("CD") player, digital music device, record player, 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 a source outside the premises.

**Boarding and/or disembarkation music** means music within the *PRS for Music's* repertoire other than in-flight entertainment music, which is performed via loudspeakers, whether or not in conjunction with works outside *PRS for Music's* repertoire, as passengers board and/or disembark from an aircraft, or while an aircraft is on the ground, or as an aircraft takes off or lands.

**Music on hold** means music played by mechanical means attached to a telephone switchboard so as to be audible to incoming callers before they are connected to an internal extension. It does not extend to any music audible on any Premium Rate Service number.

**Passenger** means an individual who travels (whether or not for valuable consideration) on an aircraft of the Licensee and, for the avoidance of doubt, includes an employee of the Licensee.

**Passenger who takes up the option of in-flight entertainment music** means each passenger who listens to in-flight entertainment music on an aircraft, irrespective of whether such passenger listens to in-flight entertainment music for all or only part of a flight. The total number of passengers who take up the option of in-flight entertainment music is found by taking a percentage of the total number of passengers.

**Payments to performers** means gross salaries, gross wages; plus fees, expenses or other emoluments paid to performers (excluding any disc jockeys); and gross fees (net of any VAT) paid to third parties for the services of performers.

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

**Record, compact disc and/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 juke box, capable of being operated by the insertion of a coin or token.

**The Society** means the Performing Right Society Ltd

**The Society's repertoire** means all and any musical works (including any words associated therewith), the public performing rights in which are controlled by the Society or by any of the societies in other countries with which the Society is affiliated.

**Video juke box** means a machine for playing recorded music synchronised with video or similar visual display and capable of being operated by the insertion of a coin or token.

**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 or token.