

Eating & drinking establishments Tariff

Effective 31st July 2016



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.

1.1 Background Music*

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

Up to 25 seating capacity	\$152.40
26 – 50 seating capacity	\$304.80
51 – 75 seating capacity	\$457.20
76 – 100 seating capacity	\$609.60
100+ seating capacity, for each additional seat	\$6.10

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 31st July the monetary sums in this tariff may be increased in line with inflation using the percentage by which the Bermuda Consumer Prices Index change in the year to the previous July

3. Definitions

Background music means music when performed by a CD, record or tape player, or digital music device 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 Payer 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 which *PRS for Music* is affiliated.

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