

*for all music,*  
**everywhere**

**PRS FOR MUSIC  
LICENSING IN MALTA**

**PRS**  
for MUSIC

## Who needs a licence?

To know if a business needs a *PRS for Music* licence, the best way is to ask if it plays music for customers, staff or both through radio, TV, MP3, computer speakers or live events.

If the answer is yes, then this is classed as a public performance and will need a licence in line with The Malta Copyright Act (chapter 415).

Playing music in commercial premises such as a restaurant or a nightclub is an obvious example where a licence is required but it can also include having a music on hold functionality or having a TV play in the background. Even if it is the 'Strada Stretta' theme tune – whoever wrote the song is entitled to their royalties.

*PRS for Music's* licensing is flexible and covers not only music from Malta and the UK but from countries all over the world.

## Who Is *PRS for Music*?

*PRS for Music* is a UK collection society that operates in Malta. We are a society of around 125,000 songwriters, composers and music publishers – our members. We represent the rights of these members (and the members of our affiliated societies around the world) by licensing organisations to use music. We distribute royalties to those members and societies fairly and efficiently.

We have been providing music licences to businesses that play music for customers, employees or both for more than 100 years. The exciting bit is that not only does music benefit your business, but it also plays a vital role in the creation of new music because nearly 90 percent of all the money collected goes straight back to our members (the rest on our running costs).

## How tariffs are set

*PRS for Music* tariffs are structured to ensure they can cater for all types of businesses and performances. These tariffs cover anything from licensing a large club to a small hairdresser. Each one is tailored to cater for the needs of a particular business sector.

The main aim when setting a tariff is to ensure that our charges for music played or performed in public are fair to both the music creators and our customers. For example, we don't charge the same fee for music used in a small venue compared with a football stadium or arena.

In Malta, *PRS for Music* are also required to submit our tariffs every two years to the Copyright Board. Once approved these tariffs are then published in the Government Gazette and can be accessed online.

## From repertoire to royalties

At *PRS for Music* our main role is to collect royalties on behalf of our 125,000 worldwide members behind the 22 million works in our repertoire. As you can imagine with so many numbers, the operation is a big one.

How do we distribute the money when it's been collected? There are a number of methods to track the music being played in different environments such as tracking radio play, downloads and streams as well as collecting set lists from live concerts. This allows us to distribute as accurately and efficiently as possible and in 2016, *PRS for Music* used trillions of data lines to distribute its royalties.

## International Societies

We administer the rights of music creators from all around the world. We have over 100 agreements with affiliated collecting societies in 150 countries that collect and distribute royalties for performances in their country, and like us, distribute to their own members as well as members of other societies.

Under these agreements, we represent the rights of the members of our sister societies for the public performance of their works in Malta, the UK and a number of other smaller territories including Cyprus and Gibraltar. This means that a licence from *PRS for Music* covers you even if you're playing music written or composed by non-Maltese or non-UK composers and songwriters.

For more information on our global network, please visit the International page of our website: [www.prsformusic.com/international](http://www.prsformusic.com/international)

## Copyright and Licensing

If you play or perform, or authorise the playing or performance, of music protected by copyright for your customers and/or staff, the law requires to obtain the permission of the copyright owner. If permission is not obtained, any such playing or performance amounts to infringement of copyright. *PRS for Music* licence will give you this permission in respect of the vast majority of music, not just coming from Malta or the UK but from all over the world.

Of course, you are not obliged to play music administered by *PRS for Music* in your business, and you can choose not to do so, in which case you will not need a licence from us. However, if you unreasonably refuse to take out a licence, but continue to use our music, we or our agents may take further action which could ultimately result in court proceedings for infringement of copyright.



*PRS for Music's*  
licensing is flexible  
and covers not only  
music from Malta  
and the UK but  
from countries all  
over the world.

---

# FAQs

## 1. What is copyright?

Copyright law protects literary, musical, audio-visual and artistic works (and other intellectual property). The Malta Copyright Act (Chapter 415) states that if you use copyright music in public, you must first obtain the permission of every writer or composer or copyright owner of the music you intend to play.

*PRS for Music* represents these copyright owners and so a music licence gives you the legal permission to play millions of songs controlled by us, saving you the time and money needed to gain permission from the music creators directly. A music licence from us is required regardless of whether you have paid for any other type of licence.

## 2. What music does a *PRS for Music* licence cover?

*PRS for Music* licences cover the vast majority of music from around the world including Malta. *PRS for Music* has a repertoire of over 22 million songs from every genre so if you're using music it's highly likely to be music within our repertoire.

However, if you play music that is outside of *PRS for Music*'s control, you may need an additional licence from the copyright owner(s). You do not need a licence from *PRS for Music* in the unlikely event that all the music you play is out of copyright and not controlled by *PRS for Music*.

## 3. I wasn't aware of the requirement for a licence.

As with any licensing requirement, it is the responsibility of the music user to understand and meet their legal obligations.

Within Malta, everyone is required to comply with copyright law, as defined in the Malta Copyright Act [chapter 415].

If music is used in your premises, it is your responsibility to ensure that the correct licences are in place so that you and/or any person working on your premises can perform copyright music in public lawfully.

## 4. Is *PRS for Music* working on behalf of the Government?

No. *PRS for Music* is a membership organisation representing the rights of 125,000 songwriter, composer and music publisher members. We ensure creators are paid whenever their music is played, performed or reproduced.

## 5. A *PRS for Music* licence wasn't listed as a requirement on the Government website so why does my business need a licence?

A *PRS for Music* licence is not part of the licences required from the Government when setting up a business.

We strive to ensure that businesses are aware of the need for our licence. We try to work with many trade associations and government departments in Malta and are always looking to build on this to help ensure businesses understand their requirements.

## 6. Why are *PRS for Music* licensing businesses in Malta?

As well as its UK operations, *PRS for Music* works in a number of countries around the world. *PRS for Music* is authorised by the Malta Copyright Board to operate as a collection society within Malta.

## **7. Why am I charged higher royalties for the first year?**

It is the music user's responsibility to ensure they have the correct licences in place before using any copyright material. Some of our tariffs apply a higher royalty rate for the first year to customers who have been using music without a licence. This higher rate helps to cover our costs of identifying and contacting businesses and organisations using music without a licence.

## **8. But I only have a TV?**

A *PRS for Music* licence is required to play a TV in public for items such as theme tunes, adverts and music played within films and TV programmes. If you have a TV in your business you are likely to need a *PRS for Music* licence.

## **9. Why do I need a licence if the radio station or TV channel has already got one?**

The radio stations and TV channels are licensed to broadcast our music, however, this does not cover the playing of this music in businesses such as shops, cafés, bars, offices and workplaces. It is the responsibility of the business to obtain a separate licence.

## **10. What ways are there to pay for a licence?**

Customers can pay their invoices by direct bank transfer or by sending a cheque to our local office address. Payment details are provided on all our invoices.

## **11. What happens if I remove music from now on?**

A music user, such as the proprietor of a business, requires a copyright licence covering the duration of copyright music use in their premises. Music users can choose

to stop using copyright music on their premises and will not require a copyright licence once performances have ceased. However, they may be required to pay a licence fee to cover any copyright music use to that date.

## **12. I've paid to hire a band/singer. Why do I have to pay *PRS for Music* too?**

You have paid the band/singer to perform in your business, not for the royalties associated with the performance. The band/singer may be a member of ours or is very likely performing music belonging to one or more of our members.

If you are unsure of the copyright status of the repertoire being performed at an event you are licensing, it is possible to complete a set list form and return it for us to determine the chargeable status of the event and if there is any amendment to the licence charges.

## **13. Can I request to meet someone from *PRS for Music* face to face, rather than just contact you by phone or email?**

We have a local agent who works on behalf of *PRS for Music* based in Malta. If you would like a personal visit please give us a call on [+356] 21 23 20 10 and we'll make the arrangements for you.

## **14. Is there anywhere else I can get more advice about *PRS for Music*?**

Please contact the Commerce Department of the Maltese Government for more information. [www.commerce.gov.mt](http://www.commerce.gov.mt)

Alternatively, you can contact a specialist copyright lawyer.

There are further FAQs on our website: [www.prsformusic.com/malta](http://www.prsformusic.com/malta)

## Contact details

PRS for Music  
Suite 3, Level 2,  
Parklane Business Centre  
Mountbatten Street  
Hamrun  
HMR 1556  
Malta

Head Office:  
[+356] 21 23 20 10

Local Licensing Representative:  
Steve Vassallo  
[+356] 79 79 43 00

**[malta@prsformusic.com](mailto:malta@prsformusic.com)**  
**[prsformusic.com/malta](https://prsformusic.com/malta)**

---