

Tariff 'BO' (2023.07)

Effective from 1st July 2023

(Also showing previous year's details in brackets)

1. Scope of tariff

This tariff applies to performances of copyright music within *PRS for Music's** repertoire* at Bingo or Tombola meetings or other games of chance at cinemas, ballrooms and other premises, including clubs the sole or primary purpose of which is the playing of such games of chance. It may also be applied to other clubs at which such games are played on one or more days a week regularly for at least twenty-six weeks of the year.

2. 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*.

3. Royalty rates

Where the music user *has* applied for and obtained *PRS for Music's* 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 *PRS for Music's* licence before musical performances commence, the **higher** (standard plus 50%) 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.

The following rates of charge apply to all royalties falling due from 1st July 2023.

* See Definitions, section 7

		Higher royalty	Standard royalty
3.1	Background music		
3.1.1	For performances of background music by mechanical means, such as record players, compact disc players, tape players, radios or television sets during a period of up to 30 minutes before the games commence and/or during short interludes between games or sessions* and/or during dispersal of the audience, the royalty per session for each unit of 100 persons admitted* (or part thereof) is ...	89.0 pence (80.9 pence)	59.9 pence (53.9 pence)
	For this purpose the total number of persons admitted during the year is divided by the total number of sessions held during that year.		
3.2	Featured live music		
3.2.1	Where the annual expenditure on the provision of music* is £20,357 (£18,506) or more or, where the performances are seasonal, such expenditure exceeds £820 (£820) per week, the annual royalty in respect of performances covered by such expenditure is calculated at	9% of such expenditure (9%)	6% of such expenditure (6%)
	and		
3.2.2	where the total annual expenditure on the provision of music by performers is less than £20,357 (£18,506) or, where the performances are seasonal, £902 (£820) per week, the annual royalty for such performances will be calculated as follows:		
	Days of performance per annum		
	1 - 104 inclusive	£273.39 (£248.54)	£182.26 (£165.69)
	105 - 156 inclusive	£364.44 (£331.31)	£242.96 (£220.87)
	157 - 366 inclusive	£455.75 (£414.32)	£303.83 (£276.21)

* See Definitions, section 7

3.3 Minimum annual royalty

The minimum annual royalty under this tariff is ..

Higher royalty	Standard royalty
£182.37 (£165.80)	£121.58 (£110.53)

4. Particulars required and method of payment

Not later than 30 days after the end of each licence-year a licensee under this tariff will furnish to *PRS for Music* a statement on *PRS for Music's* prescribed form and certified by an accountant who is qualified to be appointed auditor to a public company or who is approved by *PRS for Music* for the purpose, showing:

- the number of persons admitted during the preceding licence-year;
- the number of sessions held during the preceding licence-year;
- where appropriate, the annual expenditure on the provision of music during the preceding licence-year.

If these requirements cannot be met *PRS for Music* will, by its auditor or other agent, have the right of free access to the licensee's premises during the normal business hours but solely for the purpose of checking the particulars on which the charges under this tariff are from time to time assessed, for which purpose the licensee will make available to *PRS for Music's* auditor or agent all necessary records and books of account.

4.1 For the first year or period in respect of which *PRS for Music's* licence is required, a payment on account of the royalty will be assessed on the licensee's certified estimate of:

- the total number of persons to be admitted;
- the total number of sessions to be held;

and

where expenditure on the provision of music is likely to be in excess of £20,357 (£18,506) or if performances will be seasonal £902 (£820) per week,

- the amount of that expenditure.

At the commencement of each subsequent licence-year, the payment on account for the previous licence-year or period will be adjusted in accordance with the certified end-of-year figures referred to above and the licensee will simultaneously pay royalties on account for the ensuing year on the basis of those certified figures.

5. 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.

6. Inflation adjustment

Every year on 1st July, the monetary sums in this tariff will be adjusted for inflation. The adjustment formula will apply to the standard rates 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 February.

February is the latest month prior to the anniversary date for which figures are likely to be published for both indices.

After application of the inflation adjustment the expenditure threshold figures will be rounded to the nearest pound, and the rates in section 3.1.1 will be rounded to the nearest tenth of a penny. All other royalty rates will be rounded to the nearest penny.

All royalties will be charged at the royalty rate in force at the beginning of the licence-year.

7. Definitions

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

and gross fees (net of any Value Added Tax) paid to third parties for the services of performers.
- **persons admitted** means the number of persons attending sessions at which music is played, whether as players or spectators.
- ***PRS for Music*** is the trading name of the Performing Right Society Limited.
- ***PRS for Music's repertoire*** means all and any musical works (including any words associated therewith), the right of public performance in which is controlled by *PRS for Music* or by any of the societies in other countries with which *PRS for Music* is affiliated.
- **session** means a series of games for which a prize may be won irrespective of whether by payment of a single charge (however designated) a person may be admitted to, or remain in, that session and one or more other sessions which together constitute a sitting.

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