

Fitness & Dance



1. Scope of the tariff

1.1 This tariff applies to the performance of *PRS for Music* repertoire in the fitness and dance sector. Whether that be throughout your facilities or from fitness and dance classes operated on your premises.

1.2 This tariff does not apply to performances of *PRS for Music* repertoire at:

1.2.1 Not-for-profit Amateur Sports Clubs as they are currently licensed under tariff AMS (for Amateur Sports Clubs).

1.2.2 The premises in areas such as cafes, bars, shops, nurseries/creches for example that are operated by a third party. These areas are licensed separately and are the responsibility of the third party.

2. Royalty rates

The royalty rates are effective from 1st February 2023 to 31st January 2023. All royalties will be charged at the rate in force at the beginning of the Licence Year. VAT will be applied.

2.1 Royalties payable for Core Music usage

Core Music usage means background music covering the total audible area of the premises. This charge also includes the performance of music in staff-only areas and staff training films.

| Audible Square Metres | Royalty Rates (standard) |
|-----------------------|--------------------------|
| 0-99 | £253.55 |
| 100-249 | £474.57 |
| 250-649 | £747.62 |
| 650-949 | £1,033.68 |
| 950+ | £1,150.69 |

2.2 Royalties payable for Bolt-on Music usage

Bolt-on Music usage applies to dance lessons and fitness classes.

2.2.1 Fitness classes

| Royalty Rate (standard) |
|-------------------------|
| £2.02 per class |

2.2.2 Dance lessons

| Royalty Rate (standard) |
|-------------------------|
| £1.29 per class |

2.3 Other music usage

Performances of *PRS for Music* repertoire that is neither Core Music usage or the Bolt-on Music usage will be charged under the *PRS for Music* tariff applicable to that use.

2.4 Minimum annual royalty

Where the premises only has Bolt-on Music usage, a minimum annual royalty of £62.50 per year applies.

2.5 Higher royalty rate

When the performance of music takes place before a *PRS for Music* licence is obtained, the higher royalty rate (calculated at 50% more than the standard royalty rate) is used for the first Licence Year.

3. Inflation

Royalty rates and monetary values set out in this tariff will be adjusted by inflation on 1st February each year. We will use the mean of the Retail Prices Index and the Average Weekly Earning Index, from the previous September, to set these adjustments (to the nearest whole %).

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4. Definitions

4.1 PRS for Music repertoire - musical works (including any associated words) where the right of performance and communication to the public is owned or controlled by *PRS for Music* or one of its affiliated societies.

4.2 Licence Year - a year of the customer's licence, beginning on the date on which the licence contract was entered into and on every anniversary of the date.

4.3 Performance or Usage - the performance in public and/or communication to the public of *PRS for Music* repertoire.

4.4 Background Music - music performed by means of the playing of an audio or audio-visual device such as a TV, radio, film or other media player, but does not include Featured Music.

4.5 Featured Music - is a performance of live or recorded music for the purpose of accompanying a specific event or activity.

4.6 Audible Area - the total area in the premises (and under ownership or control of the music user) in which background music is audible [to members of the public and/or staff].

4.7 Fitness Class - a group instruction where the music is performed for the purposes of accompanying sport or fitness activities under the direction of an instructor. For the purpose of this definition, reference to the "direction of an instructor" includes reference to direction given by an instructor in person or by means of a recording played or communicated to the participants in class, whether from within or outside of the customer's premises.

4.8 Dance Lesson - a tuition-based activity in which music is performed for the purpose of systematic instruction in movement, dance or similar discipline given by a teacher to one or more students.

4.9 Customer - any individual, company or other organisation requiring a licence to perform *PRS for Music* repertoire in public and /or communicate it to the public.

5. Other terms used within the tariff

5.1 Core Music - describes the most common type of music usage across the sector to which the tariff applies. Most, but not all, music users in the fitness and dance sector use Core Music, which in this tariff is Background Music in the audible area, music in staff-only areas and staff training films.

5.2 Bolt-on Music - in relation to the use of *PRS for Music's* repertoire, Bolt-on Music describes any type of music usage that is additional to the Core Music for the sector. Bolt-on Music may include uses that are core to the activities of an individual customer e.g. fitness classes and dance lessons provided by specialist dance schools and fitness centres.

6. Educational Exemptions and Discretionary Charging Policies

Educational Exemptions and the Discretionary Charging Policy are applicable to certain performances covered by this tariff. For more information regarding the Educational Exemptions and Discretionary Charging Policy available to Dance Schools please visit www.pplprs.co.uk/business/fitness-dance

Discretionary Charging Policies do not form part of the tariff and *PRS for Music* retains the right to amend or withdraw such policies at any time.

7. About the tariff

The Fitness & Dance (F&D) tariff is operated by *PRS for Music*, a trading name of Performing Right Society Limited (company no. 134396) whose registered office is 1st Floor, Goldings House, 2 Hays Lane, London, SE1 2HB.

PRS for Music has developed the Fitness & Dance tariff following consultation with the Council of Dance, Education & Training (CDET), the Sport & Recreation Alliance (SRA), UKactive as well as *PRS for Music's* customers.