

Holiday caravan parks Tariff 'HCP' (2019.03)



Effective from 1st March 2019

(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* which take place at holiday caravan parks where attendance at the performances is restricted to residents.

It does not cover performances of copyright music at franchised-out operations (for example, franchised-out amusement arcades, cafés, shops and the like) for which separate licences are required. These performances will be charged for under *PRS for Music's* appropriate tariff(s).

2. General conditions

This tariff is without prejudice 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.

* See Definitions, section 6

The following rates of charge apply to all royalties falling due from 1st March 2019.

	Higher royalty	Standard royalty
3.1		
3.1.1		
Where the total annual expenditure on the provision of music* by performers* is £15,085 (£14,505) or more or, when the performances are seasonal £670 (£644) per week, the royalty is:		
for the first £47,038 (£45,229) or part thereof	6% (6%) of such expenditure	4% (4%) of such expenditure
for the next £70,561 (£67,847) or part thereof	7.5% (7.5%) of such expenditure	5% (5%) of such expenditure
for any expenditure above £117,599 (£113,076)	9% (9%) of such expenditure	6% (6%) of such expenditure
3.1.2		
For performances where the total annual expenditure on the provision of music by performers is less than £15,085 (£14,505) or, when the performances are seasonal £670 (£644) per week,		
3.1.2.1		
Provided that:		
the maximum annual royalty for performances in category 3.1.2 is	£905.10 (£870.30)	£603.40 (£580.20)
and/or		
3.1.3		
For performances of live music where the licensee incurs no expenditure, such as at lettings where the hirer provides his own music, the royalty per function for the first 100 persons capacity* is	£15.39 (£14.81)	£10.26 (£9.87)
and per 25 persons capacity (or part thereof) thereafter	£3.90 (£3.75)	£2.60 (£2.50)

* See Definitions, section 6

	Higher royalty	Standard royalty
3.1.4 For all featured performances by record, compact disc or tape player* primarily for entertainment by means of discotheque equipment or otherwise for dancing at discos, ordinary dances and similar functions with musical entertainment, the royalty per function for the first 100 persons capacity is	£15.39 (£14.81)	£10.26 (£9.87)
and per 25 persons capacity (or part thereof) thereafter	£3.90 (£3.75)	£2.60 (£2.50)
3.1.4.1 Provided that:		
performances where both live and recorded music is performed will be charged at the same rate		
3.1.4.2 unless the live music is chargeable under 3.1.1 in which case the charge for the recorded music will be one-half of the above charge.		
3.1.5 Film or Featured Video Shows		
For performances (whether by means of the soundtrack or otherwise) during film or video shows in a room or place being specially used for the primary purpose of video or cinema exhibition, and with seating arranged accordingly, the royalty per screening for the first 100 seating capacity is	£7.76 (£7.46)	£5.17 (£4.97)
and per 25 seating capacity (or part thereof)	£1.91 (£1.83)	£1.27 (£1.22)

* See Definitions, section 6

	Higher royalty	Standard royalty
3.1.6 For performances of music at events such as exhibitions, trade and fashion shows, etc., the daily royalty is as follows:		
Floor area of room		
Up to 100 square metres	£25.70 (£24.71)	£17.13 (£16.47)
101 - 150 square metres	£38.51 (£37.02)	£25.67 (£24.68)
151 - 200 square metres	£51.33 (£49.35)	£34.22 (£32.90)
Over 200 square metres	£64.11 (£61.65)	£42.74 (£41.10)
3.2 Background or mechanical music*		
The annual charge in respect of the above is:		
3.2.1 Touring Pitches* at the rate per pitch of	61.13 pence (58.88 pence)	40.75 pence (39.25 pence)
3.2.2 Other Pitches* at the rate per pitch of	124.50 pence (119.63 pence)	83.00 pence (79.75 pence)
3.3 Minimum annual royalty		
The minimum annual royalty under sections 3.1 and 3.2 of this tariff is	£154.04 (£148.11)	£102.69 (£98.74)

4. 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.

* See Definitions, section 6

5. Inflation adjustment

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

October 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 royalty rates will be rounded to the nearest penny, with the exception of the Background or Mechanical Music standard rates which will be rounded to the nearest quarter of a penny and the expenditure threshold which will be rounded to the nearest pound.

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

6. 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.
- **background or mechanical music** means music when performed by a record player, compact disc player, tape player, or video player otherwise than for featured purposes, or music performed by a 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.
- **capacity** means where the accommodation of a room is limited to seating the capacity shall be the total number of seats available in that room. Where, as for example in the case of discotheque performances, there is no formal means of calculating the accommodation limit of a room the capacity shall be the maximum number of persons which can reasonably be accommodated in the room, or permitted under any regulation by Fire Authorities.
- **other pitches** means a plot occupied by the sited accommodation unit which would include Caravan Holiday Homes, Lodges, Chalets or other similar structures for seasonal or holiday use. Accommodation units providing someone's sole or main residence are excluded.

- **performers** means singers and performers of musical instruments, including orchestra conductors or leaders, whether or not they combine in their performance other activities such as dancing or acting as comperes.
- **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.
- **record, compact disc 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 device, such as a jukebox, capable of being operated by the insertion of a coin, token or card.
- **touring pitches** means a plot available for use by either a touring caravan, trailer tent, motor caravan, tent or other similar forms of mobile holiday accommodation.

2019.03 edition