



# Not-for-profit amateur sports clubs

Developed by PRS for Music with the Sport and Recreation Alliance acting as the sector consultee. (Includes rates introduced on 1<sup>st</sup> January 2019 following adjustment in accordance with section 3.)

Effective 1st January 2019.

## Applies to: performance of copyright music\* at premises owned/run by not-for-profit amateur sports clubs during the usual activities of the club.

The provision of facilities for, and participation in, eligible sport(s) must be the core main purpose of the club. The clubs must be organised on an amateur basis and all surplus funds must be reinvested in the club.

In establishing the qualification of a club PRS for Music will refer to the criteria as indicated in s.658 (1A) (b) and (c) Corporation Tax Act 2010 as those provisions were on 7 October 2013 and ignoring any amendments to those provisions which were made or brought into force after 7 October 2013, whether such amendments had prospective or retrospective effect.

The following are excluded from the tariff and charged using the appropriate PRS for Music tariff:

- performances at profit-making sports clubs;
- featured music\* at events, or in facilities, run by a party other than the club OR where any profit or benefit does not go entirely to the club. This includes events chargeable under the scope of other PRS for Music tariffs including concerts, festivals, theatrical performances and dance parties. This exclusion does not extend to aerobic, keep fit and dancing classes for which appropriate charges are provided within this tariff.
- facilities such as gyms or leisure centres, in dedicated areas or buildings, open to individuals not associated with the club and/or operated commercially;
- any other commercial uses that could not reasonably be considered part of the club's activities;
- performances at any other premises.

## 1. Royalty rates

The rates apply to all royalties falling due from the effective date of this tariff and are shown **exclusive of VAT**. VAT is applicable at the relevant rate.

The **higher royalty rate** (standard plus 50%) is payable for the first year of the licence where the music user **has not** obtained PRS for Music's licence before musical performances commence.

### 1.1 Minimum royalty

The total calculated royalty for this tariff is subject to the following minima:

	Standard Rate
<b>1.1.1 Annual licence</b> , minimum per premises	£48.99
<b>1.1.2 Permit licence</b> (for an occasional performance), minimum per premises	£16.89

### 1.2 Background music (irrespective of device or number of devices e.g. TV, Radio, CD, MP3) in any part of the club premises

	Standard Rate	
<b>1.2.1 Clubs <u>without</u> a social area*</b>	£42.22	
<b>1.2.2 Clubs <u>with</u> a social area*</b> (whether or not background music is played in the social area)	Up to 75 members*	£42.22
	76 to 475 members*	£14.08 per 25 members* (or part thereof)
	476 members* or above	£281.46

\*See Definitions (Section 4)

### 1.3 Featured music\* (e.g. live music, disco, karaoke, film shows)

You may elect, at the start of the licence year for your featured music events within the scope of this tariff to be charged as a bundle (section 1.3.1) or individually (sections 1.3.2 and 1.3.3). This choice cannot be altered retrospectively for any period.

#### Bundled event charging option:

		Standard Rate
<b>1.3.1</b>	<b>Unlimited events with featured music*</b> within the scope of the tariff, includes featured film & video shows.	£20.90 per annum, per 25 members*

#### Individual event charging option:

		Standard Rate
<b>1.3.2</b>	<b>Events with featured music*</b> within the scope of the tariff (e.g. live music, disco, karaoke, music quizzes etc) where Section 1.3.1 has not been applied. Excludes featured film and video shows.	£1.27 per event, per 25 persons capacity* (or part thereof)
<b>1.3.3</b>	<b>Featured film &amp; video shows</b> in a room or place being specially used for the primary purpose of film or video exhibition. Music provided by soundtrack or otherwise. Used when Section 1.3.1 has not been applied.	£0.62 per event, per 25 persons capacity* (or part thereof)

### 1.4 Aerobic, keep fit and dancing classes

		Standard Rate
<b>1.4.1</b>	for rooms/studios/pools with a capacity* up to 30 persons	£1.58 per session
<b>1.4.2</b>	for rooms/studios/pools with a capacity* over 30 persons	£1.98 per session

## 2. GENERAL CONDITIONS

This tariff is subject to *PRS for Music's* General Conditions Applicable to Tariffs and Licences, available on request.

## 3. INFLATION ADJUSTMENT

Every year on 1<sup>st</sup> January 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 August.

The rate in section 1.4.2 will be calculated as the rate in section 1.4.1 plus 25%.

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

After application of the royalty rates will be rounded to the nearest penny.

## 4. DEFINITIONS

- **background music** means music the performance of which is:
  - secondary to the provision of the ordinary benefits of the club; and
  - is not featured music.
- **capacity** shall be calculated as follows: where the accommodation of a room is limited to seating, the capacity will be calculated by reference to the total number of seats; but where, as in the case of discotheque performances, there is no formal means of calculating the accommodation of a room, that capacity will be assessed by reference to the maximum number of persons which can reasonably

be accommodated in the room or which is permitted under any regulation by Fire Authorities or under the Club's Rules.

- **featured music** means music performed by:
  - performers in person; or
  - by any means which is performed as a prominent feature and/or characteristic part of an event or entertainment provided by or on behalf of the club, including but not limited to performances of music in the course of a discotheque, karaoke, music quiz or film show.
- **members** are calculated as the total number of registered adult and junior members (whether playing/non-playing members) of all not-for-profit amateur sports clubs run at the premises. For the avoidance of doubt, family memberships should include the total number of members considered within the family membership.
- **performances of copyright music** means performances of copyright music within *PRS for Music's* repertoire\*
- **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 associated words), 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.
- **social area** means an area which is used for people to congregate and socialise, with or without a bar and whether or not licensed to sell alcohol.

## 5. ELIGIBLE SPORTS

A copy of the list of eligible sports is available on our website or upon request.

Tariff 'AMS' is the subject of an order of the Copyright Tribunal under the Copyright, Designs and Patents Act, 1988. This document represents a statement of the main provisions of that tariff. A full copy of the Original Order of the Copyright Tribunal made on 17<sup>th</sup> July 2017 is available from PRS for Music on request, and is also available from the Copyright Tribunal at: <https://www.gov.uk/government/publications/copyright-tribunal-decisions-and-orders>

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# Eligible Sports for Tariff AMS

Effective 1st January 2019



The following is a list of sports currently considered capable of eligibility for Tariff AMS, the PRS for Music tariff for not-for-profit amateur sports clubs, subject to meeting the requirements of the tariff.

Aikido	Fives	Octopush	Surf Life Saving
American Football	Flying	Orienteering	Surfing
Angling	Futsal	Parachuting	Swimming & Diving
Archery	Gaelic Football	Petanque	Table Tennis
Arm Wrestling	Gliding	Polo	Taekwondo
Artistic Skating (roller)	Golf	Polocross	Tang Soo Do
Association Football	Gymnastics	Power Boating	Tenpin Bowling
Athletics	Handball	Powerlifting	Trampolining
Australian Rules Football	Hang/Para Gliding	Puck Hockey (roller)	Triathlon
Badminton	Harness Racing	Quoits	Unihoc
Balloonng	Highland Games	Racketball	Volleyball
Baseball/Softball	Hockey	Rackets	Wakeboarding
Basketball	Horse Racing	Rafting (white/wild water)	Water Polo
Baton Twirling	Horse Riding	Raquetball	Water Skiing
Biathlon	Hovering	Rambling	Weightlifting
Bicycle Polo	Hurling	Real Tennis	Wind Surfing
Billiards and Snooker	Ice Hockey	Roller Hockey	Wrestling
Bobsleigh	Ice Skating	Roller Skating	
Boccia Bowls	Jet Skiing	Rounders	
Bowls	Ju Jitsu	Rowing	
Boxing	Judo	Rugby League	
Camogie	Karate	Rugby Union	
Canoeing	Kendo	Sailing	
Caving	Knee Boarding	Sand/Land Yachting	
Chinese Martial Arts	Korfball	Shooting	
Clay Pigeon Shooting	Lacrosse	Show jumping	
Cricket	Lawn Tennis	Skateboarding	
Croquet	Life Saving	Skiing	
Curling	Luge	Snowboarding	
Cycling	Model Aircraft Flying	Softball	
Disability Sport	Modern Pentathlon	Sombo	
Diving	Motor Cycling	Speedway	
Dragon Boat Racing	Motor Sports	Speed Skating (roller)	
Duathlon	Mountain Biking	Squash	
Equestrian	Mountaineering	Skater/Street Hockey	
Fencing	Netball	Sub-Aqua	

If a sport is not current represented in the listing, you may write to *PRS for Music* to request its consideration. Please write to:

Tariffs  
Public Performance Sales  
PRS for Music