

NURSERIES, PRE-SCHOOLS, PLAYGROUPS & CRECHES

PRS
for MUSIC

1. Scope of the tariff

1.1 This tariff applies to the performance of *PRS for Music*'s repertoire at nurseries, pre-schools, playgroups, creches, and the like, whether run by a local authority or independently.

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

1.2.1 At nurseries which form part of schools whether wholly or partially government funded or independent ('private' and 'public'), to which other *PRS for Music* tariffs specifically apply.

1.2.2 At featured music at events, or in facilities, run by a party other than the nursery (as in 1.1. above) or where any profit or benefit does not go entirely to the nursery. This includes, but is not limited to, concerts, festivals, theatrical performances, dance and fitness classes.

2. Royalty rates

The royalty rates set out in this tariff are effective from **1st September 2019 to 31st August 2020**. 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 the performance of music during nursery activities.

Annual Royalty Rates (standard)
£43.00 per premises

2.2 Royalties payable for Bolt-on Music:

There is no Bolt-on Music usage to which this tariff applies.

2.3 Other music usage

Performance of *PRS for Music* repertoire that other than for the purpose of Core Music usage will be charged under the *PRS for Music* tariff applicable to that use.

2.4 Minimum annual royalty

There is no minimum annual royalty applicable under this tariff.

2.5 Higher royalty rate

The higher royalty rate, which is calculated at 50% more than the standard royalty rate, is not applicable under this tariff.

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 Nursery Activities - includes but is not limited to; extra-curricular dance and movement classes (for example; Mummy & Baby Yoga), fetes and fairs, child minding services, film and cartoon showings, extra-curricular external musicians, breakfast/holiday clubs, parent evenings/open days, background music and music on hold.

4.7 Customer - any individual, company or other organisation requiring a licence to perform *PRS for Music* repertoire and/or communication 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.

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.

6. Educational Exemptions

This tariff does not apply to performances specified in section 34 of the Copyright, Design and Patents Act 1988 as amended. Therefore, no charges are made under tariff N for performances considered part of the curriculum (i.e. for the purposes of providing education suitable to the requirements of children who have reached the age of two but are under compulsory school age) where the performance is restricted to teachers, pupils or someone directly connected to the activities of the establishment, as stipulated in section 34 of the Copyright, Designs & Patents Act 1988. A person is not directly connected to the activity or the establishment simply because they are a parent of a pupil. For more information please click here or visit www.pplprs.co.uk/business/educational

7. About the tariff

The Nurseries, Pre-schools, Playgroups & Creches tariff (N) is operated by *PRS for Music*, a trading name of Performing Right Society Limited whose registered office is 2 Pancras Square, London N1C 4AG

PRS for Music has developed the Nurseries, Pre-schools, Playgroups & Creches tariff following consultation with the National Day Nurseries Association (NDNA), as well as *PRS for Music*'s customers.