

# Open-air places, parks & pools



## Tariff 'O' (2019.07)

*Effective from 1st July 2019*

(Also showing previous year's details in brackets)

### 1. Scope of tariff

This tariff applies to public performances by **mechanical/electronic** means only of copyright music within *PRS for Music's*\* repertoire\*, in or on parks, promenades and other open-air places, including bathing and boating pools, and at outdoor or indoor bathing pools.

Excluded from this tariff are, for example, live performances (e.g. at concerts) and by means of a jukebox or other mechanical contrivance capable of being operated by the insertion of a coin or token. Such performances will be charged for under *PRS for Music's* appropriate tariff(s).

### 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.

\* See Definitions, section 6

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

	<b>Higher royalty</b>	<b>Standard royalty</b>
<b>3.1 Parks, promenades &amp; other open-air places</b>		
For each <b>park, recreation ground, promenade</b> or other <b>open-air place</b> having <i>mechanical/electronic</i> performances:		
Where the performance is relayed through one relay point* the rate per day is .....	£9.06 (£8.79)	£6.04 (£5.86)
For each additional relay point the rate per day is .....	£4.58 (£4.44)	£3.05 (£2.96)
<b>3.2 Bathing pools (indoor / outdoor) and boating pools</b>		
<b>3.2.1 Galas or displays</b> (including synchronised swimming displays) having <i>mechanical / electronic</i> music, where there is a spectator audience:		
For each 200 (or part thereof) persons capacity of the enclosure within which the pool is situated the rate per day is .....	£4.58 (£4.44)	£3.05 (£2.96)
<b>3.2.2 All other occasions</b> when the pool is open:		
For each 200 (or part thereof) persons capacity of the enclosure within which the pool is situated the rate per day is .....	£1.83 (£1.77)	£1.22 (£1.18)

\* See Definitions, section 6

	<b>Higher royalty</b>	<b>Standard royalty</b>
<b>3.3 Minimum royalties</b>		
<b>3.3.1</b> For a licence continuing from year to year the minimum annual royalty under this tariff is .....	£243.26 (£236.18)	£162.17 (£157.45)
<b>3.3.2</b> For a permit for occasional performance(s) .....	£46.64 (£45.27)	£31.09 (£30.18)

#### **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.

#### **5. 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, 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 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 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.

#### **6. Definitions**

- ***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.
- **relay point** means an additional loud-speaker or loud-speaker cluster connected to a mechanical instrument.

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