

12. Phonographic Performance Ltd - Licensing Sound Recordings used in Public

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1. Introduction

Phonographic Performance Ltd (PPL) issue licences and collect the royalties due under copyright law when sound recordings are used in public on behalf of the companies producing the records, tapes or CDs. This is in addition to the royalties collected by the Performing Rights Society Ltd (PRS) on behalf of the composers of the music. The definition of 'public' in this instance is wide and includes members-only clubs, but not domestic parties eg. weddings.

2. Exemptions

i) Charitable Events

No licence is needed and no royalties are payable when the public performance is beneficial to, or part of, the activities of an organisation whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare. This of course includes events organised by the management committee of a charitable village hall and by other charities using the hall.

NOTE: there is an important proviso that if a charge is made for admission to the event, all the proceeds must be applied for the purposes of the organisation. ACRE and Community Matters believe that this exemption applies even if a payment is made, for example, to a disco, but PPL disagree.

- ii) PPL may, on application, waive the need for a licence for a one-off fundraising event from which all the proceeds will go to a charity other than to the organisation holding the event.
- iii) Domestic events such as wedding receptions or birthday parties do not need a PPL licence.

3. Considerations for Village Hall Management Committees

Village hall management committees will need to licence any events **they** organise for the public in which sound recordings are used, which are not covered by the exemptions. This is likely to be very few. However, each **hirer** of the hall who organises such events will need to obtain a licence. Examples are dancing classes, keep fit classes and social dancing clubs.

As managers of the building, it is the committee's responsibility to ensure that all hirers are aware of the responsibility they have for obtaining licences. An agreement should be used which makes this clear. Supplies of licence application forms can be obtained from PPL to pass on to hirers. If the committee is aware that hirers are not obtaining the necessary licence they should take action.

4. Community Matters Blanket Licence Scheme

As a solution to a disagreement with PPL in the interpretation of regulations concerning exemptions (see 2(i)) Community Matters have negotiated a blanket licence scheme which is open to all charitable organisations running community buildings. It is mainly aimed at community organisations, which, unlike village halls, have membership sections and is likely to be of interest to a limited number of village halls.

Organisations can register under a group licence held by Community Matters for an annual fee, which is lower than PPL's normal standard minimum tariff. This covers all licensable activities run by the organisation, its sections and its bar or social club. It does not cover organisations or individuals hiring the building, which is the normal situation for village halls. The scheme may be of interest to village halls that have a bar managed by the management committee or a social club, as these would be covered.

The scheme runs from April to March but it is possible to join at any time during the year.

Notes:

- (i) It is a condition of the Community Matters scheme that management committees ensure that all hirers and users of the hall requiring a licence apply for one to PPL.
- (ii) Members of the scheme who hold no events at which sound recordings are used, other than discos, are not required to pay a fee (but see note (i) above).
- (iii) Information from Community Matters is appended to this Information Sheet and further details are available from that organisation.

5. Further Information

ACRE publishes a number of publications and Model Documents for village halls. The following may be of particular interest:

Model Hiring Agreement for a Village Hall
Model Rules for a Village Hall
Managing your Hall Part 1 & 2
Village Hall Information Sheet 13 Performing Rights Society
Village Hall Information Sheet 9 Public Entertainment Licence

Community Matters publish similar information for community associations:

Community Matters (National Federation of Community Organisations)
12-20 Baron Street, London N1 9LL 0207 7837 7887

Phonographic Performance Ltd can be contacted at 1 Upper James Street, London, W1R 3HG, tel: 0207 534 1000, fax: 0207 534 1111.