

# ELIGIBLE STUDIO PRODUCER FORM

Please read accompanying guidance notes before completing this form.

Please complete in block capitals:

FULL NAME OF STUDIO PRODUCER: (THE "STUDIO PRODUCER")	PPL ID
ARTIST/BAND NAME (IF APPLICABLE):	
NAME OF FEATURED PERFORMER(S) (TOGETHER THE "FEATURED PERFORMER(S)") *	
	PPL ID

\* A second form can be used if there are more than five featured performers on a recording from whom you wish to seek confirmation.

PLEASE LIST RELEVANT RECORDING(S)/ALBUM(S) (THE "REPERTOIRE"):

## WHAT IS PPL?

PPL is the UK-based music licensing company which licenses recorded music for broadcast, online and public performance use. PPL distributes its licence fees to its record company and performer members who are entitled to receive revenue (known as "equitable remuneration").

## WHEN IS A STUDIO PRODUCER ELIGIBLE FOR PPL REVENUE?

Where a studio producer does not contribute an audible contribution (such as vocals or instrumentals) studio producers are eligible to receive such equitable remuneration from PPL as an Eligible Studio Producer if they conduct (or provide a similar musical direction) to another performer's live performance as it is being recorded. The Studio Producer claims to have made this type of inaudible contribution in relation to the Repertoire. As not all studio producers provide the right kind

of contribution to qualify as an Eligible Studio Producer, the purpose of this form is to record the understanding of the Featured Performer(s) that the Studio Producer does qualify and so is eligible to receive equitable remuneration from PPL in relation to the Repertoire. PPL has prepared the form as an optional practical tool for this purpose, but featured performers can provide written confirmation that they support a studio producer's claim in another form if they prefer, provided it is sufficiently clear.

## WHAT HAPPENS NEXT?

Where an Eligible Studio Producer claim is accepted by PPL, the studio producer is added as a non-featured performer on the relevant repertoire. This may affect the revenue PPL allocates to the featured performer(s) in relation to that repertoire. PPL therefore suggests that you should discuss this form with your manager and/or seek independent legal advice before completing this form.

PPL recommends that this form is signed in triplicate by (all) the Featured Performer(s) at the time of the recording session and then submitted to PPL by the Studio Producer via email at [performer@ppluk.com](mailto:performer@ppluk.com). Once submitted, this form enables PPL to process Eligible Studio Producer claims more efficiently and with greater certainty regarding studio producers' contributions. Further copies of this form and guidance are available online at [ppluk.com](http://ppluk.com) and the MPG website [mpg.org.uk](http://mpg.org.uk)

## FURTHER INFORMATION

For more information please read the accompanying Guidance on PPL's Eligible Studio Producer Policy available online at [ppluk.com](http://ppluk.com). Please ensure you have read and understood this guidance before completing and submitting this form. If you have any queries contact PPL on **020 7534 1234** or via email at [performer@ppluk.com](mailto:performer@ppluk.com)

I/We hereby confirm that:

- I/We have read and understood the accompanying Guidance on PPL's Eligible Studio Producer Policy;
- the Studio Producer conducted or gave a similar musical direction to a single/multiple live performance(s) on the Repertoire as it was being recorded; and
- I/We understand and accept that, in line with PPL's current policy, the Studio Producer is therefore entitled to be added to the Repertoire's performer line-up as an Eligible Studio Producer and receive a Non-Featured Performer's share of the performer allocations on the Repertoire.

## FEATURED PERFORMER'S DECLARATION

NAME OF FEATURED PERFORMER	SIGNATURE	DATE



# GUIDANCE ON PPL'S ELIGIBLE STUDIO PRODUCER POLICY

## FOR STUDIO PRODUCERS AND PERFORMERS

### LEGAL BACKGROUND

Please ensure you have read and understood this guidance before completing PPL's Eligible Studio Producer Form.

If you do not understand any aspect of the form or guidance, please contact PPL on **020 7534 1234** or via email at **performer@ppluk.com**. PPL suggests that you should discuss the implications of signing this form with your manager (if you have one). You should also seek independent legal advice.

There are two ways in which a studio producer can claim to have performed on a sound recording:

#### 1) As a Performer (in the traditional sense) who has made an audible contribution

If a studio producer makes an audible contribution (such as vocals or instrumentals) the studio producer should make a claim with PPL as a "performer" in the usual way. This will involve selecting the relevant Contributor Category (i.e. Featured, Non-Featured or Other Featured Performer) and claiming under the relevant performer role code (e.g. backing vocals – BVC). There is no need to make a separate studio producer claim.

#### 2) As an "Eligible Studio Producer" who has made a relevant inaudible contribution

Where a studio producer doesn't make an audible contribution, they are entitled to claim as an "Eligible Studio Producer" for their inaudible contribution if they:

- (1) conduct or provide a similar musical direction to another performer's live performance; and
- (2) provide such direction as the live performance is being recorded.

For the avoidance of doubt, alterations made to the recording after the recording has been made, such as edits or remixes, will not be deemed to be performances (unless these new versions involve new audible performances). An Eligible Studio Producer is always added as a Non-Featured Performer to the performer line-up on a sound recording. More information is available online at **ppluk.com**

In both cases, if the linked sound recording is played in public or broadcast by music users in the UK, then the studio producer will be entitled to equitable remuneration (assuming the studio producer qualifies under UK law for equitable remuneration).



## FEATURED PERFORMER FAQs

### What am I agreeing to when I sign this form?

By signing this form, you are confirming that the Studio Producer conducted or gave a similar musical direction to your live performance on each relevant recording listed on the form as it was being recorded. An example of such a contribution would be the studio producer coordinating musicians and directing their tempo and style of play as they perform and while the recording is being made. An example of a contribution that would not satisfy PPL's Eligible Studio Producer criteria would be the studio producer merely encouraging the performers whilst they performed or delivering instruction or direction before or after the recording takes place.

### Who is responsible for submitting this form to PPL?

If a studio producer wishes to rely upon this optional form in making a claim to be an "Eligible Studio Producer", it is their responsibility to present it to the relevant featured performer(s) on a recording and

submit the form to PPL once it has been signed. Where PPL receives confirmation that featured performers on a recording agree with a studio producer's claim, it will add the studio producer to the recording line-up as an Eligible Studio Producer.

### How will the addition of an Eligible Studio Producer to the recording line-up affect me?

Where PPL adds an Eligible Studio Producer to a recording line-up, the Eligible Studio Producer will be allocated a Non-Featured Performer's share of the performer track allocation. This may affect the amount of revenue you receive as a Featured Performer. Please see the guidance regarding allocation of revenue to sound recordings on PPL's website for further information (at [www.ppluk.com](http://www.ppluk.com)).

### What should I do if I do not agree that the Studio Producer qualifies as an Eligible Studio Producer?

If you do not agree that the Studio Producer should be added to the relevant recording as an Eligible Studio Producer

(i.e. you consider that the Studio Producer did not conduct or provide a similar musical direction to any of the live performances on a recording as it was being recorded) you should not sign PPL's Eligible Studio Producer Form. Please contact PPL on **020 7534 1234** or via email at [performer@ppluk.com](mailto:performer@ppluk.com) to confirm your position in relation to the Studio Producer's claim.

In cases where any of the featured performers on a recording do not agree with a studio producer's claim, PPL's pre-dispute resolution committee shall initially consider the matter and seek statements from both parties before making a decision regarding eligibility. If this informal process does not resolve the matter, then PPL suggests that the parties use PPL's more formal dispute resolution procedure, further details of which can be found on PPL's website ([www.ppluk.com](http://www.ppluk.com)). Where a dispute is raised, PPL may place accounts on hold pending resolution of the dispute. In cases where payments are suspended in this way, any applicable performer revenue relating to the period of dispute shall automatically be allocated to the relevant performer account(s).

## STUDIO PRODUCER FAQs

### How do I use this form?

PPL recommends that, if appropriate, you seek the signatures of the relevant featured performers once the studio session has commenced and the featured performer(s) can be clear that you have provided the relevant type of contribution. You should advise them to discuss the implications of signing this form with their manager (if they have one) or alternatively to seek independent legal advice prior to signature.

Once complete, please submit the form to PPL as an email attachment to [performer@ppluk.com](mailto:performer@ppluk.com). Alternatively you can submit this form by post to PPL Member Services, 1 Upper James Street, London W1F 9DE. PPL recognises that, ultimately, it would be preferable to enable the secure electronic delivery of this information, but the paper form is an interim measure before such a system is put in place.

If there are more than five featured performers on a recording from whom you wish to seek confirmation then you can simply use a second form for the remaining featured performers to sign. If you have not secured the signatures of all the featured performers on a recording then please use the form to identify those featured performers from whom confirmation is outstanding. Please indicate where multiple forms are being used in this way. Where there are several featured performers on a recording, it is sufficient for only one of these performers to provide confirmation that you conducted (or gave a similar musical direction) to their live performance as it was being recorded.

### What should I do if I have made both audible and inaudible contributions on a recording?

You should just make a Performer claim for your audible contribution (using the relevant role code in the usual way) rather than an Eligible Studio Producer. Studio producers do not currently qualify for equitable remuneration for their inaudible contribution in every territory. Therefore, if you have provided both audible (such as guitar or vocals) and inaudible contributions to a sound recording you should just make a Performer claim for your audible contribution. This enables PPL to claim monies for you overseas (subject to PPL receiving an international mandate) in territories where an "Eligible Studio Producer" is not entitled to equitable remuneration.

