



## **PERFORMER ALLOCATION POLICY**

PPL divides the Performer Track Allocation between performers on a sound recording in accordance with the classification of each performer and the number of performers on the sound recording.

Note that PPL's Performer Allocation Policy only applies to the extent that there is not a valid Performer Share Agreement

### **CLASSIFICATION OF A PERFORMERS CONTRIBUTION**

Each performer on a sound recording shall be categorised as a Contracted Featured Performer, an Other Featured Performer or a Non-Featured Performer.

A **Contracted Featured Performer** is a performer who is bound by an exclusive agreement with the relevant record company, to perform on the sound recording.

An **Other Featured Performer** is a performer who contributes an audible performance to the sound recording and is:

- a lead vocalist not exclusively contracted to the commissioning record company;
- a performer not exclusively contracted to the commissioning record company but whose personal or professional name appears with or is linked to the name of the Contracted Featured Performer on the track; or
- a performer who is entitled under the terms of a contract with the Contracted Featured Performer to receive royalties from sales of the recording. (Contracted Featured Performers and Other Featured Performers are referred to as Featured Performers.)

A **Non-Featured Performer** is a performer who is not a Contracted Featured Performer or an Other Featured Performer. Examples of Non-Featured Performers include session musicians and backing singers.

For more information about how to provide evidence to support a claim to qualify as one of these performer categories, read the website FAQs on how to submit a claim.

For the purposes of allocating PPL revenues to a performer on a sound recording, it is the classification of that performer that is relevant, not the number of contributions made by that performer to that sound recording.

Where PPL is aware that a sample has been used, all performers on the sampled recording (irrespective of which part of the sampled recording has been used) are added to the performer line-up on the new sound recording as Non-Featured Performers; although Featured Performers on the sampled recording may be added as Other Featured Performers in certain circumstances. Further, only those performers who qualified for payment on the sampled recording will qualify for payment for the use of the sampled recording on the new sound recording.

### **DIVISION OF PERFORMER TRACK ALLOCATION BETWEEN PERFORMERS**

The Performer Track Allocation is initially divided 65 / 35 between Featured Performers and Non-Featured Performers respectively. However, where PPL is notified that a sound recording has a conductor and an ensemble of more than 40 performers, the Featured Performers (who may include



the conductor) shall be allocated 32.5%, and the other performers shall be allocated 67.5%, of the Performer Track Allocation.

The share allocated to Featured Performers is the Featured Performer Share, and the share provisionally allocated to Non-Featured Performers is the Non-Featured Performer Share.

When it is believed that all performers have been correctly linked to a sound recording, the performer line-up is set as 'line-up complete' and the Performer Track Allocation is divided as follows:

1. Where there are no Other Featured Performers on the sound recording, all the Contracted Featured Performers are allocated equal shares of the Featured Performer Share. However, where there are both Contracted Featured Performers and Other Featured Performers, the Featured Performer Share is allocated so that each Contracted Featured Performer receives a share twice the value of each Other Featured Performer.
2. All Non-Featured Performers on the sound recording are allocated equal amounts of the Non-Featured Performer Share, and the value of each such share is set out here.
3. Where the allocations to Non-Featured Performers do not use all of the Non-Featured Performer Share, the remainder is allocated between all the performers on the sound recording (including the Featured Performers), in proportion to their initial share of the Performer Track Allocation.

Stages 1 and 2 above are together known as the 'Initial Allocation', whilst stage 3 is known as the 'Secondary Allocation'.

Until a sound recording is line-up complete, PPL allocates shares to performers on the basis of the number of performers that are expected to perform on the recording (which varies by musical genre). For example, if the record company informs PPL that there are five Non-Featured Performers on a recording but at the time of a distribution only three are linked, the three linked performers and the two 'missing' Non-Featured Performers are each allocated the same shares. This means that the linked Non-Featured Performers can be paid without waiting for all the Non-Featured Performers to be identified and that the 'missing' Non-Featured Performers do not lose money that should be allocated to them (and they will be able to claim interest).

### **EXAMPLES OF FEATURED PERFORMER SHARES**

Examples of how Featured Performer Share ('FPS') of the Performer Track Allocation is divided are set out below:

Number of C's	Number of O's	% OF FPS to each C	% of FPS to each O
5	0	13	0
0	5	0	13
2	1	26	13



**INITIAL ALLOCATION OF THE NON-FEATURED PERFORMER SHARE**

The Initial Allocations of the Non-Featured Performer Share are set out in the fifth column below:

Special Circumstances	Number of Non-Featured Performers (including Performers on sampled recordings)	% of Performer track allocation ascribed Featured Performers	% of Performer track allocation ascribed Non-Featured Performers	% of Performer track allocation initially allocated to each Non-Featured Performer
	0	100	0	0
	1 - 5	65	35	7
	6 - 10	65	35	3.5
	11 - 20	65	35	1.75
	21 - 40	65	35	0.88
	41 - 90	65	35	0.39
	91 - 9999	65	35	0.32
Conductor plus ensemble	41 - 90	32.5	67.5	0.75
Conductor plus ensemble	91 - 9999	32.5	67.5	0.61

Note that any remainder of the Non-Featured Performer Share shall be divided amongst all performers on the sound recording in the Secondary Allocation.