



## SFE TARIFF PPLPP301 - Nightclubs, Pubs / Bars, Restaurants / Cafés, and Hotels

This tariff is effective from 1 July 2019.

### 1. Scope of tariff (activities)

Specially Featured Entertainment (“SFE”) is the public performance of sound recordings where:

- a DJ is used to play the sound recordings; or
- there is dancing in the venue to the sound recordings,

save where the public performances are specifically covered by another of PPL’s tariffs.

The tariff applies regardless of whether the recordings are played at the venue (for example, from vinyl, CDs or hard drives) or are transmitted to the venue (for example, by an internet stream).

Where sound recordings are also used as background music, the appropriate public performance tariff(s) should also be applied.

### 2. Scope of tariff (venues)

This tariff is for the use of PPL’s sound recordings as SFE in:

- Nightclubs
- Pubs and bars
- Restaurants and cafés
- Hotels.

### 3. Fees

The fees for an SFE event under this tariff are based on:

- The number of persons attending that SFE event (in units of 25 persons); and
- The duration of that SFE event.

The fees for each unit of 25 persons are based on an underlying rate per person per hour. This tariff is subject to transitional arrangements. Changes to the underlying rate per person per hour, and consequently to the fee for each unit of 25 persons, will be phased in over the first five years of the operation of the tariff, as follows:

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Start of customer’s Licence Year</b>	1 July 2019 to 30 June 2020	1 July 2020 to 30 June 2021	1 July 2021 to 30 June 2022	1 July 2022 to 30 June 2023	1 July 2023 to 30 June 2024
<b>Underlying rate per person per hour</b>	4 pence	5 pence	6.25 pence	7.5 pence	9 pence
<b>Fee per unit of 1-25 persons per hour</b>	<b>£1.00</b>	With effect from Year 2, the fees in this tariff will be adjusted annually by indexation using the Consumer Prices Index			

For any Licence Year starting in Year 1, the fee per hour for each unit of 25 persons will be **£1.00**.

For ease of reference, the fees for events with attendances of up to 500 persons and durations of up to 6 hours are set out in the table in Section 11 of this tariff. To illustrate how the tariff works, examples of fee calculations are set out below.



#### Example 1

An SFE event is held in a Licence Year starting in Year 1. The attendance is 90 (which equates to 4 units of 1-25 persons). The duration is 3 hours.

The fee for the event will be **£12.00** (i.e. £1.00 x 4 units of 1-25 persons x 3 hours).

#### Example 2

Another SFE event is held in a Licence Year starting in Year 1. The attendance is 170 (which equates to 7 units of 1-25 persons). The duration is 3.5 hours.

The fee for the event will be **£24.50** (i.e. £1.00 x 7 units of 1-25 persons x 3.5 hours).

### **4. Attendance**

The attendance for each SFE event is to be reported on the basis of actual admission figures.

The total number of persons admitted for an SFE event includes all persons admitted to the premises for the SFE event, including those present at the start of the event, and excluding staff on duty at the event.

### **5. Duration**

The duration of an SFE event shall be the time period from the start of the SFE event to the finish of the SFE event.

The duration should be rounded up to one hour (for SFE events with a duration of less than 1 hour) or to the nearest half hour (for all other SFE events).

### **6. Surcharge**

Where sound recordings have been played in public as part of an SFE event without first obtaining a licence or paying the licence fees for that Licence Year in accordance with the terms of this tariff, the fees for that Licence Year will be subject to a surcharge.

This surcharge will be 50% of the standard fee and will be subject to a cap of £1,000 for each site at which SFE events took place in that Licence Year (the "Surcharge Cap").

As part of the transitional arrangements for the launch of this tariff, the surcharge will not be applied for any Licence Year starting in Year 1. With effect from Year 2, the Surcharge Cap will be adjusted annually by indexation using the Consumer Prices Index.

### **7. VAT**

VAT should be added at the prevailing rate to all charges under this tariff.

### **8. Minimum Fee**

As with other PPL public performance tariffs, the fees in this tariff are subject to PPL's minimum annual fee per licensee (for the avoidance of doubt, there is no minimum fee per event under this tariff).

If the minimum fee is applicable, then the licensee will be charged a supplemental amount in addition to their SFE fees (and any other PPL public performance fees) so that the total amount payable by the licensee for the Licence Year is equal to the minimum fee.

### **9. Record keeping**

Licensees must keep written records of the attendance and duration information required under this tariff for all SFE events that take place in each Licence Year. PPL will also use the capacity information provided by licensees to PPL PRS Ltd to check the attendance data provided.



## 10. Terms and conditions

Licences granted under this tariff are subject to the "TheMusicLicence Terms and Conditions", a copy of which can be found on the PPL PRS Ltd website.

Licence Year shall have the same meaning as in the TheMusicLicence Terms and Conditions.

## 11. Tariff Fee Table for Year 1 commencing on 1 July 2019.

The fees below apply for any Licence Year starting from any date from 1 July 2019 to 30 June 2020.

Attendance (persons)	Duration (hours)										
	1	1.5	2	2.5	3	3.5	4	4.5	5	5.5	6
25	£1.00	£1.50	£2.00	£2.50	£3.00	£3.50	£4.00	£4.50	£5.00	£5.50	£6.00
50	£2.00	£3.00	£4.00	£5.00	£6.00	£7.00	£8.00	£9.00	£10.00	£11.00	£12.00
75	£3.00	£4.50	£6.00	£7.50	£9.00	£10.50	£12.00	£13.50	£15.00	£16.50	£18.00
100	£4.00	£6.00	£8.00	£10.00	£12.00	£14.00	£16.00	£18.00	£20.00	£22.00	£24.00
125	£5.00	£7.50	£10.00	£12.50	£15.00	£17.50	£20.00	£22.50	£25.00	£27.50	£30.00
150	£6.00	£9.00	£12.00	£15.00	£18.00	£21.00	£24.00	£27.00	£30.00	£33.00	£36.00
175	£7.00	£10.50	£14.00	£17.50	£21.00	£24.50	£28.00	£31.50	£35.00	£38.50	£42.00
200	£8.00	£12.00	£16.00	£20.00	£24.00	£28.00	£32.00	£36.00	£40.00	£44.00	£48.00
225	£9.00	£13.50	£18.00	£22.50	£27.00	£31.50	£36.00	£40.50	£45.00	£49.50	£54.00
250	£10.00	£15.00	£20.00	£25.00	£30.00	£35.00	£40.00	£45.00	£50.00	£55.00	£60.00
275	£11.00	£16.50	£22.00	£27.50	£33.00	£38.50	£44.00	£49.50	£55.00	£60.50	£66.00
300	£12.00	£18.00	£24.00	£30.00	£36.00	£42.00	£48.00	£54.00	£60.00	£66.00	£72.00
325	£13.00	£19.50	£26.00	£32.50	£39.00	£45.50	£52.00	£58.50	£65.00	£71.50	£78.00
350	£14.00	£21.00	£28.00	£35.00	£42.00	£49.00	£56.00	£63.00	£70.00	£77.00	£84.00
375	£15.00	£22.50	£30.00	£37.50	£45.00	£52.50	£60.00	£67.50	£75.00	£82.50	£90.00
400	£16.00	£24.00	£32.00	£40.00	£48.00	£56.00	£64.00	£72.00	£80.00	£88.00	£96.00
425	£17.00	£25.50	£34.00	£42.50	£51.00	£59.50	£68.00	£76.50	£85.00	£93.50	£102.00
450	£18.00	£27.00	£36.00	£45.00	£54.00	£63.00	£72.00	£81.00	£90.00	£99.00	£108.00
475	£19.00	£28.50	£38.00	£47.50	£57.00	£66.50	£76.00	£85.50	£95.00	£104.50	£114.00
500	£20.00	£30.00	£40.00	£50.00	£60.00	£70.00	£80.00	£90.00	£100.00	£110.00	£120.00

The fees for SFE events with attendances of more than 500 persons will increase in direct proportion to the attendance (in bands of 25 persons).

### Example 1

An SFE event is held in a Licence Year starting in Year 1. The attendance is 890 (which equates to 36 units of 1-25 persons). The duration is 5.5 hours.

The fee for the event will be **£198.00** (i.e. £1.00 x 36 units of 1-25 persons x 5.5 hours).

The fees for events with durations of more than 6 hours will increase in direct proportion to the duration of the event (in half hour bands).

### Example 2

An SFE event is held in a Licence Year starting in Year 1. The attendance is 170 (which equates to 7 units of 1-25 persons). The duration is 8.5 hours.

The fee for the event will be **£59.50** (i.e. £1.00 x 7 units of 1-25 persons x 8.5 hours).