

# BRIGHTON FRINGE

## MUSIC LICENSING AT BRIGHTON FRINGE

TELL US ABOUT MUSIC USAGE IN YOUR EVENT

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# INTRODUCTION

Welcome to “**Music Licensing at Brighton Fringe**”. This guide will explain why and how you need to let Brighton Fringe know about any music used in your event and how we deduct relevant charges on behalf of PPL PRS. The answers to any questions you might have should be within these pages, but if you still have questions when you’ve read all the way through, please email [takepart@brightonfringe.org](mailto:takepart@brightonfringe.org) and we’ll get back to you.

## Why do I need to tell Brighton Fringe about the music used in my event?

Since 2014, Brighton Fringe Ltd has worked in partnership with PPL PRS to ensure royalties are deducted where copyrighted music has been used. We do this for 2 reasons:

1. We believe musicians / composers should be paid for the use of their music
2. It’s easier for us to track music being used at Brighton Fringe than for PRS to chase companies individually.

## What is PPL PRS?

[PPL PRS Ltd](#) is a not-for-profit music licensing organisation that collects royalties on behalf of its 104,000 songwriter, composer and publisher members whenever their music is played, performed, broadcast or reproduced.

The Copyright, Designs and Patents Act 1988 says that permission is required from the copyright owner in order to play music in public - i.e. outside the home and domestic life. A PPL PRS licence makes it easy to get the permission you need, allowing millions of copyright songs to be played live or by any recorded means (for example, on CD or jukebox) or via the internet, TV or radio. A PPL and PRS for Music licence is required for music use whether you are playing that music live, using a recorded version, or via a TV or radio broadcast.

## What’s the difference between PPL PRS? Do I need to pay for both?

**PRS fees** relate to the use of musical compositions. These fees are distributed as royalties to composers who have registered their compositions with PRS or an affiliated performing rights organisation such as APRA in Australia or ASCAP in the US.

**PPL fees** relate to the use of specific musical recordings. These fees are distributed as royalties to the rightsholders of that recording, such as record labels and the musicians who played on the recording in question. As with PRS, PPL can collect fees on behalf of affiliate organisations around the world.

For example, if in your show you play a live cover of Yellow Submarine by the Beatles, only a PRS licence would be required. If in your show you dance to the recording of Yellow Submarine that features on the Beatles’ album Revolver, both a PRS and a PPL licence would be required.

Paying a PRS fee will not affect whether you need to pay a PPL fee. Likewise, paying a PPL fee does not affect your potential need to pay a PRS fee. You may need to pay one, both or neither of these fees; regardless, you’ll still need to complete a PPL PRS declaration form.

# FAQS

## **What if my event doesn't use any music?**

This is the first question you will be asked in the Music section in Eventotron. If no music is used in your event, you can state this and will not need to complete anything else in this section. But make sure you have completed this, as we work on the assumption that copyright music has been used unless otherwise stated.

## **What if I / my company composed the music for my event?**

If any of the composers are members of PPL PRS Ltd, royalties may still be owed. In this case, you would then need to contact PPL PRS to arrange a rebate, once the royalty has been deducted by Brighton Fringe. If none of the composers are PPL PRS members, no royalties will be owed, but you still list the music used in order to prove this.

## **My venue already has a PPL PRS licence. Do I still need to tell you about the music in my event?**

Yes. Your venue's PRS licence is superseded by Brighton Fringe's licence. So your venue manager should not declare your event on their PRS licence. The only exception to this, is that their licence covers your event for background music only (ie. Music as audience enter and exit, not part of the performance). If your venue doesn't have a PPL PRS licence in place, we can sell them a temporary one for the duration of the Fringe.

## **What if I don't tell you about the music I use?**

Brighton Fringe Ltd.'s agreement with PPL PRS works on the assumption that copyrighted music has been used unless proved otherwise. So, if you don't complete the music section of your event registration, we will assume that copyrighted music was used for 100% of the running time, and charge accordingly.

**IT WILL USUALLY SAVE YOU MONEY IF YOU  
COMPLETE THE MUSIC SECTION OF YOUR EVENT REGISTRATION.**

## **How do I know if a piece of music is in copyright?**

For each piece of music you declare to us, you will need to let us know whether this piece of music is in copyright or not. The copyright status of a composition and/or recording influences whether or not you will be required to pay a fee to PRS for its use.

In the UK, copyright lasts for a period of 70 years from the end of the calendar year in which the author dies. If the music originates from outside the European Economic Area (EEA), the copyright lasts for as long as the music is protected by copyright in its country of origin, provided that this does not exceed 70 years.

If you are unsure of whether the music used in your show is copyrighted or not, it's usually safe to assume that it is. For further clarity, please email [music@brightonfringe.org](mailto:music@brightonfringe.org).

## **I'm using backing tracks, will I still owe PPL PRS royalties?**

Yes. The tune was still composed by someone, and is likely to be in copyright.

## **When do you need the information by?**

We understand that you may not know what music you are using when you register your event. The deadline for completing the music section of your registration form is 5pm on 17 May 2024. We will chase you to complete the Music Section before then.

## **Why can't I have longer to give you the information?**

We have to manually check the music calculations for roughly 800 events, and then agree the figure for each event with PPL PRS Ltd. This is a lengthy process! Our terms and conditions state that we will pay Box Office Settlements within 6 weeks of Brighton Fringe ending. To make sure we can meet this deadline and give you your hard-earned money, we have to start processing PPL PRS royalties as soon as Brighton Fringe finishes.

Settlements for all Brighton Fringe events are processed together, to ensure that our figures add up to the amount we have taken through our Box Office. Therefore, it's not possible to process your event's settlement later – any delays affect all Brighton Fringe events.

## **The tariffs are based on ALL ticket sales – how will you know about tickets sold through channels other than the Brighton Fringe Box Office?**

We will know if you had any other tickets to sell by looking at the allocation of tickets you gave the Brighton Fringe Box Office to sell. If PPL PRS royalties are owed, you will be asked to send us the figures for any tickets sold through other channels such as your venue or door sales. From this we can work out how much is owed in total. If you don't let us know this information when asked, we have to assume that all tickets (other than those in our allocation) were sold at full price, and calculate accordingly.

**IT SAVES YOU MONEY TO GIVE US THIS INFORMATION WHEN ASKED.**

## **My event is free to attend, will I owe PPL PRS royalties?**

No. In 2015 we negotiated with PRS that free or donations events don't pay royalties, as nothing has been earned. Please select 'Not Relevant (my event is free or donations)' from the drop-down options in the Music section of Eventotron to complete.

## **When and how do I pay PPL PRS royalties?**

Any monies owed will be deducted from your Brighton Fringe Box Office Settlement, and will be clearly shown on your Settlement Statement. You do not have to pay anything in advance. Box Office Settlement payments are paid 6 weeks after the end of Brighton Fringe, to the person specified in your event registration. In some cases your settlement will be sent directly to your venue first, who will then need to work out your final settlement which includes ticket sales through their own Box Office.

# **CALCULATING DEDUCTIONS**

## **How much will my PPL PRS deduction be?**

This depends on several factors:

1. Whether audience members pay to attend your event. Free or donations events don't pay PPL PRS royalties.
2. The category your event is registered in for Brighton Fringe (Music & Nightlife, Theatre etc.).
3. The amount of copyrighted music used in your event as a percentage of the total event duration.

## How the deduction amount is worked out:

1. We take your total box office revenue and deduct commission at 6.5%+VAT
2. We add this to your total box office revenue through other channels
3. We remove the VAT from these to get the net box office revenue
4. We deduct the PPL PRS off the net box office revenue
5. We add VAT to this amount at 20%

## Calculating your PPL deduction:

PPL fees relate to the use of specific musical recordings. These fees are distributed as royalties to the rights holders of that recording, such as record labels and the musicians who played on the recording in question. As with PRS, PPL can collect fees on behalf of affiliate organisations around the world.

### Music events:

The PPL rate for all music events which use copyrighted music is 1% of your total ticket sales (plus VAT)

### Theatre events:

There are two different types of music tariff for theatre event, Incidental and Interpolated Music.

**'Incidental, curtain or scene change music'** - this is music that occurs during the performance of your show but is not at any point directly referenced, 'heard' by a character on stage or reacted to in any way by a performer. This category does NOT include any music that is danced to or performed in any way. If your theatre event features incidental music it will be charged £0.60 + VAT, regardless of your Box Office takings, or how many performances you do.

**Interpolated music** is music which exists within the dramatic world of the presentation, i.e. it is either performed by or intended to be perceived by the audience as audible to a character in the drama; the music is a part of the drama. If your theatre event features interpolated music it will be charged at a rate of 1%+VAT of your net ticket sales.

### All other events:

Other events with a capacity of less than 1000 are charged PPL at a rate between 0.5-1.5%. This is chosen by finding the percentage of copyrighted music used in the event. The percentages for 2024 are:

Percentage of event running time that contains copyrighted music	% deduction for PPL
0-25%	0.50%
25-50%	0.75%
50-75%	1.00%
75-100%	1.50%

Here are some examples:

#### Example Event 1:

Event running time = 60 minutes.

Copyrighted music used for a total of 10 minutes.

$10/60 = 16.6\%$

Because copyrighted music was used for less than 25% of the running time of the event, the PPL rate is 0.5% of Box Office takings.

### Example Event 2:

Event running time = 60 minutes

Copyrighted music used for a total of 20 minutes

$20 / 60 = 33\%$

Because copyrighted music was used for between 25 – 50% of the running time of the event, the PPL rate is 0.75% of all Box Office takings.

### **Calculating your PRS deduction:**

PRS fees relate to the use of musical compositions. These fees are distributed as royalties to composers who have registered their compositions with PRS or an affiliated performing rights organisation such as APRA in Australia or ASCAP in the US.

### **Music events:**

The PRS rate for all music events which use copyrighted music is 4%+VAT of your net ticket sales.

### **Theatre events:**

There are two different types of music tariff for theatre event, Incidental and Interpolated Music.

**'Incidental, curtain or scene change music'** - this is music that occurs during the performance of your show but is not at any point directly referenced, 'heard' by a character on stage or reacted to in any way by a performer. This category does NOT include any music that is danced to or performed in any way. If your theatre event features incidental music it will be charged £15.24 + VAT, regardless of your Box Office takings, or how many performances you do.

**Interpolated music** is music which exists within the dramatic world of the presentation, i.e. it is either performed by or intended to be perceived by the audience as audible to a character in the drama; the music is a part of the drama. If your theatre event features interpolated music you will need to contact PRS directly to arrange a separate licence. You can find out more about interpolated music licencing for theatre events on the PRS website [here](#)

### **All other events:**

Other events with a capacity of less than 1000 are charged PPL at a rate between 0.2-1.5%. This is chosen by finding the percentage of copyrighted music used in the event. The percentages for 2024 are:

Percentage/duration of event running time that contains copyrighted music	% deduction for PRS
0-25%	0.50%
25-50%	1%
50-100%	1.5%

Here are some examples:

### Example Event 1:

Event running time = 60 minutes.

Copyrighted music used for a total of 10 minutes.

$10/60 = 16.6\%$

Because copyrighted music was used for less than 25% of the running time of the event, the PRS rate is 0.5% of all Box Office takings.

Example Event 2:

Event running time = 60 minutes

Copyrighted music used for a total of 20 minutes

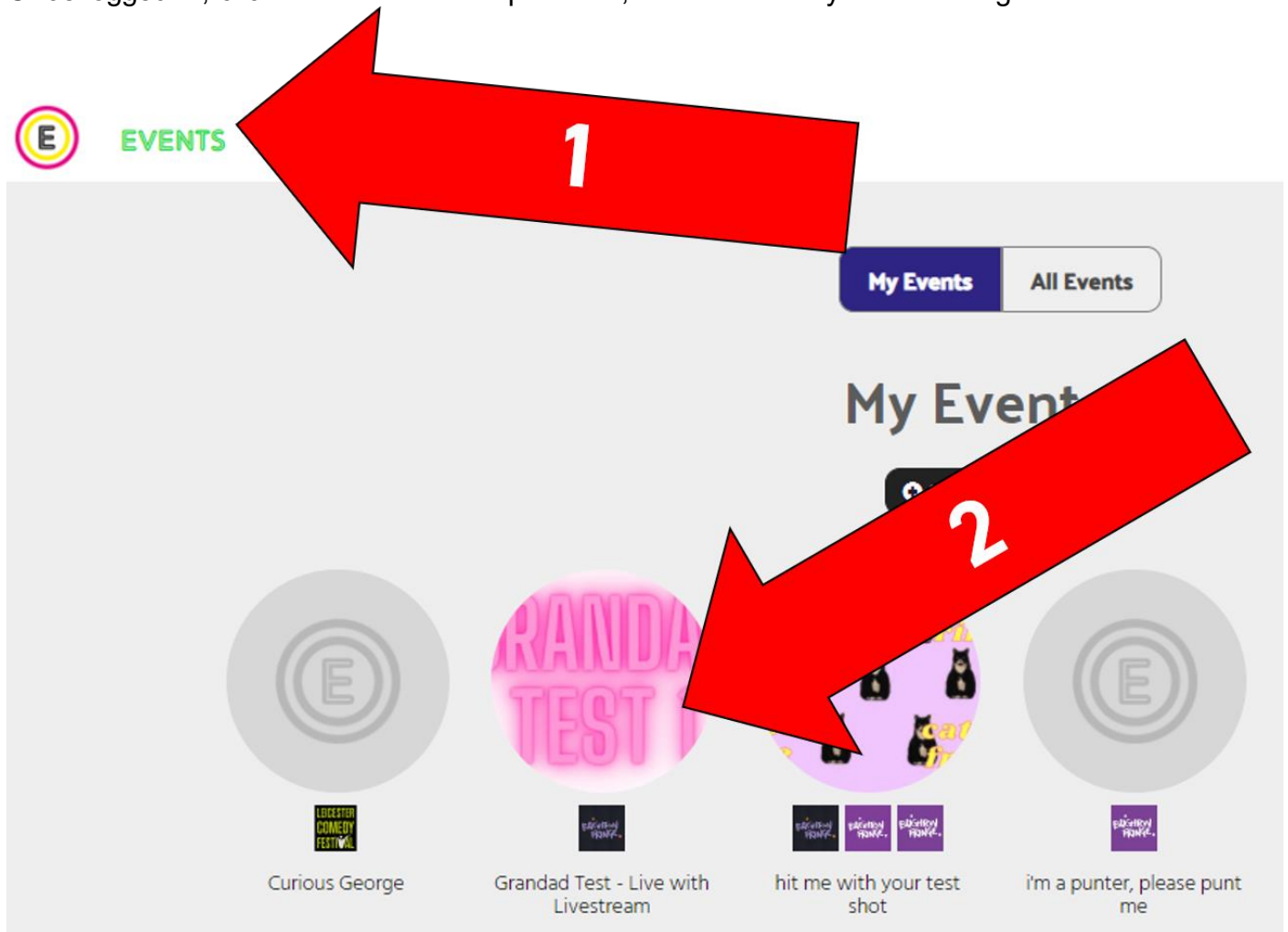
$20 / 60 = 33\%$

Because copyrighted music was used for between 25 – 50% of the running time of the event, the PRS rate is 1% of all Box Office takings.

**How to complete the Music Usage Section in Eventotron:**

Login to Eventotron to view your event registration at: [www.eventotron.com](http://www.eventotron.com)

Once logged in, click 'Events' on the top banner, then click into your event registration.





Once within your event profile, click on the Brighton Fringe 2024 tab, and then click into the music usage section from the left-side menu:

**Click here to access the Brighton Fringe 2023 section of your event profile**

**Click here to access the music usage section of your 2023 registration**

You will be asked if your event uses music (either live or recorded):

**Select which option applies to your event here**

Select 'Yes', 'No' or 'Not relevant (my event is free or donations)'.

**If you select 'No' or 'Not relevant (my event is free or donations)', you won't be asked any more questions and you have now completed the Music section!**

If you select 'Yes' you will also be asked:

- “Does your event feature a DJ set for the full event duration?” – If you answer 'Yes' you will be subject to the maximum PRS tariff. Although entering track listing information will not affect the tariff charged, it will help in the redistribution of royalties.
- “Do you own Grand Rights for this piece?” - This is when you're performing an existing dramatic or musical work that includes in-copyright music, but your licence to use that music is contained within the larger licence to perform the show itself. If you answer 'Yes' you'll be able to enter your licence number, no further details are required and you have now completed the Music section.
- You will be asked if you have a pre-arranged Tour PRS licence for your event, if this applies to your event please input your Tour PRS Licence number. No further details are required and you have now completed the Music section.
- If your event is listed in the Theatre genre you'll be asked:
  - Does this show contain incidental, curtain or scene change music during the performance?
  - Does this show contain interpolated music during the performance?
- If your event is listed in the Music & Nightlife genre you'll be asked to declare whether your event is specifically a music event. A music event should be an event that predominantly consists of music, e.g. live music event (band, singers etc) or a featured recorded music event (DJ etc). If you select yes, you'll be charged the music tariff for any PPL PRS copyrighted work.

If your event does not have a DJ set for the full event duration and if you do not have a Tour PRS Licence, please manually enter each piece of music used in your event using the 'Add a piece of music' button at the bottom of the page.

Does this show contain interpolated music during the performance?

YES  NO

Interpolated music is music which exists within the dramatic world of the presentation, i.e. it is either performed by or intended to be perceived by the audience as audible to a character in the drama; the music is a part of the drama.

Music that is either performed by, or audible to, a character in a drama is the kind of music which is not authorised by PPL PRS licences held by venues. A specific licence application must be made in advance of performances, even if TheMusicLicence is already held by the venue.

For each piece of music you declare to us, you will need to let us know whether this piece of music is in copyright or not. The copyright status of a composition and/or recording influences whether or not you will be required to pay a fee to PRS for its use.

In the UK, copyright lasts for a period of **70 years from the end of the calendar year in which the author dies**. If the music originates from outside the European Economic Area (EEA), the copyright lasts for as long as the music is protected by copyright in its country of origin, provided that this does not exceed 70 years.

If you do not know whether the musical composition or recording of a musical work has been registered with a performing/publishing rights organisation, you should assume that it has been registered as this will normally be the case.



[+ Add a piece of music](#)

Complete this form for each individual piece of music used during your event. So if 10 songs are used in your event, you'll need to complete the form 10 times.

Name of piece

Is the piece entirely improvised?

PLEASE NOTE: If this piece is an improvisation based on a composed piece, the answer to this question should be 'No'.

Are you playing the original recorded version of this track?

Is the piece composed by members of the group?

Please provide the full name(s) of the composer(s)

Duration of excerpt:  
 Hours  Mins  Secs

Is the piece in copyright?

The music you have entered will show on the screen, so you can see how far you've got:

performing/publishing rights organisation affiliated with PRS or PPL respectively, it is best to assume that it has been registered as this will normally be the case. For further clarity, please email [music@brightonfringe.org](mailto:music@brightonfringe.org).

**+ Add a piece of music**

Title	Improvised	Playing Original Recording	Composed by group	PRS member?	PPL Registrant?	Composer	Length	Copyright	
test deduct	⊗	⊙	⊗			john	00:06:28	⊙	
not recorded	⊗	⊗	⊗			barry	00:04:30	⊙	
John Doe	⊗	⊙	⊗						

**Click the red icon to remove a piece of music**

**Click the green icon to edit a piece of music**

When you've added all of the music used in your event, you have now completed the Music section. Hurray!

If you have any questions after reading through this guide, please email [takepart@brightonfringe.org](mailto:takepart@brightonfringe.org)