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## ***Listening in the workplace – why do I need a music licence?***

### **Q1. What is 'PPL'?**

A1. PPL, formerly known as Phonographic Performance Limited, is a UK-based music licensing company and performance rights organisation. It exists to manage the rights in musical recordings and maximise the earnings from the broadcast and public use of music and videos, before distributing them to performers and record companies.

### **Q2. What is 'PRS'?**

A2. PRS for Music (formerly the Performing Right Society) is the UK association of composers, songwriters and music publishers. It administers the rights held in musical works or compositions. It licences these rights for around ten million musical works and collects royalties on these works whenever they are publicly performed, or when they are broadcast or played in public spaces.

### **Q3. Are PRS and PPL the same company?**

A3. No, PPL and PRS for Music are two separate independent companies. PPL collects and distributes money for the use of recorded music on behalf of record companies and performers. PRS for Music collects and distributes money for the use of the musical composition and lyrics on behalf of authors, songwriters, composers and publishers.

### **Q4. Why do I have to pay to play music in my workplace?**

A4. Playing recorded music at a workplace, public event or in the course of any business activities is widely recognised to be playing in public or 'public performance' by UK law. Essentially this means that performers have the right to demand financial recompense for music not intended for personal or domestic use.

### **Q5. How do I pay for the right to play music in public?**

A5. To pay for the music you play in public or the workplace, you will need to obtain an annual licence from PPL and PRS for Music. The best way to attain a licence is to contact the collecting societies using the following details:

- PPL – [ppnb@ppluk.com](mailto:ppnb@ppluk.com) – 020 7534 1070
- PRS for Music – [musiclicence@prsformusic.com](mailto:musiclicence@prsformusic.com) – 0800 068 4828

Before doing this, it is first advisable to check for the specific licence which is relevant to your workplace, as there a variety of licences available, all containing different rates depending on the equipment you own, size of your workplace and number of staff. Check the licences using the following links:

- PPL – <http://www.ppluk.com/en/I-Play-Music/Businesses/How-much-does-a-licence-cost/>
- PRS for Music – <http://www.prsformusic.com/users/businessesandliveevents/Pages/Existingmusicforbusinesscustomers.aspx>

### **Q6. How long does a licence last?**

A6. A licence with both PRS and PPL lasts one year from the moment of purchase. However, these rates are only fixed on an annual basis and subject to increase each year with inflation.

## ***Listening in the workplace – why do I need a music licence?***

### **Q7. I haven't got a licence now, should I call up the licensing bodies and try to obtain one?**

A7. It is advisable that you contact the licensing bodies using the detail mentioned above. If you recognise you require a licence, and fail to inform the licensing bodies, you may be subject to a higher royalty rate.

### **Q8. Do I need to pay both PRS and PPL?**

A8. In most instances a licence is required from both organisations for you to legally play recorded music in public and the workplace. While both organisations licence the use of music and collect royalties for the music industry, each represents different rights holders and have separate licences, terms and conditions.

### **Q9. Do I have to pay to listen to the radio at work?**

A9. Yes, if you are listening to the radio in the workplace or another public place, you probably need to pay for a music licence.

However, different rates apply depending on how many people are listening and the size of the public space/ workplace. There are also discounts available by solely listening to the radio, as opposed to listening to the radio and recorded music or another format. It is advisable you read through the applicable licences mentioned in A5 before you obtain a licence.

### **Q10. Do I pay if I listen to the radio or music via the internet?**

A10. Yes. Playing music over the internet through speakers is subject to the same as playing recorded music. Playing the radio via Radioplayer or a station's dedicated pop-up player is liable to the same rate as listening to the radio through a radio set or digital TV.

### **Q11. Do I have to pay if I am listening via earphones or headphones?**

A11. No. If you are listening to the radio individually for personal use via head/earphones, you do not need to apply for a licence from either PRS for Music or PPL.

### **Q12. What happens if I do not pay?**

A12. If you refuse to pay for music licences when playing in public, you could be subject to prosecution under the terms of the Copyright, Designs and Patents Act 1988. This could result in legal proceedings and the payment of substantial damages being paid.

### **Q13. Who should I contact if I think I am being treated unfairly?**

Both PRS for Music and PPL operate codes of conduct, which outline the standards they are expected to uphold in dealing with their customers and licensees. These include a complaints process if they are failing to meet these standards or have behaved poorly. To access this process for

- PRS, go here – <http://www.prsformusic.com/codeofconduct/Documents/PRS%20for%20Music%20Code%20of%20Conduct%20Nov%202012.pdf>
- PPL, go here – <http://www.ppluk.com/Documents/Code%20of%20Conduct%20PDFs/PPL%20Code%20of%20Conduct%20for%20Licensees.pdf>

## ***Listening in the workplace – why do I need a music licence?***

If you are not satisfied with the initial response you have the right to [complain to an independent ombudsman](#).

If you are still dissatisfied with the collecting society process, you may want to [contact your local MP](#).

### **Q14. When is it free to listen to the radio in the workplace?**

A14. Generally it is not free to listen to licensed music in any workplace. However, there are some instances when you will not require a licence.

- If the works you are listening to are out of copyright due to reasons outlined in [A21](#)
- If you listen via headphones or earphones for personal use as described in [A11](#)

Otherwise you are simply advised to seek out the most suitable tariff for your business.

### **Q15. What are the discounts available for my business when listening to music?**

A15. There are a variety of discounts available when listening to music in the workplace. These are outlined in each licence, which can be accessed using the links available at [A5](#).

In general, cheaper licences are available when listening to music through only one or two platforms. Therefore, in some cases listening to solely the radio is considerably cheaper than listening to recorded music via CD or MP3.

### **Q16. Does any business not pay to play music in the workplace?**

A16. All businesses playing licensed music through speakers are subject to music licensing. However, some businesses, such as charity shops and smaller community premises, pay significantly cheaper rates. Check the licences linked to in [A5](#) to see if this applies to your business.

### **Q17. Don't radio stations already pay for the music they broadcast?**

A.17. Yes, radio stations pay a significant sum to both PRS for Music and PPL for the right to broadcast music on the radio. However, this does not cover the 'public performance' of this music in shops, cafes, bars, offices and workplaces. These fees are the responsibility of the business playing the music.

### **Q18. Is there anyone I can speak to about my payment options?**

A18. Payment options and schemes tend to be on one off or via direct debit. For more information, you should contact the collecting societies using the details in A5.

### **Q19. Are there different charges for different radio stations? I only listen to speech stations (e.g. LBC, talkSport).**

A19. No. The fees do not change according to your listening habits. PRS and PPL would argue that even speech stations use music beds and commercial tracks as part of their output.

### **Q20. I have already paid my TV licence; does this mean I can listen to the radio through my TV at work and not purchase a PRS or PPL licence?**

## ***Listening in the workplace – why do I need a music licence?***

A20. No, these fees relate to the fact that music is being played in a public place. Even if you are only watching TV in your workplace you are likely to require some additional licence from PRS for Music or PPL.

### **Q21. Is there any music which isn't covered by a licence from PRS for Music or PPL?**

A21. Licence from PRS for Music and PPL cover the majority of copyright music being played, but there is some music which is not covered by your licence, or for which you do not require a licence:

- Music which is out of copyright.
- 'Copyright free' music, where the music is in copyright but the rights holder does not require the user to obtain any additional licence. This is most common where copyright material is used for educational purposes.
- Music which is specially written for dramatic performances, such as musicals, operas and ballets (also known as 'grand right' works). To use this music, you still need to get permission from the rights holder directly.
- Unsigned acts. To use this music, you need to get permission from the rights holder directly unless otherwise stated.
- When the music is licensed to another rights collector, such as [Eos](#), a body that collects rights for Welsh language performers and composers.

### **Q22. I am self-employed. Does that make a difference?**

A22. Collecting societies do not differentiate based on the 'employment status' of music users. A Music Licence will generally be required to authorise all public performances of music. However, if you are listening to music through headphones or earphones (as described in [A11](#).) this is defined as for personal use and therefore not a public performance.

### **Q23. Is it against the law not to have a licence?**

A23. Playing copyrighted music at a workplace, public event or in the course of any business activities is widely recognised as subject to licence requirement in UK law. It is the music user's responsibility to ensure they have the correct licences in place before using any copyright material.

If you have been using music without a licence, you may be liable to make a payment to cover the years you have been using music without a licence (up to 6 years).

### **Q24. What will happen to if I continue to play music in my workplace without a licence?**

A24. Without a licence you could be prosecuted by the collecting societies in court. If you lose the case, you may be subject to legal costs, fines or even a prison sentence.