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To all UK Local Medical Committees

12 June 2014

Dear Sir/Madam

PPL Licensing of Medical Practices – TV/radio usage in waiting rooms

I am writing to your committee following a discussion with Naomi Billingsley in the BMA public information office

About PPL
PPL is the UK based music licensing company that licenses recorded music played in public or broadcast on television or radio and then distributes the fees to its tens of thousands of performer and record company members. You may also be aware of *PRS for Music* which carries out a similar role, licensing the use of musical compositions on behalf of composers and music publishers.

Playing recorded music in public (which effectively means playing it in any non-domestic setting) will almost always require a PPL licence – you can find out more at www.ppluk.com.

Licensing of waiting rooms
UK copyright law changed in October 2003 to enable PPL to license businesses playing its members' recordings in public by means of a TV or radio broadcast (previously PPL could only license businesses that used CDs, MP3s or similar sources of recorded music). We have not however focused on this type of licensing in the context of areas such as waiting rooms and reception areas, although we have licensed businesses that approached PPL for a licence in respect of such usage.

With effect from 1 September 2014 we intend to start licensing TV/radio usage in waiting rooms and reception areas (including those within medical practices) more proactively. It is important to note that the fees under the applicable licensing tariff (see enclosed PPL tariff 085: *background music – waiting rooms/receptions*) will remain unchanged, save for annual RPI indexation. However, as we already operate a late payment surcharge under various other PPL tariffs (set by the Copyright Tribunal), we propose to apply this to the waiting rooms tariff from 1 September 2014 onwards.

Those medical practices already licensed by PPL (whether under the waiting rooms tariff or for other uses of recorded music such as in treatment rooms) will continue to be licensed in the usual manner. From July 2014 onwards, as part of a wider programme of reaching out to businesses regarding the music licensing requirements for TV/radio usage in waiting rooms etc, we will also be proactively contacting medical practices across the UK to raise awareness. In advance of doing so, we wished to inform your committee (and the other local medical committees across the UK). We have similarly contacted other organisations, such as the British Dental Association.

Further information

As part of this awareness-raising process we realise that you may receive queries or requests for advice from your members. Therefore I enclose a set of FAQs about PPL music licensing that may be useful for your members.

I hope that, between them, this letter and enclosed FAQs answer any questions that you may have but if you have any further queries please do not hesitate to contact me.

Yours sincerely



Richard Stewart
Head of Dubbing & Tariff Development

TARIFF FOR THE PUBLIC USE OF SOUND RECORDINGS

PPLPP085

PHONOGRAPHIC PERFORMANCE LIMITED, 1 UPPER JAMES STREET, LONDON, W1F 9DE.
TELEPHONE: 0207 534 1000. FAX: 0207 534 1111

Background Music Tariff - Waiting Rooms/Reception Areas

THIS TARIFF IS EFFECTIVE FROM 01-SEP-13 TO 31-AUG-14

NOTES:
For the public use of sound recordings solely as background music in waiting rooms & reception areas.

	Fee(£)	
	116.36	per Area

VAT should be added at the current rate to the above charges.

The Minimum PPL Licence Fee will be applied.

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PPL FAQs for doctors' surgeries

What is the difference between PPL and PRS?
PPL collects and distributes licence fees for the use of recorded music on behalf of record companies and performers, while PRS for Music collects and distributes for the use of musical compositions and lyrics on behalf of songwriters, composers and publishers.

Do I need a licence from both PPL and PRS for Music?
PPL and PRS for Music are two separate independent companies and in most instances a licence is required from both organisations for you to legally play recorded music in public. 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. 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.

I own the CD or download so why do I have to pay again to play it in public?
Buying a CD or download only allows you to use it for domestic purposes, such as listening to it at home for private enjoyment. If however you play a CD or download (or other forms of recorded music) in public, then in almost all cases a PPL licence will be legally required. 'Playing recorded music in public' has a wide legal meaning – you can read more about the law relating to playing recorded music in public in the other FAQs below.

I pay my TV licence – doesn't that allow me to play the TV in my business?
A TV licence (which is issued by TV Licensing on behalf of the BBC) is needed so that you can use television equipment to receive TV signals. It does not grant you any permission to use recorded music from PPL's repertoire, which may be included within the broadcasts received via TV signals. A PPL licence is therefore required to play in public, the recorded music that is used as part of the broadcasts or to relay the signals received to other places, such as multiple hotel rooms.
Much TV programming includes the use of recorded music (whether in individual programmes or in trailers and promotions for those programmes), so if those programmes are played in public by having the TV on at your business premises, then a PPL licence will almost certainly be required. If you play a TV at your business premises, please contact PPL to discuss the specific licensing requirements for your business.

What is the law relating to playing recorded music in public?
Under the Copyright, Designs and Patents Act 1988, if recorded music is 'played in public' (i.e., played in any context other than a domestic one) every play of every recording requires the permission of the owner of the copyright in that recording (usually a record company). If PPL did not exist, a business playing recorded music at its premises would be required to contact potentially thousands of record companies to individually obtain their permission before being able to play recorded music lawfully.
Record companies transfer their rights in recorded music to PPL so that we can issue licences to businesses and effectively give them the record companies' permission for their recorded music to be played in public. The performers on those recordings are then also legally entitled to receive a fair payment where they are played in public.
By providing licensing solutions for the use of almost all commercial recorded music, PPL creates substantial efficiencies for both copyright owners and those who play music in public If a business requires a PPL licence but does not obtain one, the business will be infringing copyright. This is also unfair to those other businesses who have obtained a PPL licence, not to mention the tens of thousands of performers and record companies who are responsible for the recorded music that the unlicensed business is using. PPL undertakes a range of local and national activities to try and raise awareness of music licensing

requirements amongst businesses, but the legal requirement to obtain a licence is not affected by whether or not a business was aware.

Can I pay by direct debit?
Most PPL licence fees can be paid via Direct Debit. You can set up the Direct Debit instruction over the telephone by calling **020 7534 1415.** We can either complete the instruction over the phone or we can send you a paper form to complete and return. Eligible licence fees can be paid in one to four monthly Direct Debit instalments across consecutive months. You can select the 1st, 8th, 15th or 22nd day of the month as your payment day. In some instances, the number of monthly instalments available to you in the first year may be less than the maximum of four. This situation will occur if there are fewer months remaining in the twelve month period since the licence start date noted on your invoice.

PPL allows payments to be made in up to four instalments in consecutive months and starting from the date of the invoice or when the direct debit plan is put in place. A PPL licence is a legal requirement if you play our members' recorded music in public. While it is common for payment for goods or services to be spread over a period of time and either the services halted, or goods returned if payment is not received in full, it is more typical for licences to be paid in advance. Additionally, some companies that offer a 12 month Direct Debit option may, unlike PPL, charge interest on payments, resulting in you paying a higher fee.

Can PPL charge for past usage?
When a business is first found to be playing recorded music without a PPL licence (or continuing to play recorded music without renewing a PPL licence), PPL is legally entitled to charge for all recorded music use dating back to when the recorded music was first played (up to a maximum of six years). PPL undertakes a range of local and national activities to try and raise awareness of music licensing requirements amongst businesses, but the legal requirement to obtain a licence is not affected by whether or not a business was aware.

Where can I find further information?
For further information about PPL, including licence costs, please visit our website www.ppluk.com