

Use of music in performances

Most companies use music in their shows; if you are intending to use music, you need to declare it to the venue and to PPL PRS, and in some cases obtain permission to use the specific music you want.

What is PPL PRS and what does it do?

PPL PRS Ltd is a joint venture between the UK's two music licensing societies, PPL and *PRS for Music*. Previously, businesses and organisations had to obtain separate music licences from both PPL and *PRS for Music*. However, they have now joined forces to form PPL PRS so now premises only require one licence known as TheMusicLicence. To obtain TheMusicLicence contact PPL PRS. The forms are straightforward but will need completing well in advance – ideally 30 days, but a minimum of 14 days before your first performance.



Which sections of the forms you need to fill in depends on whether your music is:

- 1. Specially written for the show:** You agree the rights and royalty payments directly with the composer/their agent and inform the venue
- 2. “Within the frame” of the show:** You clear the rights with PPL PRS who obtain permission from the relevant music creator
- 3. “Outside the frame” of the show:** You declare it to PPL PRS directly

If you fail to declare PPL or *PRS for Music* controlled music, or get prior clearance for interpolated music, it is an infringement of copyright and could result in legal action being taken against you or the venue. That's why it is usually a condition of your contract with the venue that you complete the PPL PRS return.

1. Music which has been specially written for the production

If the music used in your production has been written by a member of your company, or if you have already agreed royalty payments directly with the composer of the music you are using, then you do not need to fill out the Declaration Form. This type of music falls under “grand rights” and includes operas, musicals and other plays where the music has been specially written. The rights to this music aren’t controlled by PPL or *PRS for Music*.

2. Interpolated Music: “within the frame” of the show

For PPL PRS licensing purposes, “Interpolated” music is defined as: music which is performed by or intended to be audible to a character or characters in that theatrical production. To correctly identify interpolated music, imagine the presentation as a film. As a viewer, we instinctively understand when a character in a film can hear the music and when it’s just soundtrack that they can’t hear. Such as when there’s a car chase; the driver can’t hear the dramatic chase music that accompanies it but if there is a CD playing in the car, they can hear that. As the viewer, we understand this distinction immediately – if this were on stage the CD music would be interpolated.

Getting permission to use interpolated music

“Interpolated” music in performances is *not* covered by the venue. If you intend to use interpolated music in your production, you need to fill in the details of the interpolated music you use on the **back** of the [Declaration Form](#). You will then need to get two members of your company to sign the declaration at the bottom of the Declaration Form and return it to PPL PRS. Ideally, the form should be returned 30 days before your first performance; 14 days is the shortest amount of time in which venues can process your declaration.

Publishers have first refusal on licensing interpolated works, so PPL PRS needs to make a referral. This can cause problems if the music, or your show, is not finalised until late on. If you know roughly what you will be using and how long you intend to use it (e.g. two minutes of Song 1, four minutes of Song 2, etc.), fill out the form as accurately as you can, and any last-minute changes can be communicated by phone to PPL PRS.

3. Music outside the frame of the show

a. Incidental music

For PPL PRS licensing purposes, “Incidental” music is defined as: music heard by the theatre audience as an accompaniment to the play, but which is not performed by, or intended to be audible to, any of the characters in the play. As an example, this could be scene change or background music.

Venues will pay a weekly fee for “incidental” or “curtain” music; but you will need to fill in the details of the incidental music you use on the **front** of the [Declaration Form](#).

b. Overture, Entr'acte, Exit Music

Venues pay an annual fee to PPL PRS (under "Tariff T") which covers performance of:

- Overture: pre-performance music
- Entr'acte: music played during the interval
- Exit Music: music post-performance

You will not need to fill in the details of music played at these times on the Declaration Form.

PPL PRS contact details

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