

Background Music and the Law

Background music has the power to transform your business, creating atmosphere and encouraging your customers to stay longer and spend more. However, if you're playing music without the right licences in place, you're breaking the law.

It doesn't matter whether your business is a pub, a hotel, a shop or an optician. And it's irrelevant whether you're playing the radio, CDs you've purchased or music you've paid to download or stream.

If you play music to your customers or staff, you need a valid licence from the PPL and PRS for Music. Without them, you're not only exposing your business to the possibility of a hefty fine. You could even be banned from operating all together.

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Why do I need a licence to play music I own?

When you buy a CD or pay to download music, you're entitled to use it at home for your private enjoyment. However, if you play or broadcast sound recordings in "public" – more on that below – you need the permission of the copyright owner. And it's your legal responsibility to gain that permission by obtaining a valid licence.

Remember, "public" has a specific legal meaning. Essentially, it means any setting that isn't domestic. So, even if you're only playing music in your workplace to your office staff, you'll still need to obtain the appropriate licences. Just because the general public don't have access to that area, it doesn't mean you don't need to pay to play.

What's the difference between PPL and PRS for Music?

PPL collects and distributes money on behalf of record companies and performers, while PRS for Music represents songwriters, composers and music publishers. Essentially, by paying both licence fees,

you're ensuring that everyone involved in creating the music is correctly paid.

While it may seem complicated, you do need licences from both bodies in order to play your background music legally. The good news is they've begun to work together, so hopefully in the future the process will be simplified.

I didn't realise I needed two licences. Will I be fined?

If you've been operating without one (or both) of the necessary licences, don't panic.

Technically, by using sound recordings without permission you're infringing copyright and the copyright owner is entitled to take action against you.

However, both PPL and PRS for Music will only take legal action as a last resort. They'll always give you the opportunity to obtain a licence before going down that road.

The best course of action is to be honest and find out what you need to pay. Your payment will be backdated to when you took over the premises (or the date of your last payment).

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Can I play music via streaming services such as iTunes and Spotify?

In a word, no.

Streaming services – such as those provided by Spotify and iTunes – give you access to a vast library of music without having to purchase it. As a result, they're understandably popular.

However, both [Spotify](#) and [Apple](#) confirm in their terms and conditions that the licences they grant are for personal use. Apple refers to the music being for "non-commercial" use, while Spotify expressly forbids "broadcasting" and making it "available to the public."

Which means you're not entitled to play music streamed through either service in your business, regardless of whether you have valid PRS for Music and PPL licences.

Do I need anything in addition to my PPL and PRS for Music licences?

Depending on the circumstances, yes.

For example, if you're playing live or recorded music to an audience of over 500 people – or if you're playing it between 11pm and 8am – you're likely to need a licence for music entertainment.

Visit the [government website](#) for some useful tips and advice. But, remember, to obtain the licence itself you'll probably have to contact your local authority.

How much will my licences cost?

Licence fees vary, depending on the type of business you're running, the size of your premises and the type of activity it's used for. The good news is, it doesn't cost the earth.

- To find out how much you'll need to pay PPL, [this link is useful](#).
- And for PRS for Music, [enter your details here](#) and they'll get in touch with you.

If you play background music in a bar, pub or nightclub, this table tells you the fee you'll need to pay to PPL.

Audible Area in Square Metres

Fee

1 - 400	£133.12
401 - 450	£149.76
451 - 500	£166.40
501 - 550	£183.04
551 - 600	£199.68
601 - 650	£216.32
651 - 700	£232.96
701 - 750	£249.60
751 - 800	£266.24
801 - 850	£282.88
851 - 900	£299.52
901 - 950	£316.16
951 - 1000	£332.80

What do I gain from using soundjack's background music service?

We're a fully licensed background music provider, which means all our tailored playlists are licensed for commercial use.

So – while you'll still need to obtain valid licence from PPL and PRS for Music – when you use our background music service the copying fee is paid.

In fact, many businesses are infringing copyright as they don't realise that a copy licence is already required. Don't fall into the trap.

Can soundjack help me get the right licences?

Yes! Don't panic. If you haven't got the right licences in place, we're always on hand to advise you.

We'll help you manage the process of getting the right licences and support you while you make your applications.

Get in touch to find out more about soundjack's fully licensed background music service.