

PPL Public Performance Refunds Policy

The general principles of how customers should report changes to their circumstances, and how they should pay licence fees for playing recorded music in public (and some other similar or ancillary uses of recorded music), are set out in PPL's general terms and conditions for playing recorded music in public. However, the terms and conditions give PPL discretion to provide refunds to customers where the customer's circumstances change. This policy sets out how PPL will normally exercise that discretion.

A. Background Music

PPL distinguishes between customers who have five or less sites at the start of the current licence year and customers who have more than five sites at that time. The difference in policy is to avoid the extra administration for both PPL and the customer that would be caused if PPL processed the potentially numerous positive and negative adjustments that may apply to a larger licensee whenever they occurred throughout the year.

Refunds for customers with five or less sites

If a customer has five or less sites, the customer must give PPL notice of any change within two weeks of the change being made. If notice of the change is received later than two weeks, PPL will still exercise its discretion and provide a refund, but the refund calculation will be based on the date when PPL receives notice of the change, not the date of the change.

PPL calculates refunds as follows:

- (1) Two months are added to the date of the change (if PPL was notified within two weeks of the change being made), or to the date PPL was informed of the change (if PPL was notified later than two weeks after the change).to create the Refund Calculation Date. This addition is to compensate PPL for the additional administration.
- (2) The refund will be equal to the licence fees from the Refund Calculation Date to the licence expiry date. The Refund Calculation Date may fall after the end of the licence period, in which case no refund will be made.

Refunds for customers with more than five sites

If a customer has more than five sites, the customer must ensure that PPL receives notice of any changes (whether increases or decreases) at least 42 days before the end of the licence year. The information to be provided to PPL should also set out all changes that will occur in the remaining 42 days of the licence year. PPL will accept information provided after that deadline, but customers should note that their time for payment of the resulting invoice will be reduced.

For decreases reported to PPL, PPL will exercise its discretion and provide a refund which will be calculated as follows.

- (1) The date of each change is the Refund Calculation Date for that change.

- (2) The refund will be equal to the licence fees from the Refund Calculation Date to the licence expiry date.

Additional use of recorded music

PPL's general terms and conditions for playing recorded music in public require customers to inform PPL promptly of any increase in their use of recorded music and pay any additional fees in advance. However, PPL will normally exercise discretion and charge for additional usage only from the date of the change, provided that notice is given to PPL within the same time scales as required for refunds as set out above.

B. Licences for events (such as Specially Featured Entertainment events)

The following considerations apply to customers reporting additional or reduced recorded music use at events:

- (1) If a customer is holding events that use recorded music from PPL's repertoire and does not have a PPL licence for any events, it must contact PPL immediately and should not use PPL's recorded music at such events until a licence is obtained.
- (2) If a customer already holds a licence for events and makes changes to reported music usage in the first 6 months of the licence year, the customer must report this to PPL by the end of the 7th month of the licence year.
- (3) Any further changes to reported music usage after activities in the first 6 months of the licence year must be reported to PPL before the last 42 days in the licence year.
- (4) If the customer does not notify PPL of any changes to reported music usage within the time periods set out above, PPL reserves the right not to provide any refund.
- (5) PPL's general policy is that no refunds will be paid to customers until the end of the licence year unless a business premises ceases to trade or the existing licensee ceases to operate the premises.
- (6) Where there is a net refund due, this will be subject to a deduction to take into account the administration of that refund. The deduction will be the greater of (a) 10% of the net refund or (b) £100 per site where events take place. If the net refund does not exceed the greater of those sums, then no refund will be payable.

C. Surcharge

If PPL's invoice is not paid within 28 days of the expiry of the existing licence year, a surcharge fee will be applied where applicable to all fees under those tariffs in that invoice. This includes both the next years' fees plus the balance of credits and debits for last year.

If a customer had to pay a surcharge fee in order to obtain a licence, any refund will be limited to the standard licence fee and shall not include any part of that surcharge.