



## **The Use of Recorded Music in Dance Performance**

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Using recorded music for a dance piece both legally and appropriately can seem a complicated and daunting process. The guidelines below have been pulled together to help you understand the requirements and the steps to follow when planning to use recorded music in a dance performance.

### **The basics**

Your youth dance event will require music. But, as it's a public event, you need to make sure that you can legally use the music you have chosen (as stated by Copyright law). Copyright law protects the creator of any piece of creative work, including music, writing, art, design etc. The law is in place to protect the rights of the owner of the work. This means that anyone using a piece of music (from a copyright-protected recorded soundtrack) for a performance needs to have permission granted before it can be used (unless you are using music that is copyright free). Permission comes in different ways, depending on who is using it (which type of organisation) and how it is being used (for a youth event, for a public event etc.) and is generally granted in the form of a licence. NOTE: Use of recordings for educational purposes within an educational establishment is exempt, including use for performances if the performance is free of charge to the audience.

### **How to get a licence for a performance**

The use of music for events is common practice and used worldwide, so obtaining a licence isn't as scary as it sounds. Firstly, check that the venue you are having the event in has a Public Performance Licence (PPL) or Performing Right Society licence. Performance venues should have one or both of these in place to allow them to play recorded music as part of an event or performance to the public. If they do, your event should be covered by that licence, but you may be asked to pay a fee to the venue to contribute to the cost of their licence (speak to the venue manager for more information). If they don't, you will need to contact the Performing Rights Society (PRS) to request a licence (contact details below). When you request your licence, provide the PRS with as much information as possible highlighting that it is a youth event. The PRS will advise you on the steps you need to take to obtain your licence.

## **How to get a licence for filming and distributing a performance**

If you are planning to film and distribute DVDs or internet footage of your performance, you will need separate permission to include the music (especially if you are selling the content as you will be seen to be making a profit from the inclusion of the music). To do this you must obtain permission from the Mechanical Copyright Protection Society.

### **Other areas to consider**

- Always make sure you include the name of the track and the musician's/artist's name on the programme of any public performances.
- Also find out from the venue what information they will require from you after the performance. It may be that copies of the programme are enough for them to make their declaration to PPL and PRS, or you may need to provide more information than this.
- Ask PPL if a licence is required and purchase the appropriate licence. If PPL do not hold the licence for any of your recordings, you will need to contact the recording company directly.
- If you have any queries about the use of recorded music it is always best to ask! Contact the PRS or the PPL directly using the contact details below.

### **Copyright explained**

- A piece of creative work (music, visual art, writing, choreography, illustration etc.) is owned by its creator but doesn't have to be registered under UK law – it is automatically protected by Copyright from the moment it is created.
- An idea is not accepted as work that can be owned or protected by copyright. It has to be translated into a material form (i.e. written down, performed, recorded, built, drawn etc).
- Copyright is in place to protect the rights of the owner of the work and stop others from illegally reproducing the work or benefitting from its use illegally.
- Copyright ownership is valid for life and then 50 years after the death of the owner, except in the case of sound recordings (i.e. recording onto CD / digital hard drive or database / tape etc) of music, speech, discussion, performance, play / acting etc. which is simply 50 years from creation.
- Copyright is the term used for the copying and/or distribution of owned, created material. The copyright symbol is: ©

### **Organisations to be aware of**

- PPL (Phonographic Performance Ltd) – This is a music industry organisation which collects and distributes airplay and public performance royalties in the UK to record companies and performers (musicians).
- PRS (Performing Rights Society) – This is often confused with the PPL, however PRS is concerned with the musical and lyrical composition of the music (i.e. the composers and publishers) rather than the performers.
- Mechanical Copyright Protection Society (who work in alliance with PRS to make MCPS-PRS) - The agency that collects payments when sound recordings are used in a different format (e.g. video for broadcast or internet).

### **Licenses to be aware of**

- Public Performance Licence – This is usually something that the venue in which you are performing will acquire. It enables them to play recorded music to the public as part of a performances or as an event in itself (e.g. a DJ). Dancers and dance groups do not usually need to obtain a licence themselves, however they will usually need to pay the venue a contribution towards their licence. This is usually between 3-5% of the box office income.

### **Contact details**

There are two main organisations that administer copyright and performing right licences and royalties

Phonographic Performance Ltd (PPL)

[www.ppluk.com](http://www.ppluk.com)

Tel no: 020 7534 1000

Performing Rights Society (PRS)

[www.prsformusic.com](http://www.prsformusic.com)

Tel no: 0800 068 4828

**Important notice about this information: Youth Dance England is not a music publisher or licence provider. This information is provided for guidance only and readers should check the specific rules and terms that apply to them by contacting the relevant agency above.**