



Summary of Key Terms and Conditions August 2007

<p>Background Information</p>	<p>What is MCPS?</p> <p>The Mechanical-Copyright Protection Society collects and distributes 'mechanical' royalties generated from the recording of music onto many different formats including CDs, DVDs, TV and radio use and other products. This income is then distributed to MCPS members - writers and publishers of music.</p> <p>Why do I need a licence from MCPS to copy music into my programme material?</p> <p>The copying or recording of copyright music is a restricted act under the Copyright Design & Patents Act 1988. MCPS' members have appointed MCPS to be their agents in licensing the repertoire they control.</p> <p>What is the IPC Blanket Licence?</p> <p>It is an MCPS blanket licence for producers making programmes for UK broadcasters, where the broadcaster's own blanket licence will not/cannot cover the programme, for example, all programming commissioned by Channel 4, Channel 5 and S4C.</p> <p>The IPC blanket will:</p> <ul style="list-style-type: none">• Allow you to copy MCPS Commercial and Production Music into a programme for UK TV broadcast without requiring prior approval from the copyright owner. (For full transmission and repeat terms please refer to Annex D in the IPC Blanket Licence Agreement)• Allow you to provide the programme for +/- 30 day VOD exploitation• Allow you to provide related programme material (this is material that although may not have been previously broadcast does relate specifically to a broadcast programme, such as 'best of clips') to a third party for online or mobile exploitation only• Give you access to over 10 million pieces of music (both Production and Commercial Music) with no writer exclusions.• Provide a simple and cost effective way for you to access all the Commercial or Production Music that you need.
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	<p>Please note that any programme material for online use that is 'unique' and therefore does not relate to a UK TV broadcast programme in any way will require individual clearance.</p> <p>Please note this licence supersedes the previous methods of licensing MCPS members' music as of August 1st 2007</p> <p>What is Commercial Music? Commercial music is any music produced for marketing directly to the general public by any medium (eg. on CD).</p> <p>What is Production Music? Production music is specifically written for inclusion in audio and audio visual productions. Production music (or library music) is a cost effective alternative to commercial music and is simple and easy to access. MCPS acts as exclusive agent and administers the licensing process for over 100 Library members.</p> <p>This blanket licence covers the right to reproduce both the musical work and the sound recording in respect of production music.</p>
<p>Rights and music use not covered by the IPC Blanket Licence</p>	<p>What is not included under the IPC Blanket?</p> <ul style="list-style-type: none"> • The MCPS licence does not grant any rights to the broadcaster of your programme therefore an additional licence will be required by the broadcaster in order to communicate the programme to the public. • This licence only covers MCPS Repertoire Works. It does not extend to other rights or interests, including (by way of example only), any sound recordings (other than Production Music Sound Recordings), specially composed music, films, dramatic works, performers' rights or moral rights. • Derogatory Uses or the use of unauthorised arrangements, adaptations, parodies, burlesques and dramatico-musical works or the use of Commercial Music as title or credit music are also excluded. • Programmes made for broadcast outside of the UK. • Use within an advertising or sponsorship context. • Music Programming (see further licensing options for information on how to license music programming). <p>It is the licensee's responsibility to take out the appropriate licences with those organisations representing other copyright holders. Please contact your IPC Account Manager if you require further advice on this.</p>
<p>Royalty rate</p>	<p>How much will I be charged?</p> <p>No advances are payable for this licence. The royalty rate is charged transactionally on a per 30 second use basis and depends on the channel of exploitation. The rates are available on the published Rate Card at www.mcps-prs-alliance.co.uk/ipc</p>

Territory	<p>Does the IPC Blanket cover exploitation outside the UK?</p> <p>No, this is a UK Only blanket (the blanket only applies in relation to programmes made for broadcasters who broadcast from the UK]). For any reproduction made outside the UK you will need to clear Commercial Music individually and clear Production Music via the rate card AFML at www.mcps-prs-alliance.co.uk/productionmusic or use the Secondary Licensing Framework www.mcps-prs-alliance.co.uk/secondaryexploitation</p>
Reporting requirements	<p>How do I report my music use to MCPS?</p> <ul style="list-style-type: none"> • Currently you can report to MCPS by completing Channel 4 and Five’s own reporting formats and emailing copies with some additional information to MCPS directly or via an approved Excel format. All Programme Related Material must be reported via the MCPS format. • You are required to report details of all music used directly to MCPS for processing 14 days after the programmes final delivery date. However, if you believe that due to circumstances beyond your control, the reporting will be late, an extension can be arranged with your MCPS account manager. • After an initial interim period MCPS will no longer require direct music cue reporting from production companies and will use data provided by the broadcasters to invoice you. You will be notified as to when this will take place and will no longer need to send cue sheets to MCPS. • To help with both researching ownership of music and assisting in completing reporting, MCPS will give you access to its Online Enquiry System. • The licence does not cover works in copyright control. For further advice on this, please contact your account manager. • You must also complete the Programme Notification Form once a programme has been commissioned. This is to enable your account manager to make sure your invoices are kept up to date and to discuss any potential issues over programme content.
Eligibility	<p>Can everyone sign up to the IPC Blanket?</p> <p>All Independent Production Companies that use MCPS members’ music should apply for this blanket licence whether you are making only one production or several. All applications will be subject to a credit check, which if unsatisfactory may result in a deposit being required.</p> <p>Once signed up you will be covered for each new production you make (without having to reapply). Your account manager will be on hand to guide you throughout.</p>

Duration of the Licence	<p>Will I need to re-apply every year?</p> <p>This is a two year licence and will run until July 31st 2009</p>
Application process	<p>What do I need to sign up to the blanket licence?</p> <p>You must:</p> <ul style="list-style-type: none"> • Be able to supply complete and accurate music cue sheets for each programme • Complete a full application form and Status Enquiry Request form <p>What are the processes involved?</p> <ul style="list-style-type: none"> • Licensees must fully complete the Application Form (and provide the additional information requested under section C of the form). If for any reasons you are unable to provide one or more of the required pieces of information you should contact your account manager for assistance. • The Alliance will then process your application. • A standard contract, written in consultation with PACT, will be issued for you to sign and return to MCPS for a final signature.
Account Management	<p>How will the MCPS help me?</p> <p>Each licensee will be assigned an account manager who will be on hand to offer advice and answer any questions you may have. Your account manager will also be on hand to liaise over reporting deadlines, invoicing and programme notification.</p>
Further Licensing Options	<p>What shall I do if I want to distribute the programme to other broadcasters or for other types of secondary use?</p> <p>You will also need to apply for a Secondary Exploitation (SE) Licence. www.mcps-prs-alliance.co.uk/secondaryexploitation</p> <p>What shall I do if I want to make music programming?</p> <p>Depending on the circumstance you can apply for a Secondary Exploitation (SE) Licence, or clear the works individually. Please contact an IPC Account Manager for details. www.mcps-prs-alliance.co.uk/secondaryexploitation</p>

	<p>What is the secondary licensing framework?</p> <p>The secondary licensing framework offers a blanket licence to producers and distributors of UK-originating television programmes to allow them the rights to supply/ sell programmes containing our members' music for all forms of television exploitation, in-flight entertainment, mobile TV and VOD platforms. The Secondary Exploitation licence will also allow you to licence primary music programming.</p> <p>Other licensing schemes</p> <p>If you want to make the programme available as a retail DVD you will need to apply for a licence under our Audio Visual products (AVP) scheme. www.mcps-prs-alliance.co.uk/AVP</p> <p>Please go to www.mcps-prs-alliance.co.uk for further information on these licences</p>
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<p>Contact Details</p>	<p>If you have any queries please call the Broadcast and Online IPC team on 020 7306 4101</p> <p>Alternatively, please write to us at: Broadcast & Online Licensing Department MCPS-PRS Alliance Ltd. 29-33 Berners Street London, W1T 3AB.</p>
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This constitutes a summary of certain terms of the scheme and music users are advised to refer to the IPC Blanket licence terms and conditions for full details of royalty rates and other matters relating to using music online under the IPC Agreement. In the event of any inconsistency between this summary and the Independent Production Company Blanket Licence terms and conditions, then the terms of the Independent Blanket Licence shall prevail.

It is important to remember that although the mechanical rights to the composition are cleared through the IPC Agreement, separate clearances must also be obtained from the sound recording copyright owners