

## Music and TV

Sir, I refer to May's *BDJ In Practice* and the article on page 34 concerning music and TV in the practice.<sup>1</sup>

Towards the bottom of the first column, the piece states: 'A dental practice is considered to be 'in public' and so requires permission from the copyright holder in order to play music in the practice.'

Throughout my 40 years in practice I have always taken issue with the stance and never paid a licence fee of any kind as, personally, I believe that a dental practice is not a public place. Why is the BDA's position that a dental practice is considered a public place, and what is this based upon?

Over the years I have had various companies ring up my various receptions on behalf of PRS/PPL and try to get staff to admit that we play music to the public. Their opening question is generally 'Do you play music in your waiting room?'

The training of my staff has always been to answer this question with 'We do not play music to the general public'. They are then told to put the phone down.

These companies try and have been successful in 'brow beating' dental practices to pay the licence fees with the threat of taking some to court. In my 40 years I do not know of one single case where this has been followed through on. My waiting/reception areas are for patients who have an appointment. The general public do not come in.

I believe that this advice is in a very grey area, is driven by the music industry itself, has no basis in law and is costing many practices to waste hundreds of pounds every year.

**S. Gallier, via email**

*Editor's note: a response from the BDA Advisory Services*

*The BDA advises its members to obtain the correct licences if they wish to play music in their practices. Dental practices that are found to play music without permission risk a sanction. 'In public' is not defined in the relevant Act of Parliament but there is case law on the subject. Members who are unsure of their obligations should review the advice sheet or contact the advice teams. More detail can be found on our advice sheet Music and visual recordings.<sup>2</sup>*

*We thank the member for their contribution.*

### References

1. Rexhaj E. Music and TV in the practice: the customer experience and licensing. *BDJ In Pract* 2023; **36**: 34.
2. British Dental Association. BDA advice: Music and visual recordings. Online information at: [www.bda.org/advice/ba/Documents/Music%20and%20visual%20recordings.pdf](http://www.bda.org/advice/ba/Documents/Music%20and%20visual%20recordings.pdf) (accessed May 2023).

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