



## TARIFF 20: BACKGROUND MUSIC – THEATRES & CONCERT VENUES

Tariff for the communicating to the public of sound recordings

Effective from: 01 January 2022 to 31 December 2022.

1. The communicating of sound recordings to the public is a restricted act in terms of the South African Copyright Act (Act 98 of 1978, as amended) and Performers Protection Act (11 of 1967, as amended) and requires a licence from SAMPRA for the use of sound recordings in its **repertoire**. This document sets out SAMPRA's tariff for the communicating to the public of sound recordings during the entrance and exit of audiences and during intervals for theatre productions and concerts at **THEATRES AND CONCERT VENUES**.
2. This tariff is subject to SAMPRA's "General Terms and Conditions for Communicating Sound Recordings to the Public Licences", a copy of which can be accessed on SAMPRA's website (<http://www.sampra.org.za>) or obtained by contacting SAMPRA (see contact details here above).
3. This tariff applies to the communicating to the public of sound recordings in theatres and concert venues as **background music**. There are specific types of communicating sound recordings to the public that SAMPRA does not classify as **background music** and which are licensed under separate tariffs. DJ or MC Presentations and discotheques are to be charged separately using the Specially Featured Entertainment Tariff 03. Additional use of background music in other areas (bars, restaurants, lounges, etc.) to be charged separately, using the appropriate tariffs.
4. Penalty Clause – A SAMPRA licence should be obtained before sound recordings are publicly communicated. Should sound recordings be communicated to the public without first obtaining or renewing a licence, a surcharge can be added to this tariff. This is designed to act as a deterrent to unlicensed communications to the public of sound recordings.
5. The licence fees payable under this tariff are set out in the table below:

Aggregate Annual Attendance	Annual Fee
1 – 25 000	R 2 123.06
25 001 – 50 000	R 3 356.46
50 001 – 100 000	R 6 712.97
100 001 – 150 000	R 10 089.68
150 001 – 200 000	R 13 446.15
200 001 – 250 000	R 16 822.87
250 001 – 300 000	R 20 179.33
300 001 – 350 000	R 23 568.17
350 001 – 400 000	R 26 912.52
400 001 – 450 000	R 30 289.23
450 001 – 500 000	R 33 645.71
500 001 – 750 000	R 51 358.24
750 001 – 1 000 000	R 69 070.77

Fees increase at R17,712.52 per aggregate annual attendance band of 250 000 persons or part thereof.

This tariff is subject to a minimum fee of **R2,123.06** per annum.

VAT will be added to the fee at the current rate.

6. Definitions:

**“Background Music”** means the playing of recorded music to create an atmosphere or ambience that is not a special feature of, or essential to, the main event or is not essential to the operation of the premises.

**“Repertoire”** means the collection of copyright sound recordings owned or controlled by members of SAMPRA from time to time.

**Should you require additional information, please contact our Licensing Team as per details below:**

**Telephone** : 011 - 561 9679 / 561 9660 / 789 5784

**Email** : [licensing@sampra.org.za](mailto:licensing@sampra.org.za)