



## TARIFF 02: BACKGROUND MUSIC – RESTAURANTS, CAFES, BARS, CANTEENS & COFFEE SHOPS

Tariff for the communicating to the public of sound recordings

Effective from: 01 January 2021 to 31 December 2021.

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 in **RESTAURANTS, CAFES, BARS, CANTEENS AND COFFEE SHOPS**.
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 restaurants, cafes, bars, canteens and coffee shops 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.
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:

Size of Premises (Audible Area in Square Metres)	Licence Fee Per Outlet Per Annum (Exclusive of VAT)
1 - 50	R 972.11
51 - 100	R 1 944.21
101 - 200	R 3 888.42
201 - 300	R 5 832.62
301 - 400	R 7 776.81
401 - 500	R 9 721.02
501 - 600	R 11 665.23
601 - 700	R 13 609.43
701 - 800	R 15 553.64
801 - 900	R 17 497.84
901 - 1000	R 19 442.05
Each additional 1 to 100 (Above 1000)	R 1 944.21

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

### 6. Definitions:

**"Audible Area"** means the total area, measured in square metres, in which the sound recordings are rendered audible on the premises (whether indoors or outdoors).

If there are a number of storeys, floors or levels within the premises (including mezzanine floors or balcony areas), the audible area of each storey, floor or level should be included for the purposes of measuring the total audible area of the premises.

**“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 SAMPRO 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)