

SOUTH AFRICAN MUSIC PERFORMANCE RIGHTS ASSOCIATION  
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## TARIFF 08

### BACKGROUND MUSIC – AEROBICS, SPINNING & FITNESS CLASSES

Tariff for the communicating to the public of sound recordings

Effective from: 1 January 2019 to 31 December 2019.

1. The communicating of sound recordings to the public is a restricted act in terms of the South African Copyright Act 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 **aerobics, keep fit, slimming, spinning, aquaerobics, pilates and all similar movement to dance and exercise classes**.
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 or obtained by contacting SAMPRA.
3. This tariff applies to the communicating to the public of sound recordings in **aerobics, keep fit, slimming, spinning, aquaerobics, pilates and all similar movement to dance and exercise classes** 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. Apart from these exceptions, all other types of public performance are classified as **background music**.
4. Penalty Clause – You should obtain your SAMPRA licence before you can publicly communicate sound recordings. If you continue with the communicating to the public without first obtaining or renewing your 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. Fees:  
R 9.88 per class per annum  
  
Subject to a minimum fee of R 629.16 per annum (exclusive of VAT).

6. Explanatory Notes:

Importantly you would need to state the number of classes that are taught every week as well as the number of weeks per annum that teaching takes place.

A banded tariff is used in recognition of the way in which you play sound recordings. Often these tariffs are banded according to the numbers of people at an event or the size of the venue, so that the final fee reflects the extent to which recordings are being used.

7. DEFINITIONS:

**"Background Music"**. 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.