



SOUTH AFRICAN MUSIC PERFORMANCE RIGHTS ASSOCIATION
20 DE KORTE STREET
BRAAMFONTEIN
JOHANNESBURG
2001
TEL: 011-789 5784 / 561 9660
FAX: 011-789 5799

TARIFF 09

BACKGROUND MUSIC – SPORT STADIUMS & ARENAS

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 at **SPECTATOR SPORTS EVENTS SUCH AS FOOTBALL, RUGBY, CRICKET MATCHES AND SIMILAR EVENTS**.
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 Sport Stadiums & Arenas (e.g. Rugby, cricket and athletic stadiums, Speedway track, Motor race track, etc.) 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.

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5. Fees: See Table below

AGGREGATE ANNUAL ATTENDANCE	ANNUAL FEE
	(R)
1 - 25 000	2 246.97
25 001 - 50 000	4 493.94
50 001 - 100 000	6 740.91
100 001 - 150 000	8 987.84
150 001 - 200 000	11 234.83
200 001 - 250 000	13 481.79
250 001 - 300 000	15 728.76
300 001 - 350 000	17 975.73
350 001 - 400 000	20 222.70
400 001 - 450 000	22 469.67
450 001 - 500 000	24 716.64
500 001 - 550 000	26 963.60
550 001 - 600 000	29 210.56

Fees increase pro-rata at R 2 246.97 per aggregate annual attendance band of 50 000 persons.

Where sound recordings are used to **emphasize significant action** during a match (e.g. goals, tries, fall of wickets etc.) a surcharge of 20 % on this tariff is to be applied.

This tariff is subject to a minimum fee of R 2 246.97 per annum.

VAT should be added at the current rate to the above charges.

6. Explanatory Notes:

The fees on this tariff depend on your annual attendance figure. You will need to provide the number of events as well as the average attendance for each, in order for SAMPRA to calculate the licence fee.

You will also need to state whether your stadium or ground is used for concerts involving the use of recorded music for entertainment before or after the concert or during an interval. A surcharge of 50 % on the tariff is applied in such instances.

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.

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