



SOUTH AFRICAN MUSIC PERFORMANCE RIGHTS ASSOCIATION
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TARIFF 10

BACKGROUND MUSIC – EXHIBITIONS, TRADE FAIRS, THEME/AMUSEMENT PARKS

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 **EXHIBITIONS, TRADE FAIRS, THEME/AMUSEMENT PARKS**
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 at Exhibitions, Trade Fairs, Theme/Amusement Parks 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**. SAMPRA assumes an eight hour trading day.
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.

FOR INFORMATION ONLY

5. Fees:

Without Admission fees/ticket sales

THROUGHOUT THE EXHIBITION, TRADE FAIR, THEME PARK AS A WHOLE

R 395.46 per day or part thereof for areas of up to 1 000 sq metres **audible area**.

R 719.02 per day or part thereof for areas of over 1 000 sq metres **audible area**.

With Admission fees/ticket sales

AVERAGE ATTENDENCE PER DAY

FEE PER DAY PER
FESTIVAL/EVENT

0 – 500	R 179.77
501 – 2000	R 359.52
2001 – 3500	R 719.02
3501 – 5000	R 1 078.56
5001 – 6500	R 1 438.05
6501 – 8000	R 1 797.57
8001 – 9500	R 2 157.10
9501 – 11000	R 2 516.60

Fees increase pro-rata at R 359.52 per unit of 1500 people average attendance.

The minimum SAMPRA licence fee of R 898.79 per annum should always be applied.

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

6. Explanatory Notes:

It is important that you provide the names and description of each trade fair, exhibition or theme/amusement park in your application, as well as the number of trading or exhibition days, as the tariff is calculated on the number of days you intend to play sound recordings as background music and whether there are admission fees or ticket sales.

7. DEFINITIONS:

“Audible Area”. Total area, measured in square metres, in which the publicly performed sound recordings can be heard on your premises (whether indoors or outdoors). For the avoidance of doubt, this is not confined to the area to which customers have access and can include the area behind any serving counter and the back office.

If there are a number of storeys, floors or levels within your 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 your premises.

“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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