



SOUTH AFRICAN MUSIC PERFORMANCE RIGHTS ASSOCIATION
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TARIFF 12

BACKGROUND MUSIC – TELEPHONE MUSIC ON HOLD

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 via **TELEPHONE MUSIC ON HOLD SYSTEMS**.
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 via Telephone Music on Hold systems 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. The licence does not permit the rerecording, editing, dubbing, copying, or transfer of copyright material. If the telephone music on hold system uses a digital memory facility (which requires a copy of the sound recording to be made), the licensee will require an additional licence for the mechanical reproduction. Please contact SAMPRA for more info on this.
5. Additional use of **background music** in other areas of the premises where telephone music on hold is supplied (e.g. bars, canteens, waiting rooms, etc.) will be charged separately using the appropriate tariffs.
6. 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

7. Fees:

NUMBER OF EXTERNAL LINES
PER SWITCHBOARD

ANNUAL LICENCE FEE
PER SWITCHBOARD

1 – 5 lines	R 2 067.21
6 – 15 lines	R 2 786.24
each additional 1 line	R 47.92

This tariff is subject to a minimum fee per annum of R 2 067.21.

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

In the instance where the Number of External Lines are not known, SAMPRA would use the Number of Extensions Linked to the Switchboard.

8. 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.