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TARIFF 16

BACKGROUND MUSIC - DANCE TEACHERS & DANCING SCHOOLS

Tariff for the communicating to the public of sound recordings

Effective from: 1 January 2020 to 31 December 2020.

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 as **background music** by **DANCE TEACHERS AND DANCING SCHOOLS** during dancing classes and tuition for individual pupils. Types of dancing covered include ballroom, Latin, jazz, disco, tap and other forms of dance instruction.
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 by dance teachers and at dancing schools (e.g. dance academy, dance club, dance hall, dance studio) 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:

Aggregate Annual Attendance Per Dance School/Studio/Site	Annual Fee Per Dance School Studio / Site
1 – 2 000	R 1 033.14
2 001 – 4 000	R 1 305.51
4 001 – 5 000	R 1 577.88
5 001 – 6 000	R 1 850.25

Fees increase at R272.37 per 1000 or part thereof aggregate annual attendance.

This tariff is subject to a minimum fee of **R1,033.14** per annum.

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

6. Explanatory Notes:

This tariff is calculated on the annual attendance figure per Dance School, Studio or Site. Information on the number of classes taught each week, the number of weeks per year in which teaching occurs, and the average attendance per class must be provided.

7. DEFINITIONS:

“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 SAMPRA from time to time.