



SOUTH AFRICAN MUSIC PERFORMANCE RIGHTS ASSOCIATION  
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## TARIFF 20

### **BACKGROUND MUSIC – THEATRE & CONCERT VENUES**

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 during the entrance and exit of audiences and during intervals for concerts and theatre productions **at Concert Venues and Theatres**.
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 Theatres and Concert Venues 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**. DJ or MC Presentations and discotheques are to be charged separately using the Specially Featured Entertainment tariff (03). Additional use of background music in other areas (bars, restaurants, lounges, etc.) to be charged separately, using the appropriate tariffs.
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:

Aggregate Annual Attendance	Annual Fee
1 – 25 000	R 1 887.44
25 001 – 50 000	R 2 983.95
50 001 – 100 000	R 5 967.95
100 001 – 150 000	R 8 969.90
150 001 – 200 000	R 11 953.85
200 001 – 250 000	R 14 955.81
250 001 – 300 000	R 17 939.76
300 001 – 350 000	R 20 952.50
350 001 – 400 000	R 23 925.69
400 001 – 450 000	R 26 927.64
450 001 – 500 000	R 29 911.60
500 001 – 750 000	R 45 658.35
750 001 – 1 000 000	R 61 405.08

Fees increase pro-rata at R15 746.73 per aggregate annual attendance band of 250 000 persons.

This tariff is subject to a minimum fee of R1 887.44 per annum.

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

6. Explanatory Notes:

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.