

SOUTH AFRICAN MUSIC PERFORMANCE RIGHTS ASSOCIATION  
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## TARIFF 22

### BACKGROUND MUSIC – CIRCUS

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 **CIRCUS PERFORMANCES**.
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 Circus performances 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.
5. Fees:

AGGREGATE ANNUAL ATTENDANCE	FEE PER ANNUM
0 – 500	R 278.62
501 – 1000	R 557.26
1001 – 1500	R 835.87
1501 – 2000	R 1 114.48
2001 – 2500	R 1 393.12
2501 – 3000	R 1 662.75
3001 – 3500	R 1 941.38
3501 – 4000	R 2 219.99

Fees increase pro-rata at R 278.625 per unit of 500 people aggregate attendance.

This tariff is subject to a minimum annual fee of R 629.16.

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

FOR INFORMATION ONLY

6. Explanatory Notes:

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

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.