

SOUTH AFRICAN MUSIC PERFORMANCE RIGHTS ASSOCIATION  
 20 DE KORTE STREET  
 BRAAMFONTEIN  
 JOHANNESBURG  
 2001  
 TEL: 011-789 5784 / 561 9660  
 FAX: 011-789 5799

## TARIFF 23

### BACKGROUND MUSIC – FESTIVALS & RELATED EVENTS WITH TICKET SALES OR ADMISSION FEE

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 **FESTIVALS AND RELATED EVENTS** such as beer festivals, music, arts and fresh produce festivals, fetes, fire work displays, surfing contests, etc.
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 festivals and related events 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:

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 should always be applied.

VAT at the current rate, should be added 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 name and number of festivals or related events for the year, as well as the average attendance for each, in order for SAMPRA to calculate the licence fee accurately.

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.