

SOUTH AFRICAN MUSIC PERFORMANCE RIGHTS ASSOCIATION NPC
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TARIFF 38

BACKGROUND MUSIC – MULTI STALLS WITHIN AN EVENT

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 at **MULTI STALLS WITHIN AN EVENT**.
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 at events that comprise multi stalls that play **background music** that is different to the main event. 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. Fees:

Flat Fee of **R250.00** per stall per day.

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

6. 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.