



## TARIFF 05: BACKGROUND MUSIC – AIRCRAFT

Tariff for the communicating to the public of sound recordings

Effective from: 01 January 2023 to 31 December 2023.

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 in **AIRCRAFT**.
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 in aircraft 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 – 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:

**R60.25** per seat per annum.

Subject to a minimum fee of **R537.86** per aircraft per annum.

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

6. Explanatory Notes:

In order to issue an accurate licence, the number of aircrafts in the fleet, as well as the seating capacity of each aircraft must be specified.

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.

**Should you require additional information, please contact our Licensing Team as per details below:**

**Telephone** : 011 - 561 9679 / 561 9660 / 789 5784

**Email** : [licensing@sampra.org.za](mailto:licensing@sampra.org.za)