



TARIFF 09: BACKGROUND MUSIC – SPORT STADIUMS & ARENAS

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 at **SPORT STADIUM AND ARENAS FOR SPECTATOR SPORTS EVENTS SUCH AS FOOTBALL, RUGBY, CRICKET MATCHES AND SIMILAR EVENTS**.
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 sport stadiums & arenas (e.g. rugby, cricket and athletic stadiums, speedway track, motor racetrack, etc.) 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.
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. The licence fees payable under this tariff are set out in the table below:

Aggregate Annual Attendance	Annual Fee
1 - 25 000	R2 689.23
25 001 - 50 000	R5 378.47
50 001 - 100 000	R8 067.70
100 001 - 150 000	R10 756.90
150 001 - 200 000	R13 446.16
200 001 - 250 000	R16 135.38
250 001 - 300 000	R18 824.61
300 001 - 350 000	R21 513.85
350 001 - 400 000	R24 203.08
400 001 - 450 000	R26 892.33
450 001 - 500 000	R29 581.56
500 001 - 550 000	R32 270.78
550 001 - 600 000	R34 960.00

Fees increase at **R2,689.23** per aggregate annual attendance band of 50 000 persons.

Where sound recordings are used to **emphasize significant action** during a match (e.g. goals, tries, fall of wickets etc.) a surcharge of 20% on this tariff is to be applied.

This tariff is subject to a minimum fee of **R2,689.23** per annum.

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

6. Explanatory Notes:

The fees on this tariff depend on the annual attendance figure. The number of events as well as the average attendance for each event should be provided, in order for SAMPRA to calculate the licence fee.

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