



TARIFF 12: BACKGROUND MUSIC – TELEPHONE MUSIC ON HOLD

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 via **TELEPHONE MUSIC ON HOLD SYSTEMS**.
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.
3. This tariff applies to the communicating to the public of sound recordings via telephone music on hold systems 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. The licence does not permit the rerecording, editing, dubbing, copying, or transfer of copyright material. If the telephone music on hold system uses a digital memory facility (which requires a copy of the sound recording to be made), the licensee will require an additional licence for the mechanical reproduction. Please contact SAMPRA for more info on this.
5. Additional use of **background music** in other areas of the premises where telephone music on hold is supplied (e.g. bars, canteens, waiting rooms, offices etc.) will be charged separately using the appropriate tariffs.
6. 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.
7. The licence fees payable under this tariff are set out in the table below:

Number of Extensions per Switchboard	Annual Licence Fee per Switchboard
1 – 5 Extensions	R 2 474.09
6 – 15 Extensions	R 3 334.65
Each additional 1 extension	R 57.35

This tariff is subject to a minimum fee of **R2,474.09** per annum.

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

8. 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