



## TARIFF 23: BACKGROUND MUSIC – FESTIVALS & RELATED EVENTS WITH TICKET SALES OR ADMISSION FEES

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 **FESTIVALS AND RELATED EVENTS WITH TICKET SALES OR ADMISSION FEES** such as (but not limited to) 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 (<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 festivals and related events with ticket sales or admission fees 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:

Average Attendance Per Day	Fee Per Day Per Festival / Event
1 – 500	R 215.15
501 – 2000	R 430.28
2001 – 3500	R 860.54
3501 – 5000	R 1 290.85
5001 – 6500	R 1 721.10
6501 – 8000	R 2 151.38
8001 – 9500	R 2 581.68
9501 – 11000	R 3 011.93

Fees increase at R430.28 per unit of 1500 people average attendance or part thereof.

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

### 6. Explanatory Notes:

The fees on this tariff depend on annual attendance figure. The name and number of festivals or related events for the year, as well as the average attendance for each must be supplied, in order for SAMPRA to calculate the licence fee accurately.

### 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)