

INDEPENDENT MUSIC PERFORMANCE RIGHTS ASSOCIATION
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TARIFF 34

SPECIALLY FEATURED ENTERTAINMENT

Tariff for the communicating to the public of sound recordings

Effective from: 1 January 2022 to 31 December 2022.

1. This tariff is subject to IMPRA's "General Terms and Conditions for Communicating Sound Recordings to the Public Licenses", a copy of which can be accessed on IMPRA's website or obtained by contacting IMPRA.
2. The communicating of sound recordings to the public is a restricted act in terms of the South African Copyright Act and requires a license from IMPRA for the use of sound recordings in its **repertoire**. This document sets out IMPRA's tariff for the communicating to the public of sound recordings whenever sound recordings are played **as a main or special attraction (Featured Music) where there is dancing to sound recordings in the venue**, rather than for background music. Examples of events of **SPECIALLY FEATURED ENTERTAINMENT** include (but not limited to) **DISCOTHEQUES, NIGHT CLUBS, ADULT ENTERTAINMENT CLUBS AND CABARET SHOWS**.
3. To enable IMPRA to calculate the rate you will pay, you must provide three figures:
 - How many hours recordings are played for at an event;
 - The average attendance at the event and;
 - The number of events you have during the period.
4. Penalty Clause – You should obtain your IMPRA license before you can publicly communicate sound recordings. If you continue with the communicating to the public without first obtaining or renewing your license, 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:

ATTENDANCE AVERAGE		HOURS PER OCCASION										
From	To	1	1.5	2	2.5	3	3.5	4	4.5	5	5.5	6
1	75	32.62	48.95	65.27	81.57	97.89	114.21	130.52	146.84	163.16	179.46	195.79
76	100	43.54	65.31	87.08	108.88	130.63	152.40	174.19	195.97	217.73	239.50	261.28
101	125	54.45	81.69	108.93	136.15	163.39	190.62	217.85	245.06	272.30	299.53	326.76
126	150	65.37	98.06	130.75	163.44	196.13	228.82	261.51	294.18	326.88	359.56	392.27
151	175	76.28	114.44	152.59	190.72	228.87	267.01	305.16	343.31	381.67	419.58	457.75
176	200	87.20	130.80	174.40	218.00	261.61	305.22	348.83	392.41	436.03	479.63	523.22
201	225	98.12	147.19	196.24	245.30	294.36	368.81	392.49	441.54	490.59	539.66	588.71
226	250	109.02	163.55	218.08	272.59	327.10	381.63	436.13	490.65	545.17	599.70	654.20
251	275	119.95	179.93	239.90	299.88	359.85	419.82	479.79	539.78	599.75	659.72	719.69
276	300	130.86	196.30	261.73	327.15	392.60	458.03	523.45	588.89	654.33	719.74	785.18

A minimum annual fee of **R1,458.16** is payable under this tariff.

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

6. Explanatory Notes:

The hours of record use per event is the actual time during which sound recordings are played (up to the nearest half hour). The anticipated average attendance should include all persons admitted to the area where sound recordings are being played as specially featured entertainment, whether or not they have paid an admission fee or are members or guests.

The figure should be averaged over a 52-week period.

For every additional person above 500, the fee will increase by **R10.92** per person.

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7. DEFINITIONS:

“Featured Music” means the playing of sound recordings as a main or special attraction that is essential to the operation of the premises and/or the main event.

“Repertoire” means the collection of copyright sound recordings owned or controlled by members of IMPRA from time to time.

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