

INDEPENDENT MUSIC PERFORMANCE RIGHTS ASSOCIATION
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TARIFF 38

BACKGROUND MUSIC – THEATRES & CONCERT VENUES

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 during the entrance and exit of audiences and during intervals for theatre productions and concerts at **THEATRES AND CONCERT VENUES**.
3. This tariff applies to the communicating to the public of sound recordings in theatres and concert venues as **background music**. There are specific types of communicating sound recordings to the public that IMPRA does not classify as background music and which are licensed under separate tariffs. DJ or MC Presentations and discotheques are to be charged separately using the Specially Featured Entertainment Tariff. Additional use of **background music** in other areas (bars, restaurants, lounges, etc.) to be charged separately, using the appropriate tariffs.
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:

Aggregate Annual Attendance	Annual Fee
1 – 25 000	R 2041.41
25001 - 50000	R 3227.37
50001 - 100000	R 6454.78
100001 - 150000	R 9701.62
150001 - 200000	R 12928.99
200001 - 250000	R 16175.83
250001 - 300000	R 19403.20
300001 - 350000	R 22661.70
350001 - 400000	R 25877.43
400001 - 450000	R 29124.26
450001 - 500000	R 32351.64
500001 - 750000	R 49382.93
750001 - 1000000	R 66414.20

Fees increase at **R17,031.27** per aggregate annual attendance band of 250 000 persons or part thereof.

This tariff is subject to a minimum fee of **R2,041.40** per annum.

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

6. DEFINITIONS:

“Background Music”. 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 IMPRA from time to time.

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