

# Independent Music Performance Rights Association



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## TARIFF S

### **BACKGROUND MUSIC – SHOPS & STORES**

Tariff for the communicating to the public of sound recordings

Effective from: 1 January 2022 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 and requires a licence 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 in **shops, stores, showrooms, offices, banking halls, wholesale warehouses, garage forecourts, supermarkets, departmental stores, airports, clothing stores, casinos, hospitals, clinics, educational establishments, libraries and common areas of shopping centres**.
2. This tariff is subject to IMPRA's "General Terms and Conditions for Communicating Sound Recordings to the Public Licences", a copy of which can be accessed on IMPRA's website or obtained by contacting IMPRA.
3. This tariff applies to the communicating to the public of sound recordings in shops or stores 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. Apart from these exceptions, all other types of public performance are classified as **background music**. IMPRA assumes an eight hour trading day.
4. "**Bona Fide Demonstrations**". Demonstration of Radio and Television receivers or any type of Recording and Playback equipment to a client/s by a dealer in such equipment. Such demonstrations are exempt from having to pay for a licence. It should be mentioned however, that if the abovementioned equipment were used to play "continuous background music" in the business, a licence would be required.
5. Penalty Clause – You should obtain your IMPRA licence before you can publicly communicate sound recordings. If you continue with the communicating to the public without first obtaining or renewing your 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.

6. The Licence Fee payable under this tariff are set out in the table below:

<b>BACKGROUND MUSIC IN SHOPS AND STORES</b>	
<b>Fees:</b>	
<b>Size of Premises (audible area in square metres)</b>	<b>Licence Fee per store per Annum (exclusive of VAT)</b>
<b>Up to 50</b>	<b>R 93.92</b>
<b>51 to 100</b>	<b>R 187.84</b>
<b>101 to 200</b>	<b>R 281.76</b>
<b>201 to 300</b>	<b>R 375.69</b>
<b>301 to 500</b>	<b>R 469.61</b>
<b>501 to 750</b>	<b>R 563.53</b>
<b>751 to 1000</b>	<b>R 657.46</b>
<b>1001 to 1250</b>	<b>R 751.38</b>
<b>1251 to 1500</b>	<b>R 845.30</b>
<b>1501 to 1750</b>	<b>R 939.23</b>
<b>1751 to 2000</b>	<b>R 1 033.15</b>
<b>2001 to 2500</b>	<b>R 1 127.07</b>
<b>2501 to 3000</b>	<b>R 1 220.99</b>
<b>3001 to 3500</b>	<b>R 1 314.92</b>
<b>3501 to 4000</b>	<b>R 1 408.84</b>
<b>4001 to 4500</b>	<b>R 1 502.77</b>
<b>4501 to 5000</b>	<b>R 1 596.69</b>
<b>5001 to 6000</b>	<b>R 1 690.61</b>
<b>6001 to 7000</b>	<b>R 1 784.54</b>
<b>7001 to 8000</b>	<b>R 1 878.46</b>
<b>8001 to 9000</b>	<b>R 1 972.38</b>
<b>9001 to 10000</b>	<b>R 2 066.30</b>
<b>Every additional 1 to 1000</b>	<b>R 93.92</b>
<b>(Above 10000)</b>	

7. DEFINITIONS:

**“Audible Area”**. The total area, measured in square metres, in which the publicly performed sound recordings can be heard on your premises (whether indoors or outdoors). For the avoidance of doubt, this is not confined to the area to which customers have access and can include the area behind any serving counter and the back office. If there are a number of storeys, floors or levels within your premises (including mezzanine floors or balcony areas), the audible area of each storey, floor or level should be included for the purposes of measuring the total audible area of your premises.

**“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.