

Independent Music Performance Rights Association



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TARIFF SP

BACKGROUND MUSIC – SPORT STADIUMS & ARENAS

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 at **SPECTATOR SPORTS EVENTS SUCH AS FOOTBALL, RUGBY, CRICKET MATCHES AND SIMILAR EVENTS**.
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 Sport Stadiums & Arenas (e.g. Rugby, cricket and athletic stadiums, Speedway track, Motor race track, etc.) 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**.
4. 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.

5. Fees: See Table below

AGGREGATE ANNUAL ATTENDANCE	ANNUAL FEE R
1 - 25 000	234.80
25 001 - 50 000	469.61
50 001 - 100 000	704.42
100 001 - 150 000	939.23
150 001 - 200 000	1 174.04
200 001 - 250 000	1 408.84
250 001 - 300 000	1 643.65
300 001 - 350 000	1 878.46
350 001 - 400 000	2 113.27
400 001 - 450 000	2 348.08
450 001 - 500 000	2 582.88
500 001 - 550 000	2 817.69
550 001 - 600 000	3 052.50

Fees increase pro-rata at R 234.80 per aggregate annual attendance band of 50 000 persons.

Where sound recordings are used to **emphasize significant action** during a match (e.g. goals, tries, fall of wickets etc.) a surcharge of 20 % on this tariff is to be applied.

This tariff is subject to a minimum fee of R 234.80 per annum.

VAT should be added at the current rate to the above charges.

6. Explanatory Notes:

The fees on this tariff depend on your annual attendance figure. You will need to provide the number of events as well as the average attendance for each, in order for IMPRA to calculate the licence fee.

You will also need to state whether your stadium or ground is used for concerts involving the use of recorded music for entertainment before or after the concert or during an interval. A surcharge of 50 % on the tariff is applied in such instances.

A banded tariff is used in recognition of the way in which you play sound recordings. Often these tariffs are banded according to the numbers of people at an event or the size of the venue, so that the final fee reflects the extent to which recordings are being used.

7. 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.