

## Copyright Royalties Collections:

Royalties payment is the collection of funds that is collected by NASCAM from music users. This fund collected as copyright music license that allow anybody using music in a public setting, for economical gain or for social entertainment for free or on tickets sales to members of the public.

Royalties are collected from different platforms such as venues that are fitted with background music facilities or a system or have been provided to do so either on a permanent or temporary basis.

For example, broadcasters and service providers are issued with copyright music licenses that allow them to use music in their services and this is done based on an agreement/contract between NASCAM and such communication to the public service.

Another scenario is that fixed and non-fixed venue that uses or provides the use of music sound through system, background music is also licensed or issue with the permission to allowed to do so through a contract or agreement with NASCAM. This license is called a “Blanket license” that covers any kind of musical works performed or display as sounds in the venue.

NASCAM is mandated by its membership agreement to collect such funds from any music user in Namibia on behalf of the creators of such musical works and as it is stipulated under the Copyright and Neighbouring Right Protection Act and under the principles of the Berne Conversion Treaty that such collection and copyright administration should bear by the collecting society organization (CMO) NASCAM for all artistic personnel without any discrimination on nationalities but both local and international should benefit from such collection and Royalties payment of repertoire exploitations.

Therefore, a percentages shares of the collection is payable to the Authors, Composers and Publishers of the music use.

Why it is important to register your musical works with NASCAM

It is very highly recommendable to register your musical works for main two benefits

1. For your musical works to be legal protected thought the universals for life plus 50 years after death.
2. For royalties benefits as an author, composer, publisher and copyright inherited as beneficiary's.
3. You will enjoy other external activities through the collective management organization (CMO) NASCAM activities.

Juke Box Music License

- There are two or more types of music juke boxes in the music industry.
  1. Basic standard juke box, that use the actual disc (CD)
  2. Digital Juke Box, that use digital music files, MP 3, SD memories cards
- This Juke Boxes are requiring a Copyright Music License that allow the operator/ owner of the machine to provide music in public place.
- As Juke Box owner, you are not allowed to use or provide music in any public place without the Copyright Music License from NASCAM.
- This does not mean when you have applied for the Copyright Music License you have the right to copy the music but you have only the right to use/play or performer the music in a public place like a Bar, Shebeen, restaurant or any other places.
- Therefore, the type of License NASCAM will issue for that purpose is called a "Blanket License".

Digital Juke Box:

- This type of Juke Box became a threat to the music industry in general and if the Namibian Music Industry were well regulated like others in the region, they could avoided such innovation of the kind of the digital Juke Box to enter into the market in Namibia, or the music industry have to

request the Communication Regulatory Authority of Namibia (CRAN) and the Ministry of Information, Communication and Technology (MICT) to amend the Copyright and Communication Act to provide fair guidelines to the users/ owner and the owners of Copyrights works(music) that are downloaded into the Juke Box MP-3, SD Cards.

- Digital/Electronic Juke Box owners are requiring to apply for permission from the owner to download the music to the MP-3 or SD cards, which they have to pay for and that payment should reach the owner of the actual CD or songs downloaded.
- NASCAM noted with concern that there are a numbers of Juke Box suppliers that gathers all our members and those of internationals music without a permission either by NASCAM or from the owners of the music and they sale and redistribute to members of the public and the funds they receive do not reach the owner and this is against the law, those are doing it are stealing from the owners of the music.

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