

## **NASCAM LICENSE CODE OF OPERATION:**

The Copyright and Neighboring Right Protection Act, no. 6 of 1994 state that, Copyright shall be infringed by a person who, without the licence of the owner of the copyright does or causes any other person to do, in Namibia, any act which owner has the exclusive right to do or to authorize.

Therefore, the followings code of licensing applies as it is;

1. **NASCAM's task is to grant a licence to any music-users in the Republic of Namibia. As a rule, the user should apply to obtain the permission of the copyright owner before any performance or "diffusion" commences. The user enters into the standard form of licence contract that he/ she shall pay the applicable fee.**

**NASCAM will therefore furnishes at the request of the Licensee all such information.**

**Any music-users who do not obtain a NASCAM licence before performances of music begin or take place, then he/ she run a risk of being assessed at double the standard tariff rate, depending on the longer period that he/ she has been violating the copyright law.**

2. **NASCAM is issuing a blanket licence, that authorizing the performance/ diffusion of any of the millions of musical works controlled by it and its affiliated Copyright Societies worldwide.**

**NASCAM issue short term licence, "Letter of Authority" for performance of music at any premises not licenced for a specific function (is not performers and bands who are or obtained a licence, but the owner of the venues where the performances are taking place).**

**NASCAM issue a single comprehensive licenced to the owner of the establishments, such as a group or chain of restaurant, stores, bars, disco clubs etc. that are seeks for a licence covering the performance of music in their premises.**

3. **NASCAM calculates licence fees under a series of specially designed tariffs which take into account the various circumstances in which music is performed in the different categories of establishments.**

**A number of NASCAM tariffs are linked to the Consumer Price Index and are subject to increase or decrease in the general standard of living in the country.**

4. **NASCAM administers the performing right in all its members' musical works, this include the right of performing in public places, Broadcasting and diffusion.**

**No reproduction, publishing, performing, broadcasting, diffusion and adaption of copyright works should be done without the permission of the author or composer.**

5. **NASCAM therefore is mandated under Section 55 to 60 of the Copyright and Neighbouring Protection Act, no. 6 of 1994 and signed deeds of assignments to administers the "Rights" of the Authors, Composers and Publishers of Music in Namibia, the same mandates has also extended from Sisters Copyright Societies around the world under the signed "Reciprocal Representatives Agreements"(RRA), for NASCAM to administer and collects an equitable remuneration for the use of musical works on behalf of international sisters organization,**

