



NAMIBIAN SOCIETY OF COMPOSERS AND AUTHORS OF MUSIC

(An Incorporated Association not for gain)
Reg. No. 21/93/338

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TARIFF 20: BACKGROUND MUSIC – THEATRES & CONCERT VENUES

Tariff for the communicating to the public of sound recordings including public performance.

Effective from: 01 January 2023

1. The communicating of sound recordings to the public is a restricted act in terms of the NAMIBIAN Copyright Act (Act 6 of 1994, as amended) and copy right and related rights Act (8 of 2016, section 10 as amended) and requires a licence from NASCAM for the use of sound recordings and performing rights. This document sets out NASCAM'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**.
2. This tariff is subject to NASCAM's "General Terms and Conditions for Communicating Sound Recordings to the Public Licences", a copy of which can be accessed on NASCAM's website (<http://www.nascam.org.na>) or obtained by contacting NASCAM at no.5 Johnson Street, Eros.
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 NASCAM 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 03. Additional use of background music in other areas (bars, restaurants, lounges, etc.) to be charged separately, using the appropriate tariffs.
4. Penalty Clause – A NASCAM licence should be obtained before sound recordings are publicly communicated. Should sound recordings be communicated to the public without first obtaining or renewing a licence, a Penalty can be added to this tariff. This is designed to act as a deterrent to unlicensed communications to the public of sound recordings.
5. The licence fees payable under this tariff are set out in the table below:

Aggregate Annual Attendance	Annual Fee (N\$)
1 – 25 000	2 123.06
25 001 – 50 000	3 356.46
50 001 – 100 000	6 712.97
100 001 – 150 000	10 089.68
150 001 – 200 000	13 446.15
200 001 – 250 000	16 822.87
250 001 – 300 000	20 179.33
300 001 – 350 000	23 568.17
350 001 – 400 000	26 912.52
400 001 – 450 000	30 289.23
450 001 – 500 000	33 645.71
500 001 – 750 000	51 358.24
750 001 – 1 000 000	69 070.77

Fees increase at N\$17,712.52 per aggregate annual attendance band of 250 000 persons or part thereof.

This tariff is subject to a minimum fee of **N\$2,123.06** per annum.

6. Definitions:

“Background Music” means 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 NASCAM from time to time.

Should you require additional information, please contact our Licensing Team as per details below:

Telephone : +26461229116

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Email : namsoc@iafrica.com.na