



NAMIBIAN SOCIETY OF COMPOSERS AND AUTHORS OF MUSIC

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

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TARIFF 09: BACKGROUND MUSIC – SPORT STADIUMS & ARENAS

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.
2. This document sets out NASCAM's tariff for the communicating to the public of sound recordings at **SPORT STADIUM AND ARENAS FOR SPECTATOR SPORTS EVENTS SUCH AS FOOTBALL, RUGBY, CRICKET MATCHES AND SIMILAR EVENTS.**
3. 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 or obtained by contacting SAMPRA (see contact details here above).
4. 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 racetrack, etc.) 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.
5. 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 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 fees payable under this tariff are set out in the table below:

Aggregate Annual Attendance	Annual Fee
1 - 25 000	N\$ 2 527.48
25 001 - 50 000	N\$ 5 054.95
50 001 - 100 000	N\$ 7 582.43
100 001 - 150 000	N\$ 10 109.87
150 001 - 200 000	N\$ 12 637.37
200 001 - 250 000	N\$ 15 164.83
250 001 - 300 000	N\$ 17 692.31
300 001 - 350 000	N\$ 20 219.78
350 001 - 400 000	N\$ 22 747.26
400 001 - 450 000	N\$ 25 274.74
450 001 - 500 000	N\$27 802.22
500 001 - 550 000	N\$30 329.68
550 001 - 600 000	N\$ 32 857.15

Fees increase at **N\$ 2,527.48** 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 **N\$ 2,527.48** per annum.

6. Explanatory Notes:

The fees on this tariff depend on the annual attendance figure. The number of events as well as the average attendance for each event should be provided, in order for NASCAM to calculate the licence fee.

7. 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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