



NAMIBIAN SOCIETY OF COMPOSERS AND AUTHORS OF MUSIC

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

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TARIFF 23: BACKGROUND MUSIC – FESTIVALS & RELATED EVENTS WITH TICKET SALES OR ADMISSION FEES

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 at **FESTIVALS AND RELATED EVENTS WITH TICKET SALES OR ADMISSION FEES** such as (but not limited to) beer festivals, music, arts and fresh produce festivals, fetes, fire work displays, surfing contests, etc.
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 at festivals and related events with ticket sales or admission fees 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.
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:

Average Attendance Per Day	Fee Per Day Per Festival / Event (N\$)
1 – 500	202.21
501 – 2000	404.40
2001 – 3500	808.78
3501 – 5000	1 213.21
5001 – 6500	1 617.57
6501 – 8000	2 021.97
8001 – 9500	2 426.39
9501 – 11000	2 830.77

Fees increase at N\$404.40 per unit of 1500 people average attendance or part thereof.

6. Explanatory Notes:

The fees on this tariff depend on annual attendance figure. The name and number of festivals or related events for the year, as well as the average attendance for each must be supplied, in order for NASCAM to calculate the licence fee accurately.

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

Email : namsoc@iafrica.com.na