



NAMIBIAN SOCIETY OF COMPOSERS AND AUTHORS OF MUSIC

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

NASCAM House
No. 5, Johnson Street
Eros, Windhoek
NAMIBIA

P.O. Box 86500, Eros
Tel: +264-61-229116 / 249234
Cell: 081 229 5453
Fax: +264-61-249240
Fax to email: 088 655 6248
E-mail: namsoc@iafrica.com.na

TARIFF 21: BACKGROUND MUSIC – CINEMA COMPLEXES

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

Effective from: 01 January 2023

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 in **CINEMA AUDITORIA** during the entry and exit of audiences and during intervals between the performance of films **and/or for additional use in other areas of the Cinema Complex e.g. Foyers, Separate Bars & Restaurants, Concession Stands, etc.**

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.sampira.org.za>) or obtained by contacting SAMPRA (see contact details here above).

This tariff applies to the communicating to the public of sound recordings in cinema complexes 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.

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.

Fees:

Tariff 21-01: Fee per screen per annum.	N\$1,415.4
Tariff 21-02: Fee for foyers, bars, restaurants and other areas per annum.	N\$ 909.91

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:

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.

The licence fee payable is based on the applicable tariff(s) and criteria for each specific tariff.

Definitions:

“Audible Area” means the total area, measured in square metres, in which the publicly performed sound recordings can be heard on the premises (whether indoors or outdoors). If there are a number of storeys, floors or levels within the premises (including mezzanine floors or balcony areas), the audible area of each storey, floor or level should be included for the purposes of measuring the total audible area of the premises.

“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.

“Featured Music” means the playing of sound recordings as a main or special attraction that is essential to the operation of the premises and/or the main event.

“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