



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 35-02: ONLINE RADIO STATIONS/EVENTS (EVENT-BASED FEE)

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 **Transmission of Sound Recordings** via an **ONLINE RADIO STATION OR A WEB-BASED SERVICE ON AN EVENT-BASED FEE.**
2. This tariff is subject to NASCAM's "General Terms and Conditions", 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 **Transmission** of sound recordings using the services of an online radio station or a web-based service. A NASCAM licence will cover you for playing recorded music on your online radio station or a web-based service.
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 surcharge 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 fee payable under this tariff is:

N\$200.93 for 1 to 2 hours per event per day
N\$401.87 for 2 to 4 hours per event per day
N\$602.78 for more than 4 hours per event per day

Plus 5.5 % of **Net Revenue** should there be any income derived from advertising sponsorships or subscriptions.
6. Definitions:
 - 6.1 "**Net Revenue**" means the amount in Namibian Dollars derived by the Online Radio Station from:
 - 6.1.1 advertisements and sponsored promotions; and
 - 6.1.2 subscriptions.
 - 6.2 "**Online Radio Station**" means a radio station that uses an online radio system to transmit **Sound Recordings** to Users.

- 6.3 **“Online Radio System”** means a system whereby **Sound Recordings** are **Transmitted** from the Internet directly to a user’s computer or phone or like devices.
- 6.4 **“Sound Recordings”** means commercially released music that is owned or controlled by members of NASCAM from time to time, and for which NASCAM licenses to third parties from time to time.
- 6.5 **“Transmission”** means the broadcasting and/or the diffusion by whatever means, whether wire or wireless, now known or hereafter discovered (including without limitation, the Internet and other technology), including without limitation by telecast, simulcast, narrowcast, streaming and whether by way of satellite, analogue or digital terrestrial or cable transmission.
- 6.6 **“Web-Based Service”** includes a service offered by an electronic device to another electronic device, whether via an application or cloud technology or the like, allowing the devices to communicate with each other over the web/network.

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

Mrs. Chimu E. (Chairperson), Mr. Vihanga M. D., Mr. Lutete E. N., Mr. Ipinge K., Mr. Naruseb S. A., Mr. Diergaardt B. M., Mr. Kyababa S. A.