



PERFORMING RIGHTS  
LICENSING PRESENTATION

SEPTEMBER 2009

# THE SOUTHERN AFRICAN MUSIC RIGHTS ORGANISATION



- ❑ SAMRO represents rights of copyright owners (who assign such rights to SAMRO to administer)
  
- ❑ SAMRO negotiates and issues licenses via license agreements for music usage
  
- ❑ In terms of the license agreement, users are required to
  - ❑ pay license fees to SAMRO
  - ❑ submit music usage information





# PERFORMING RIGHTS

SAMRO administers the rights as specified in the Copyright Act as listed below:

- ❑ the right to perform in public e.g. live shows at clubs and other venues
- ❑ the right to broadcast e.g. television and radio
- ❑ the right to transmit through diffusion service via cable e.g. signal to a hotel TV set is diffused via cable to all the rooms





# LICENSING

SAMRO issues two types of licenses:

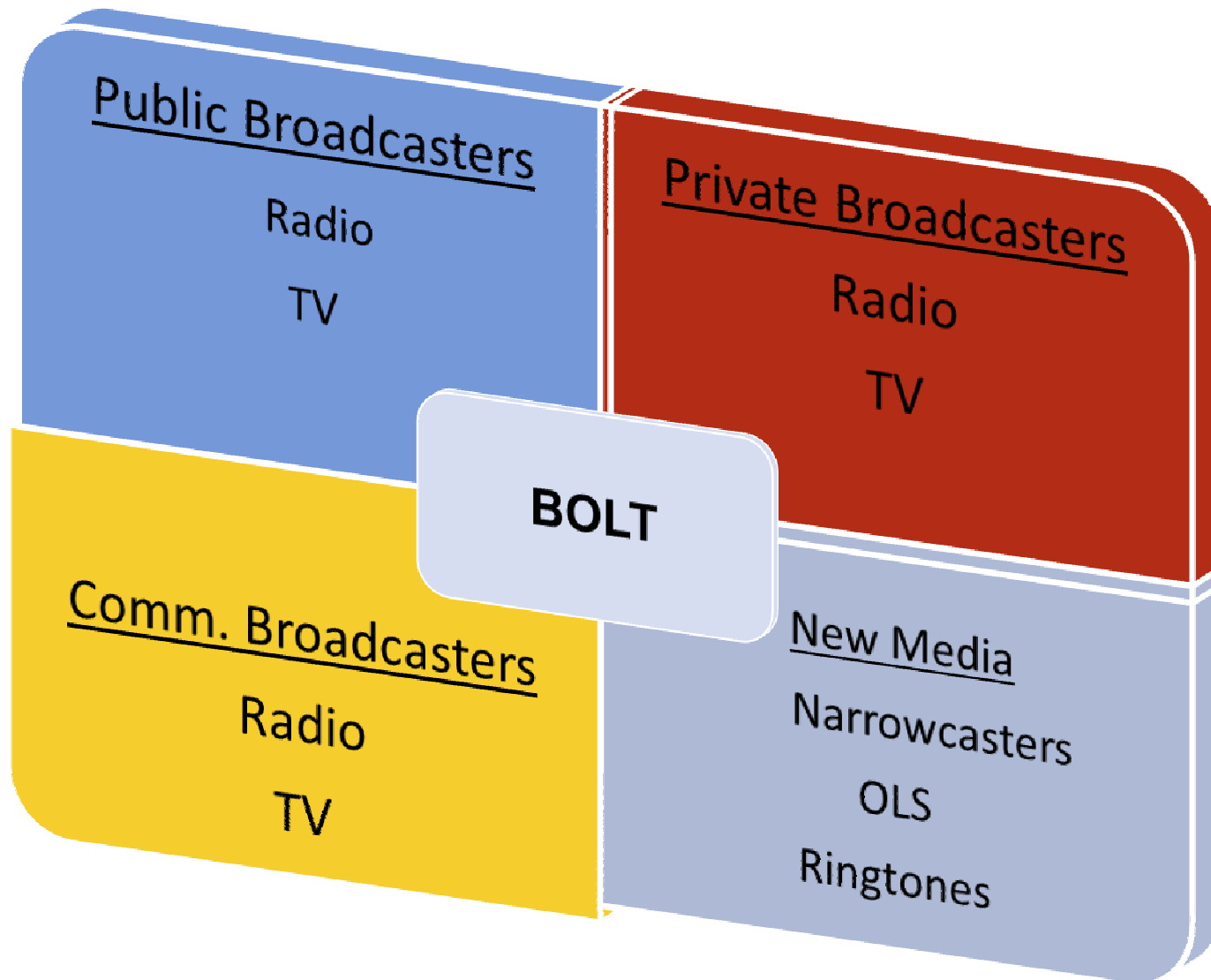
- ❑ BROADCASTING
- ❑ GENERAL LICENSING

Within each type of license, there are various tariffs depending on the type of business

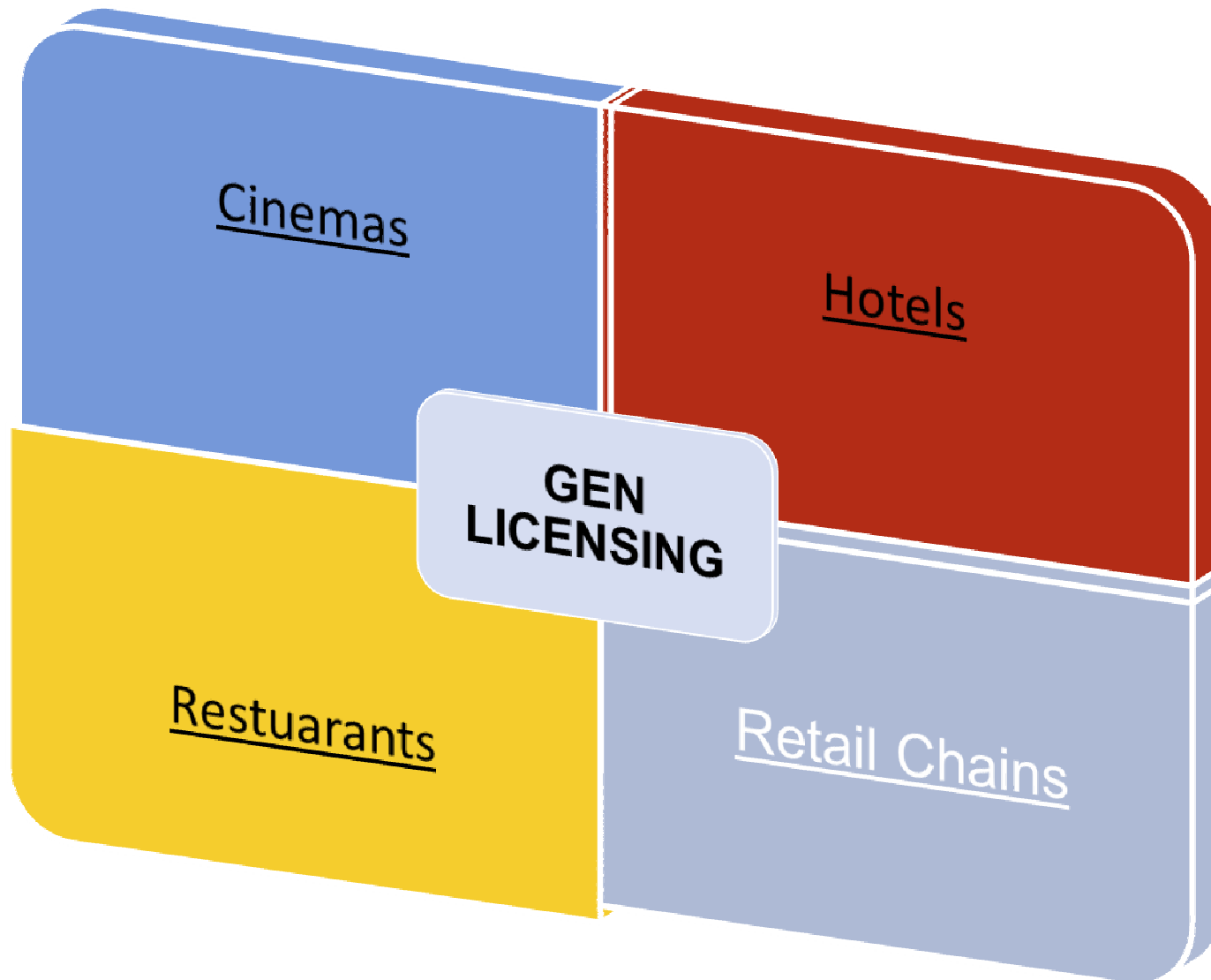
The different tariffs are designed to match different factors/elements in the different businesses



# BROADCASTING






# GENERAL LICENSING



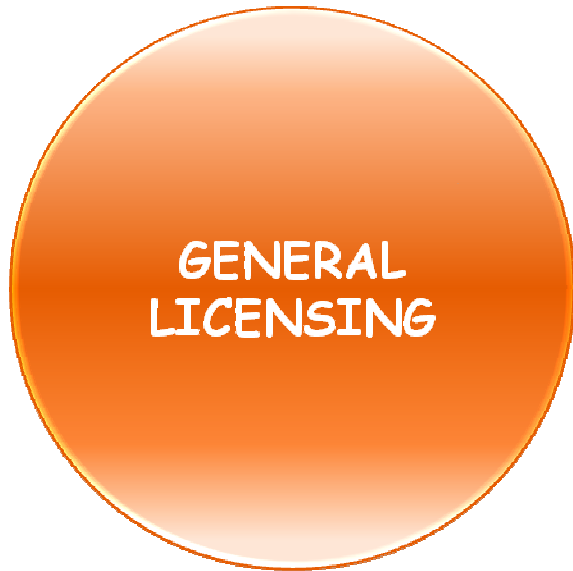
# BROADCASTING TARIFFS







-  BR + BTV - Broadcast Radio & Television
-  OLS - online services
-  Ringtones



# GENERAL LICENSING TARIFFS (EXAMPLES)



-  H1 to H6 - hotels, lodges etc
-  CR - cinema
-  MC - trains and buses
-  PC - public concerts



# LICENSING PROCESS



- a fully fledged licensing team covering the whole of Southern Africa
- a process in identifying potential licensees and visits to these venues to issue the license
- business owners also contact SAMRO to request a music license to be issued
- any use of music without a license places a business owner in breach of the Copyright Act.
- licensing process involves a fair assessment of the music used by different users of music
- music users assisted in completing an application which is an assessment of the extent of music usage based on criteria specific to that user
- generates a proforma to inform the licensee of the value of his license



# ...LICENSING PROCESS



- license agreement is generated and the user signs the agreement as acceptance of his contractual obligation in terms of the license
- licensees have an obligation to renew their music license at regular frequencies, depending on the type of license issued e.g. broadcasting renewals are monthly, general license renewals are annual
- provision made in the agreement for a review of a license where the size of the business has changed - a reassessment of the license fee is carried out
- SAMRO has a team of people who provide value added services to licensees in terms of advice, query resolution, reassessments etc



- When a musician performs in an unlicensed venue, it is in his interest to advise SAMRO, so SAMRO can license the venue. Failure to do so will result in no royalties from that source

