



NOTICE TO ALL BROADCASTERS AND OTHER COMMERCIAL USERS OF MUSIC SOUND RECORDINGS

In June 2002, President Mbeki signed into law amendments to the Copyright Act and the Performers' Protection Act. These amendments granted the owners of copyright in **music sound recordings** the exclusive right:

“to do or to authorise the doing of any of the following acts in the Republic...

- Broadcasting the sound recording.
- Causing the sound recording to be transmitted in a diffusion service, unless that service transmits a lawful broadcast, including the sound recording, and is operated by the original broadcaster.
- Communicating the sound recording to the public.”

Although owners and performers have been entitled to be paid by broadcasters and other users for the commercial use of their sound recordings since June 2002, there has been a long delay in implementing these rights by owners of sound recordings. The delay has been caused primarily by the delay in publishing regulations to govern collecting societies which implement and administer the right.

SAMPRA has been accredited by the Department of Trade and Industry's Companies and Intellectual Property Registration Office (CIPRO) as a registered collecting society that represents all members of RiSA – the *Recording Industry*

of South Africa. RiSA is the internationally recognized representative association of all South Africa's leading record companies and has more than 700 members who collectively comprise more than 95% of the South African music recording industry.

The purpose of this notice is to inform all broadcasters, and all other commercial businesses that use recorded music through any form of broadcasting or through a diffusion service or through communicating sound recordings to the public or to their customers, that they have been obliged in terms of this legislation to pay a royalty for all such usage to the owner of each such sound recording since June 2002 – and that SAMPRA has commenced issuing licences and collecting royalties on behalf of its members.

The copyright owner of the music sound recording, as defined in this legislation, is the person who invested in making the sound recording, being the record company or record label.

The copyright owner of the music sound recording has an exclusive right to receive a royalty but has an obligation to share the royalty with the performer whose performance/s is/are embodied in each sound recording.

In this way, investors in sound recordings will be remunerated for their investment and risk in creating new sound recordings that are used in the course of the third parties' commercial activities, while performers will be remunerated for their performance contributions to those recordings.

SAMPRA has begun to issue licences to users across a wide range of commercial activities.

SAMPRA has more than 30 published tariffs that are applicable to various categories of use. Details of the applicable tariffs are available on SAMPRA's

website (<http://www.sampira.org.za>) or can be obtained from SAMPRA's offices at Suite 1, 152 Bram Fischer Drive, Randburg.

Information and advice regarding your obligations and rights under the legislation can be obtained by telephoning, Ignatius Smit, SAMPRA's National Commercial Manager 011 789 5784 or Lubabalo, SAMPRA's Manager of Legal Affairs, during business hours on (011) 886-1342.

SAMPRA representatives have embarked on a national licensing programme and have been mandated to make contact with all users in all the relevant usage categories.

The trading names of record companies and labels that are members of RiSA and the copyright owners of the sound recordings which may not be broadcast, diffused or communicated to the public without payment of a licence fee are listed below. These record companies and labels own an estimated 95% of music sound recordings that have been played on South African radio stations since June 2002 and that are currently played by broadcasters. SAMPRA offers users a blanket license in respect of all repertoire owned by these record companies and labels, but is not able to license music sound recordings that are owned by non-members of RiSA. All these owners assert their copyright ownership on all sound carriers, accompanying artwork and packaging of all sound recordings released by them.

12 Inch Productions
 2 Way Music Production
 247 Records
 357 Entertainment
 3rd Sound Production
 50 Wayz Entertainment
 999 Music
 A Class Effort Music
 A K Music Entertainments
 Abaphumeleli Records
 ABK Entertainment

Ada Enu Publishing Online
 ADM Casting Lab
 Africa FTW Records
 African Cream Music
 African Dope Publishing
 African Dream Records
 African Marimba Entertainment
 Afrika Homebrew Entertainment
 Afrimusik Records
 Afritex Ngwenya Records
 Afro Soul Records

Afrolic Entertainment
 Afro-Sound Promotions
 AKA Records
 Aloemed Music Production
 Alpheus Music Productions
 Ama Groove Records
 Amabutho Records
 Amadodana Ase Phomolong
 Records
 Amadwala Records
 Amandla Ethu Music Productions
 Amangomane Music Promotions
 Amanxusa Music Productions
 Amashayina-Amahle-Music Records
 Amatshawe Records
 AMG Records
 Amorfous Music
 Amplitude Records International
 AMS Records
 Anneke de Villiers Records
 Ard Music
 Ariola Records
 Arista Records
 Art of Joy Records
 Ash Records
 Ashley Stone Records
 As-Shams Music
 Asterix Music
 A-Team Music Production
 Atlantic Records
 ATO Records
 AV Advertising / AVA Studios
 Azam Khan Recording Studios
 B J Music Productions
 B.A.M Records
 B.B.A Recordings
 B.E Records
 B.M.C Records
 Baby Blue Productions
 Back to Front Entertainment
 Backyard Traxx Production
 Bakstena Worx Production
 Baloyi Record Bar Enterprise
 Bambino Music Management
 Barapedi Ba Morena Productions
 Barking Bare Productions
 Barry and Bester Records
 Basia Music Productions
 Bathshua Community Focus
 Records
 Bazozwa Music Productions
 B-Base Productions
 BBM Music
 Beat Of Noise Productions
 Benecia Records
 Benixo Entertainment
 Berril van Amburg Records
 Bethu Records
 BFD Music Records
 Bhasabha Entertainment
 Big Bee Music Entertainment
 Big Dawg Productions
 Big Five Records
 Black Sounds Records
 Black Vision Records
 Blackies Music
 Blaqk Records and Entertainment
 BlazaBhu Rekordz
 Blos Music
 Blue Bird Records
 Blue Note Records
 BMG Heritage Records
 BNA Records
 Bokone Music
 Bonsai Entertainment
 Bonzo Music
 Book of Acts Records
 Boomerang Music
 Borza Entertainment
 Boss Music
 Boztor Productions
 Bra Moss Music
 Brainwave Projects 494 Records
 Brother Lungisa Music Productions
 Buddy Electro Music
 Bula Music
 ButtaBing Records
 C - Class Music Company
 C & M Records
 C K Records
 C Mayaba Music Production

Caiphus and the True Worshippers
 Records
 Camden Records
 Cammp Music Entertainment
 Capitol Records
 Catwalk Records
 Caveman Music
 CBS Records
 CCP Records
 CD-R Intenso SA
 Celestial Music Records
 Chaba sa Rantso Music Central
 Chain Records
 Chaka Chaka Promotions
 Champions Music Prduction
 Charles-Bongani Entertainment
 Chesanyama Production
 Chissa Records
 Chris Faya Productions
 Christ Worship House Records
 Christian Foundation Apostolic
 Church Records
 Chrysalis Records
 CK Music and Entertainment
 Clamber Club Records
 C-Lota Productions
 C-Max Records
 CMB Production
 Coded Records
 Coleske Artists Records
 Colin Records
 Collaboration Music
 Colossal Records
 Columbia Records
 Concert Camp Records
 Concord Records
 Condry Ziqubu Production
 Coolspot Records
 Creative Kingdom Records
 Creative Wavelab Music
 Cross iPhoyisa Produxionz
 C-Skelem Entertainment
 Cube Music
 Culture Spears
 Curb Records
 Cut 'n Editing Music Studio

Da Most Records
 Dagecity Music Productions
 Dalom Music Distributors
 Dan's Music Production
 Dashmesh International S.A.
 Dasmus Records
 David Gresham Records
 Decca Records
 Deep 6 Records
 Def Jam Records
 Deiric Walsh Records
 Demor Music
 Deutsche Grammophon
 Deutsche Harmonia Mundi
 Diamond Entertainment in RSA
 Dig Easy Music
 Dirty Mzansi Records
 DNA Strings Records
 DNC Music
 Dojob Records
 Dotted Line Entertainment
 Double Gold Music
 Double Trouble Entertainment
 Douglas Music
 A M Ackermann Records
 Dream Builder Entertainment
 Dreamworks Records
 Drocnoc Music
 Dub's & Chiliza Music Productions
 Dumo Jam Entertainment
 DVE Music
 E R M Productions
 E.E.E. Entertainment
 Eastcrew Music Publishers
 ECM
 Eezyplay Records
 Egbonas Music
 E-Jam Records
 Elcsa CD Diakonia Aids Ministry
 Electromode Music
 Elektra
 Elfes & Simba Records
 El's Music Connexion
 Emerald Sky Records
 EMI
 Emvakomkhukhu Records

End-Times Music Production
Epic
Erato
ESP Records
EZ Music
Ezamandlondlo Records
Ezomdabu Records
F.G Music Productions
Faith Records
Fantasia Music Distribution
Feel Entertainment
Feestyd.co.za Records
Fenyi Entertainment
Fhumulani Records
Ficksburg Artist and Harmony
Fieldline Music Distribution
Fine Tunes Records
Fire Bluster Records
Five Fold Records
FJZ Music Productions
Flashlight Music
Flavad Records
FMGEE Records
Foursure Productions
Free Site Entertainment
Free Sound Records
Freeground Records
French Music Records
Fresh Music Records
Fruit Bearing Ministries
Funkytigers Entertainment
Fuza and Associates
G3 Records
Geffen
Genius Records
Gest Studios
Get Ahead Records
Get Real Youth in Mission
Ghetto Ruff
Ghost Fader Music
Giant Steps Records
Glaskas Records
GLM Entertainment
Global Music
Global Records
Go-Ahead Productions
Golden Pond Records
Golden Productions
Golden Vision Productions
Good Hope Records
Gosebo Music Production
Gospel Music Advancement
Gough Sound
Grasland Records
Grass Roots Studio
Grazioso Publ. & Distributors
GRC
Green House Records
GRM International
Grootboom Music
GRP
Guerrilla Warfare
Gumba Fire House
Hart Music
Heavy Music Production & Records
Heita Records
Herbron Ministries
High Time Music Enterprise
Highrise Music Production
Hlobi Music Productions
Hlokoa La Tsela Music
Hola Records
Honey Music Productions
HPM Records
IBM Music Productions
Ice Music SA
Idols SA
Igagasi Music Production's
Ilali Music Promotions
Image Records Music Company
Imbali Music Productions
Impophomo Music Production
Impulse
Inala Music Production
Inch Records
Independent Pentecost Holy Church
Indwayimane Music Production
Inhouse Records
Inkathazo Productions
Innocent & Elvis Global Merchandise
Instinct Africaine Records
Internet Distributors

Interscope
 IP Music Productions
 IPC Records
 Isaac Music Productions
 Isicholo Entertainment
 Isigubhu Records
 Island Records
 Itumelo Record's
 Izingane Zoma Music
 J and D Recording Studio
 J & Z Mantshinga Music Distribution
 J Records
 J.E.V. Records Music Productions
 J2 Records
 Jabsi Music
 Jabula House of Music Production
 Jak de Priester Records
 Jeel's Music Production
 Jennifer Zamudio Records
 Jili Productions
 Jive / Silverstone
 JNS Musiek
 Joseph Matsheka Records
 Jostri Music
 JSV Digital Multimedia Studio
 JTZ Music Production
 Jua Kali Studios
 June 6 Music
 Just Music
 Jxmpumlwana Productions
 JZB Records
 K Musican
 Kalabash Music
 Kalawa Jazmee Records
 Kaleng Records
 Kassie Projects Entertainment
 Kassiedotcom Music Entertainmnet
 Kay Tune Promotions
 KBZB Entertainment
 Keevision Run Away Music
 Kempen Music
 Khaba Music
 Khangula Music
 Khomanani Music Production
 Khula Records
 Khululani Publishing
 King David's Family Worship
 Kisanji Entertainment
 KJ Music Production
 Kobeta's Productions
 Koloi Music Production
 Kopano Ke Matla Music Production
 Kotulo Music Productions
 KRD Recording Services
 KSMM Music
 KT Records
 Kusasalethu Records
 L G Records
 L S Records
 Landmark Music Production
 Language 12 Records
 Late Knight Records
 Laurie Levine Records
 LCL Recording Studio
 LD Records
 Lee Thorp Entertainment
 Legacy
 Lema Music Production
 LEMONA Music Publishers
 Lesotho Music Center
 Leswinene Music Enterprises
 Liber8 Records
 Lightway Music
 Liss Records
 Live at the Shack Entertainment
 Livewire Sound Corporation
 Liyana Music
 Lize Beekman Records
 Liz-Tainment Records
 LMF Music
 Lolhiphop Records
 London Records
 Lordsfire Recordz
 Lovemore Tainments
 Loxion Records
 LTM Publishing and Related Aspects
 Lusa Music Productions
 Luvhambo Records
 Luxmi Stars Music Productions
 M S Records
 Macc Records
 Machance Music Productions

Macksie K Productions
Macrik Entertainment
Mad Music Mafia Records
Magrogen Records
Magwagwaile Music Productions
Mahandule Records
Mahima Promotions
Majozitainment Records
Mak Johns Music Productions
Makhoakhoa Music Productions
Makwela Music Productions
Malanks Music
Malekutu Music Productions
Maltre' Productions
Manetrade Records
Marabi Media
Maranatha Record
Marang Music
Marketricks Productions
Marubini Music Publishers
Masana Records
Mashile Productions
Masiqhame Records
Mastermax Productions
Matebeleland Young Brothers Music
Matebesi Music Productions
Mathambo Music
Matmo Recording Company
Matwabeng Recording Music Studio
Mavuka Productions
May & the Elements Performing Arts
Mazinga TV Productions
Mbix Music Production
Mbokodo Publishers Records
MC Records
MC Vibes
MCA Records
MD Music Productions
MDK Records
Medu Multimedia & Film Productions
Melodi Music
MELT Music Phase Two
Merchant Gospel
Merchant Records
Mercury
Meriska Els Records
MGG Music Productions
Mighty Music Africa
Mike Fuller Music Records
Milestone Studios
Miltons Business Consultants
Mission Possible Records
Mist Records
Mkeshange Productions
Mlilo Productions
Mlozi Records
Mmetla Tsela Productions
Mo' Money Records
Modisagohle Production
Moelamash Productions
Mogipa Entertainment
Mohlamonyane Music
Molly Malete Productions
Moloi Chief Workz
Molotsi Productions
Mom Entertainment
Monster Records
Montreal Entertainment
Monument Records
Mo-Nyuku Entertainment
Morestar Entertainment
Mor'geez Records
Moribo Music
Morning Star Music
Moskito Music Productions
Moss Music Production
Motown
Motswako Underground
Moza-Rose Music Production
MP Tlama Music Production
Mphoza Entertainment
Mphutlane's Recording Studio
MPS Records
MST Entertainment
Mtezi Music & Film Production
Mthonjeni Music Production
Mthunzi Mabulana Records
Mulo Production
Munene Records
Murray Lubbe Records
Musa & Music Recording Company
Music Alliance

Music for Pleasure
 Music Promotions 4 U
 Music Replication
 Music Time Entertainment
 Musketeer Recordss
 Mutha Deer Records
 Muzio Records
 MVA Productions
 Mxmn Entertainment
 Mzamamani Abel Chauke Records
 N & M Music Publisher
 N3 Records
 NA and House Music
 NABS Records
 Narada
 Native Young Productions
 Nats Media Records
 NB Music Records
 NCA Music Productions
 Ncashamnganga Record Studio
 Ndako Music
 Nephawe N Saul Records
 New Dimension Music
 New World Music
 Nexdoor Entertainment
 Next Music
 Nkosi Ikhona Records
 Nkosinathi Music Recording
 Nonesuch
 Nonhlanhla Music Production
 Nosenga Music
 Notae Entertainment
 Nothembi & Son Music Arts Crafts
 Ntiyiso Entertainment
 Nu Age Music
 NW Audio Visual Productions
 NW Records
 Ny-E-Zi Records
 O.O.M. Music Productions
 Odyssey Music Management
 One Minute Trolley Dash Records
 One Twin Records
 One Wish Entertainment
 Onixon Records
 Open Mic Productions
 Outrageous Records
 Overtone Magazine
 Palomino Productions
 Paradise
 Paradise Music Productions
 Parlophone
 Patrick van Blerk Music
 PC Tainment
 Peacock Music Production
 Perfect Trade 120 Records
 Pfukani Record
 Phase 2 Records
 Pheli Grove Entertainment
 Philip De Villiers Records
 Philips
 Picat Productions
 PinaXulo Music Productions
 Platoon Records
 Plum Productions
 PLUSH Records
 PM Records
 Polydor
 Premium Records
 Progress Records
 Prokelly Entertainment
 PS Records
 Punana Jams Records
 Puncho Richards Music Productions
 Pure Black Production
 Purpleseeds Sound
 Puthamelo Trading Enterprises
 Qadi Entertainment Productions
 Qedi and Tebonza Music Projects
 Quai Trading & Ubuntu Construction
 Que Records
 Randzo Music
 Ras Kaiser Music Productions
 Ray Mpintshi Gazi Entertainment
 RayCat Music Production
 RCA
 Readers Digest South Africa
 Real Beat Entertainment
 Reaper Records
 Red Tomahawk
 Revolver Records
 Rhema Ministries
 Rhythm Records

Richie-S Records
 Risana Records
 Roan Antelope Music
 Roar Agencies
 Rock Star Entertainment
 Roopanands Records
 Royal Community Recording Studio
 Rudeboy Productions
 S and B Intelligent Construction
 S.N.A.B. Music Recording Company
 Sabsam Music Publishing
 Samara Records
 Sammy Music Production
 Sampsons Records
 Sarepta Music
 Saul Production
 SD Music Productions
 Seamless Enterprise
 Sebetsa Music Productions
 Sebtainment Production
 Select Music
 Senzo Sibiyi Trading & Ent.
 Serious Entertainment
 Sesalos Records
 Seven Entertainment
 SG Productions
 Sgandavu Entertainment
 SGM Music
 Shandel Music Publishing
 Sheer Sounds
 Shifty Records
 Shirimane Music Productions
 Shiririsa Music
 Shoteli Music Production
 Sihle Kunene Music Production and
 Multimedia
 Siki Siki Records
 Silver Solutions 994 Records
 Silvertone Records
 Simple M. Records
 Simtha Music
 Singabanqobi Production
 Sinqobile Music Production
 Siphos's Records & Promotions
 Siyagrauva Records
 Siyayenza Management
 Sizqhubeka Recording Enterprises
 Skratch Music
 Skroof International Publishing
 Skulvyt Music Productions
 Slaaptiger Music Productions
 Smoked-Out Entertainment
 SMP Music Productions
 Snare Production
 Solid Entertainment
 Sollymans Recording Studio
 Soma Music Production
 Songo Records
 Sonke Records
 Sony BMG Africa
 SOT Music Production
 Soul Candi Records
 Soul Quest Records Incorporation
 Soul Village Entertainment
 Soulbent Productions
 Souljah Entertainment
 Soulman Sol Music
 Soulstone Music
 Sound of Sounds
 Sound Source Productions
 South Coast Music
 Southern Gypsy Queen Records
 Sovereign Entertainment
 Spectrum
 Spirit Music
 Spitfire Music SA
 Starskii
 Stegertainment Records
 Sterling Sound
 Stick-Out Music
 Sting Music
 Suave Entertainment
 Sudden Eclipse Entertainment
 Suita Productions
 Sulushelo Promotions
 Sunset Records
 Sunshine Music
 Superhuman Productions
 Swazi - Junxion Records
 Sweet Sounds & Chocolate Music
 Symmetry Productions
 Sy-Zee Music

TACC Record Company
 Talentlab I & A Recording Studio
 Tandoor Music Records
 Tau Productions
 Taung Music Production
 T-Bose Production
 T-Dee R Entertainment
 Telarc
 Teldec
 Telesto Music
 Tenore Recordings
 Tequila Records
 Terraplane Music
 Tetelstai Multi Productions PTY
 Thalombzi Music
 The Breeze Records
 The Hens Music Entertainment
 The Independent Armchair Theatre
 The Music Industry
 The Nations Music Studios
 The New World Order Entertainment
 The Perfect Pitch
 The Swazi Church In Zion
 Themba Lokugcina Records
 Themez & Rhythmx SA
 Themza Music Production
 Thosa Productions and Projects
 Thuthuka Records
 Thy Kingdom Come Productions
 Tiawoun Production
 Till Dawn Entertainment
 TK Productions
 Tlatso Makhetha Music Production
 TLK Music Productions
 TNS Music Productions
 TNT Entertainment
 Toboyi Music Publishing
 Treasure Records
 Tree Shade Music Publishers
 TRIO Records
 Trojan Records
 Truly Sound Recordings Music
 TS Records
 Tshepang Morena Music Publishers
 Tshidi Recording
 Tsin Music Production
 Tsotsi's at Work Entertainment
 Tuliter Entertainment Production
 Tyson and Mjay Music Production
 U Go Boy Entertainment
 U4J Records
 Ubomi Music Production
 Ubuntu Records
 U-Com Entertainment
 Udumo Entertainment & Production
 Uju Music
 Umndeni Music
 Umnyanya Entertainment
 Undacava Records
 Underground Music Production
 United Hits Productions
 Universal Music
 Universal Sound & Music
 Unreleased Records
 Uproot Records
 Uptown Trading 440 Records
 Uthuli Music
 Uvo Records
 V1 Advertising
 Value Music
 Vee Gee Productions
 Vee's DJ Stable
 Vegaster Records
 Venus Cassetts
 Verve
 VGM Records
 Vibe Music
 Vibrations Recording Studio
 Vince Records
 Virgin
 Vision Africa
 Vision Music
 VKC Music Productions
 VMP Music
 Voice Afica Productions
 Vonk Records
 Vuka Back to Africa
 Vulombe Music Investments
 Wagon Productions
 Warner Music
 Watershed Studio
 Wazi Music Production

Why Not Entertainment
Wilbur 4C Entertainment
Windham Hill
Wind-Up Records
Wisko Music Publishers
Witbozza Productions
Wolla Music & Entertainment
Wonke Wonke Music Production
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Xiavelo Business Solution
Xiluba Music
Xiluva Music Productions
Xzekutiv Entertainment
Y.W.M Productions
Y2K Music Production
Yada Music Productions
Yana Music Entertainment
Yombo Trading and Projects
Zabalaza Megatainment
Zano Productions
Zasha Music Productions
Zat Records
Zayaba Records
Zigzat Entertainment
Zimele Music Productions
ZooH Unlimited Production

Explanatory Notes:

From the earliest days of music sound recording until 1965, the right of producers of sound recordings and performers to be paid for the broadcast, diffusion and communication of their sound recordings to the public in the course of all commercial and business activities existed in South African law. In 1965, the right was removed by Parliament at the instance of the government of the day and the lobby of the users. It has taken the recording industry and the South African performer community more than 40 years to restore a right that should never have been taken away.

South African businesses have become accustomed to making payment of a licence fee to SAMRO. **There is no connection whatsoever between SAMRO and SAMPRA.** The SAMRO payment, only covers the copyright in the underlying musical work – the composition itself - and is not shared in any way by the owner of the sound recording who has invested in the making of the sound recording, or the performer whose performance is embodied in the sound recording.

Under the amendments to the Copyright Act and the Performers' Protection Act, copyright owners of sound recordings and performers will now also derive benefit from broadcast, diffusion and communication of their sound recordings in any public or commercial environment by a third party user in the course of such user's commercial or business activities.

In other words, when you pay **SAMRO** you pay a royalty that is intended to go to the **composer** of each song that you play. When you pay **SAMPRA**, you pay a royalty that goes to the **artist** who performs that song and to the **record company** that has invested in the recording of that song by that artist.

If a user raises a dispute regarding a licence royalty charged by SAMPRA in terms of the applicable tariff, the user may (until such time as the matter is

resolved by the Copyright Tribunal), continue to use the sound recordings in SAMPRA's repertoire if the user pays the licence fee proposed by SAMPRA into an escrow account.

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Reg. No. 2000/028009/08

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