

**HOTELS, GUEST HOUSES AND SIMILAR
MULTI-ROOMED ESTABLISHMENTS**

(Tariff "H1")

Effective from 1 January 2016

1. SCOPE OF TARIFF

This tariff applies to the performance or communication to the public of musical works and sound recordings provided by means of radio/television receiving sets, disc players, tape machines and similar devices in hotels, motels, guesthouses, banqueting suites, restaurants and similar multi-roomed premises.

2. GENERAL CONDITIONS AND DEFINITIONS

2.1 This tariff applies only to performances or communication to the public of such musical works and sound recordings covered by a license from UPRS, obtained before the performances/communications commenced. Any performances/communications not so covered will be assessed at double this tariff. UPRS is not bound to offer a license under this tariff in respect of any performances/communications for which application was not made in advance.

2.2 This tariff applies to the performance or communication to the public of musical works or sound recordings at said premises as background music. There are specific types of performance/ communication to the public that UPRS does not classify as background music and which are licensed under separate tariffs. Apart from these exceptions, all other types of performance/ communications are classified as background music.

2.3 For clarity UPRS confirms that the total license fees due under this Tariff are arrived at by adding the individual charges for musical works and sound recordings together.

2.4 The LICENSE FEES are calculated by reference to the seating capacity of the rooms in which the music is performed/communicated and the "Classification" of establishments mentioned below.

2.5 The "Classification" determined by the Uganda Tourism Board, will serve as a guide in the following manner: -

CLASS A: Hotels awarded a grading of three stars or more and comparable restaurants in Uganda.

CLASS B: All other hotels, including lodges, restaurants and other establishments mentioned above.

CLASS C: Workers' eating houses and other similar establishments.

2.6 Where Hotel Rooms or Banqueting Suites are let out for functions at which music is provided either by the management of the premises or by the lessees themselves, the fees for such functions are calculated separately on a capacity basis.

2.7 Where both Live Music Performances and Background Music are used in the same room or rooms, the full charge will be made for the Live Music Performances and rebates will be allowed on the background music assessment. Refer to (" Tariff H3").

2.8 A discount for Low Occupancy will be allowed in the case of Hotels where the average annual Bedroom Occupancy figure of the premises is below the average national occupancy figure as published by the National Bureau of Statistics.

2.9 UPRS reserves the right to make such variations in this tariff as it considers appropriate when licensing premises or performances which, in its opinion, do not fall within the scope of this tariff.

3. TARIFF RATES

| No | Particulars | Annual fees | |
|--------------|---|----------------|-----------------|
| | | Musical works | Sound Recording |
| 3.1.1 | For Class "A" Establishments | | |
| | Fee for every customer seating capacity up to the first 50 | 11,172 | 5,586 |
| | Thereafter: | | |
| | Fee for every additional customer seating capacity from 51 to 75 | 8,922 | 4,461 |
| | Fee for every additional customer seating capacity from 76 to 100 | 7,434 | 3,717 |
| | Fee for every additional customer seating capacity over 100 | 5,907 | 2,954 |
| | All the above subject to: | | |
| | MINIMUM ANNUAL FEE | 558,600 | 279,300 |

| No | Particulars | Annual fees | Annual fees |
|--------------|---|-----------------------------|-------------------------------|
| | | <u>Musical works</u> | <u>Sound Recording</u> |
| 3.1.2 | For Class "B" Establishments | | |
| | Fee for every customer seating capacity up to the first 50 | 7,434 | 3,717 |
| | Thereafter: | | |
| | Fee for every additional customer seating capacity from 51 to 75 | 5,907 | 2,954 |
| | Fee for every additional customer seating capacity from 76 to 100 | 4,905 | 2,453 |
| | Fee for every additional customer seating capacity over 100 | 3,702 | 1,851 |
| | All the above subject to: | | |
| | MINIMUM ANNUAL FEE | 371,700 | 185,850 |
| 3.1.3 | For Class "C" Establishments | | |
| | Fee for every customer seating capacity up to the first 50 | 5,907 | 2,954 |
| | Thereafter: | | |
| | Fee for every additional customer seating capacity from 51 to 75 | 4,449 | 2,225 |
| | Fee for every additional customer seating capacity from 76 to 100 | 2,970 | 1,485 |
| | Fee for every additional customer seating capacity over 100 | 2,205 | 1,103 |
| | All the above subject to: | | |
| | MINIMUM ANNUAL FEE | 295,350 | 147,675 |

3.2 FUNCTION ROOMS

| | Particulars | Annual Fees | |
|-------|---|----------------------|------------------------|
| | | <u>Musical works</u> | <u>Sound Recording</u> |
| 3.2.1 | DANCES, CONCERTS, MUSICAL SHOWS AND REVUES | | |
| | Fee per entertainment per annum for each capacity unit (50 persons seating or 25 couples dancing or part thereof) | 5,805 | 2,903 |
| 3.2.2 | SOCIALS, FILM/VIDEO SHOWS AND OTHER FUNCTIONS OF WHICH MUSIC FORMS A PART | | |
| | Fee per entertainment per annum for each capacity unit (25 persons seating or part thereof) | 3,435 | 1,718 |

3.3 LIVE AND RECORDED MUSIC IN THE SAME ROOM

Where both types of music are used in the same room, the full assessment with respect to live music performances will apply, and the following rebates will be allowed with regard to the background music provided by means of radio/television receiving sets, disc players, tape machines and similar devices:

| Particulars | Rebate |
|------------------|--------|
| 1 day per week | Nil |
| 2 days per week | Nil |
| 3 days per week | 10% |
| 4 days per week | 20% |
| 5 days per week | 30% |
| 6 days per week | 40% |
| 7 days per week. | 50% |

HOTEL ASSESSMENTS

The following principles are applied in assessing background music(musical works/ sound recording) provided by means of radio/television receiving sets, disc players, tape machines and similar devices in hotel rooms:-

3.4 MULTI-ROOM ASSESSMENTS

Where background music (musical works/ sound recording) is provided in more than one room allow the following discounts on the separate assessment:-

| According to seating capacity | Discount |
|--------------------------------------|-----------------|
| Largest room | Nil |
| Second largest room | 10% |
| Third largest room | 15% |
| Fourth largest room | 20% |
| Fifth largest room | 25% |
| Sixth largest room | 30% |
| Seventh largest room | 35% |
| Eighth largest room | 40% |
| Ninth largest room | 45% |
| Tenth largest room | 50% |

3.5 HOTEL LOW OCCUPANCY

The following discounts will be allowed on the fees calculated in terms of section 3.1 above where average occupancy is: -

| Particulars | Discount |
|---------------------|-----------------|
| Up to 5% | 50% |
| Between 5% and 10% | |
| Between 11% and 20% | 30% |
| Between 21% and 30% | 20% |
| More than 30% | Nil |

4. TARIFF ADJUSTMENT

The foregoing rates of charge are related to the Official Consumer Price Index as published by the Uganda Bureau of Statistics for the year 2015. They are subject to a surcharge or discount of 1% in respect of every increase or decrease of 1 complete point in the weighted average figure of the aforementioned Index. Such surcharge or discount shall take effect from the sixth day of the anniversary month next following the second month in which the relevant index figure is published.

5. VALUE ADDED TAX

Every Licensee under this tariff will pay to UPRS, in addition to the license fee due under the tariff, a sum in respect of Value Added Tax calculated at the relevant statutory rate on the annual license fee payable and UPRS shall provide a Tax Invoice in relation to the fee payable, to the Licensee.