

LIGHT MUSIC CONCERTS

(Tariff "PC")

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 in "Light Music Concerts" staged in theatres, halls, stadia, auditoriums and any other premises, however described, as defined below, and to which admission is gained by payment at the door, by purchase of a ticket or by the payment of membership subscription which includes the right of entry to one or more of such concerts.

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/communication to the public of musical works and 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/communication 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 Gross Revenue from admission or membership fees, the percentage rate being subject to fluctuations in the "copyright musical content and sound recording" of the concert. For the purposes of this tariff, "copyright musical content and sound recording" shall mean the total duration of performance of all the musical works and sound recording in the concert which are eligible for copyright in terms of the Copyright Act, 2006, expressed as a percentage of the duration of performance of the concert as a whole. (For example, if, in a concert which lasts for two hours, the duration of performance/ communication of musical works and sound recording which are eligible for copyright amounts to a total of one hour, the copyright musical content and sound recording of the concert would be fifty per cent.)
- 2.5** The expression "Light Music Concert" means any non-theatrical presentation involving the performance in public of music forming part of "pop", "rock", "jazz", "gospel", "hip-hop", "Kadongokamu" or similar music concerts.
- 2.6** Should a Licensee fail to inform UPRS of the exact duration of performance/ communication of all the musical works and sound recording in a concert within thirty days after the last performance in respect of which a license had been issued by UPRS, the fees will be calculated at the maximum tariff rate and the licensee shall be liable accordingly.
- 2.7** 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. UPRS also reserves the right to charge a deposit in respect of license fees to be paid as it considers appropriate in its sole discretion. Such deposit will be set off against the license fees actually payable.

2.8 The figures of Gross Revenue submitted to UPRS shall be certified by an auditor or an accountant or in a manner acceptable to UPRS.

3. TARIFF RATES

3.1 License fee as a Percentage of Gross Revenue 5 % of such as defined in 2.2 above

		Musical Works	Sound Recordings
Subject to a:			
3.2	MINIMUM FEE PER CONCERT PERFORMANCE	250,000	125,000

4. TARIFF ADJUSTMENT

The foregoing minimum rates of charge are related to the Official Consumer Price Index as published by the Uganda Bureau of Statistics as 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.