



Eswatini Copyright & Neighbouring Rights Society  
*Fuelling Creative Excellence*

# MUSIC TARIFFS

ESWACOS Music Tariffs approved by the Copyright Office, under the Ministry of Commerce, Industry and Trade, on the 6<sup>th</sup> October 2025.

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# 1. Introduction

The Eswatini Copyright & Neighboring Rights Society (ESWACOS) is a multi-rights Collective Management Organization (CMO) in Eswatini dedicated to safeguarding and advancing the economic interests of copyright holders across various creative industries. ESWACOS operates under the mandate granted through Copyright & Neighboring Rights Act, Act No. 4 of 2018, which establishes ESWACOS as the sole organisation responsible for the administration of copyright and neighbouring rights in Eswatini. Our mission is to generate substantial economic value for rights holders, both domestically and internationally, through comprehensive registration and licensing of their works. We are responsible for the collection and distribution of royalties, ensuring that creators receive fair compensation for the use of their works.

One of ESWACOS's key mandates, as stated in the Copyright and Neighbouring Rights Act No.4 of 2018 Section 79 (1), is to determine and set the tariffs for the licensing of copyright works by users and be responsible for negotiating and granting such licenses. Therefore, this document outlines the different music tariffs that are considered fair and equitable based on comparable market prices with consideration for local economic factors. These tariffs shall determine the royalties to be collected by the Eswatini Copyright and Neighbouring Rights Society (ESWACOS) on behalf of its members. The distribution of royalties for members of ESWACOS and for members of other foreign societies shall be carried out in accordance with the Distribution Rules of ESWACOS.

## 2. Definitions

**“Audible area”** means the total area, measured in square metres, in which the publicly performed music can be heard on the premises (whether indoors or outdoors). If there are a number of storeys, floors or levels within the premises (including mezzanine floors or balcony areas), the audible area of each storey, floor or level should be included for the purposes of measuring the total audible area of the premises.

**“Background music”** means the playing of music to create an atmosphere or ambience that is not a special feature of, or essential to, the main event or is not essential to the operation of the premises.

**“B&B”** means bed and breakfast accommodation which provides accommodation within or on the premises of a private dwelling where the owner or occupier, or any other person appointed by the owner to be in charge of the establishment, lives, have at least two, but not more than four bedrooms available for the accommodation of guests, provides breakfast to guests, either served or on a self-catering basis.

**“Backpacker”** means accommodation establishment comprises a dormitory or hostel or any other facility in which accommodation is provided primarily to backpackers, in the case of a facility other than a dormitory or hostel, has at least two bedrooms available for accommodation by guests which are separate from any private dwelling on the premises, or if part of or attached to a private dwelling, are separated from the dwelling by means of walls and securable doors.

**“Community broadcasters”** means broadcasting services operated by local communities, typically non-profit organizations, to serve the interests and needs of those communities. These services are distinct from commercial and public broadcasting because they are community-owned, often volunteer-driven, and focus on local content that reflects the unique character and concerns of the community.

**“Communication to the public”** means the making available to the public of works in a way that the members of the public may have access to the work.

**“Commercial broadcasters”** means broadcasting services operated by privately-owned media companies for profit. These services are funded primarily through advertising revenue, rather than public funding or viewer/listener donations. Commercial broadcasters produce and air a wide range of content, including news, entertainment, sports, and educational programs, with the goal of attracting large audiences that advertisers are willing to pay to reach.

**“Corporate events”** means a gathering organized or sponsored by a business or company, typically to achieve specific goals related to the organization’s interests. These events can range from small meetings to large conferences.

**“Essential users”** means entities or individuals to whom music is an indispensable part of their commercial activities or product/service offerings.

**“Featured music”** means the playing of musical works and sound recordings as a main or special attraction that is essential to the operation of the premises and/or the main event.

**“General or Public Events”** mean occasions or gatherings that are open to the general public, meaning anyone can attend without specific invitations or restrictions. These events can be organized for various purposes, such as education, cultural celebration, community building, or awareness raising.

**“Guest House”** means accommodation and at least breakfast facilities to guests; comprises at least five bedrooms for accommodation by guests, which is separate from any private dwelling on the premises or if part of or attached to a private dwelling, are separated from the dwelling by means of walls and securable doors

**“Hotel”** means an establishment which comprises at least ten bedrooms for the accommodation of guests, all of which shall be en suite bedrooms, offers full meal service.

**“Important users”** means entities or individuals to whom music adds significant value to their businesses or products/service offerings.

**“Incidental Users”** means entities or individuals whose use of music is minor in relation to the main purpose of their business activity or product/service offerings.

**“Public Performance”** means public representation of a work or expression of folklore, by live action or by any technical means to listeners or spectators in their presence.

**“Public Broadcasting Service”** means a broadcasting service provided by the Eswatini Broadcasting and Information Services, Eswatini Television Authority or the proposed Eswatini Broadcasting Corporation, a broadcasting service provided by any other statutory body, or a broadcasting service provided by a person who receives funding from the State.

**“Self-Catering”** means an accommodation unit being a house, flat, chalet or other residential unit, an accommodation unit comprises at least one bedroom with a kitchen and lounge area and bathroom facilities.

**Words not Defined:** Words whose meanings have not been provided here shall mean the same as in the Copyright and Neighbouring Rights Act No.4 of 2018.

### 3. Music User Segmentation

The structure of our music licensing tariffs shall be based on a three-category user segmentation according to the value of music usage.

#### 3.1 Essential Users

<b>Tariff No.</b>	<b>Type of Establishment</b>
1.1	Broadcasters
1.1A	Public Service Broadcasters (Radio)
1.1B	Commercial Broadcasters (Radio)
1.1C	Community Broadcasters (Radio)
1.1D	Television Broadcasters (Public and Commercial)
1.1E	Television Broadcasters (Community)
1.2	Mobile DJs
1.3	Caller Ringback Tones/ Caller Tunes
1.4	Jukeboxes
1.5	Nightclubs, Discotheques, Featured Entertainment Venues
1.6	Live Music Events; Music Festivals, Concerts and Live Performances

## 3.2 Important Users

Tariff No.	Establishment
2.1	Restaurants and Bars; Dining, Liquor, Fast-Food Outlets and similar Establishments
2.2	Corporate Events (Which do not apply to Tariff 1.6); Christmas Parties, Gala Dinners, Awards, Ceremonies, Launches etc.
2.3	General/ Public Events (Which do not apply to Tariff 1.6)
2.4	Outdoor Promotions; Roadshows and Activations
2.5	Gymnasiums, Aerobics and Fitness Centers

## 3.3 Incidental Users

Tariff No.	Establishment
3.1	Trade Fairs and Exhibitions
3.2	Supermarkets, Wholesalers, Retail Outlets and Liquor Stores
3.3	Beauty & Hair Salons and Boutiques
3.4	Cinemas and Theatres
3.5	Public Transport Providers
3.5A	Road and Rail Transport
3.5B	Aircrafts
3.6	Sports Stadiums and Arenas
3.7	Music On Hold
3.8	Miscellaneous

## 4. Music Tariffs

### 4.1 Tariff 1.1 - Broadcasters

*\*All Broadcasting tariffs will be charged per channel.*

This tariff applies to the broadcasting and communication to the public of sound recordings and musical works by all Radio and Television Broadcasters (Public, Commercial, Community and others).

Percentage of Music Content	Percentage of Gross Annual Revenue or Annual Budget or Operating Cost (Whichever is greater)
1-29.9%	2.5%
30-69.9%	4.9%
70-100%	7.5%

## **4.2 Tariff 1.2 – Mobile DJs**

This tariff applies to the public performance of musical works and sound recordings by mobile disc jockeys (DJs). It covers mobile DJs for playing music publicly and grants authorisation to the individual Mobile DJ, **NOT companies, event managers or premises** which still require relevant licenses. The tariff shall be charged at a flat fee of **E1,600.00 (VAT excl.) per annum** or at a fee of **E350.00 (VAT excl.) per event**.

## **4.3 Tariff 1.3 - Caller Ring Back Tones/Caller Tunes**

This tariff applies to ringtones, ring backs and caller IDs where musical works and sound recordings are communicated to the public. The tariff shall be charged at a rate of **10% of the gross revenue** from such services per annum. Clients will be required to produce audited figures of the revenue generated from the service. Where the business is new and has no previous books, forecasts will be used.

## **4.4 Tariff 1.4 - Jukeboxes**

This tariff applies to the public performance of sound recordings and musical works as background music in different premises by means of audio jukeboxes and similar coin operated machines. The tariff shall be charged at a flat fee of **E1,000.00 (VAT excl.) per jukebox per annum**.

## **4.5 Tariff 1.5 - Nightclubs, Discotheques AND Featured Entertainment Venues**

Nightclubs and Discotheques are entertainment venues which play featured music. Such establishments may use featured music as a main attraction to the establishment or for purposes of dancing. The annual tariff will apply to such establishments. The tariff covers such establishments for the public performance of musical works and sound recordings as featured music and shall be charged as per the following annual rates:

Size of Premises (Audible Area in Square metres)	Fee per Annum (excl. VAT)		
	1 Event per Week	2 Events per Week	3 or More Events per Week
1 - 100	E10,700.00	E19,100.00	E26,900.00
101 - 200	E17,900.00	E31,800.00	E44,800.00
201 - 300	E25,000.00	E44,600.00	E62,700.00
301 - 400	E34,000.00	E60,500.00	E85,100.00
401 - 500	E42,300.00	E75,100.00	E105,600.00
501 - 600	E50,500.00	E89,800.00	E126,200.00
601 - 700	E58,700.00	E104,400.00	E146,800.00
701 - 800	E67,000.00	E119,100.00	E167,400.00
801 - 900	E75,200.00	E133,700.00	E188,000.00
901 - 1000	E83,400.00	E148,300.00	E208,600.00
1001 - 1100	E91,400.00	E162,300.00	E228,300.00
1101 - 1200	E99,600.00	E176,800.00	E248,700.00
1201 - 1300	E10,7800.00	E191,300.00	E269,100.00
1301 - 1400	E116,000.00	E205,800.00	E289,500.00
1401 - 1500	E124,100.00	E220,300.00	E309,900.00
1501 and Above	E132,100.00	E234,300.00	E329,900.00

#### 4.6 Tariff 1.6 – Music Events; Music Festivals, Concerts and Live Performances

The tariff applies to the public performance of musical works and sound recordings as featured music at music events such as a music festival, concert or any other live performance event. The tariff is based on the number of attendants per day. License agreement should be signed prior to the event happening. This tariff will be charged at a **flat rate of 2% of the ticket price or admission fee.**

#### **4.7 Tariff 2.1 - Restaurants & Bars; Dining, Liquor, Fast-Food Outlets and Similar Establishments**

This annual tariff applies to the public performance of musical works and sound recordings as background music in liquor, dining and fast food restaurants, cafes, coffee shops, bars and similar premises. It covers the use of background music through devices such as Radios, Television sets, Disc Players, Tape Machines, DVD Players, CD Players, Flash disc Players, PA systems and similar devices.

<b>Size of Premises (Audible Area in Square metres)</b>	<b>Fee Per Store Per Annum VAT (excl.)</b>
0 - 50	E3,078.50
51 - 100	E3,357.00
101 - 200	E3,914.00
201 - 300	E4,471.00
301 - 400	E5,028.00
401 - 500	E5,585.00
501 - 600	E6,142.00
601 - 700	E6,699.00
701 - 800	E7,256.00
801 - 900	E7,813.00
901 - 1000	E8,370.00
Above 1000	E9,500.00

#### **4.8 Tariff 2.2 - Corporate Events (Which Do Not Apply to Tariff 1.6); Christmas Parties, Gala Dinners, Awards Ceremonies, Launches etc.**

This tariff is applicable to the public performance of musical works and sound recordings in all corporate events such as Christmas Parties, Gala Dinners, Award Ceremonies, Launches and other corporate events through devices such as Radios, Television sets, Disc Players, Tape Machines, DVD Players, CD Players, Flash disc Players, PA systems and other similar devices. The tariff will be based on the number of attendants per event per day and is applicable whether admission fee is charged or not charged. License agreement should be signed prior to the event happening.

<b>Number of Attendants</b>	<b>Fee Per Day Where There is Paid Admission (VAT excl.)</b>	<b>Fee Per Day Where There is No Paid Admission (VAT excl.)</b>
1 – 100	E3,100.00	E2,030.00
101 – 250	E4,900.00	E3,200.00
251 – 500	E7,900.00	E5,150.00
501 – 750	E10,900.00	E7,100.00
751 – 1000	E13,900.00	E9,050.00
Above 1000	E16,900.00	E11,010.00

#### **4.9 Tariff 2.3 - General/ Public Events (Which Do Not Apply to Tariff**

##### **1.6)**

This tariff is applicable to events organized by communities, non-profit organizations or individuals for various purposes, such as education, cultural celebration, community building, or awareness raising. It is based on the number of attendants per event per day and it applies to the public performance of musical works and sound recordings through devices such as Radios, Television sets, Disc Players, Tape Machines, DVD Players, CD Players, Flash disc Players, PA systems and other similar devices. License agreement should be signed prior to the event happening.

<b>Number of Attendants</b>	<b>Fee Per Day Where There is Paid Admission (VAT excl.)</b>	<b>Fee Per Day Where there is Free Admission (VAT excl.)</b>
1 – 100	E674.00	E270.00
101 – 600	E1,143.00	E457.00
601 – 1500	E1,612.00	E645.00
1501 – 3500	E2,169.00	E868.00
3501 – 6500	E2,463.00	E985.00
Above 6500	E2,791.00	E1,116.00

#### 4.10 Tariff 2.4 - Outdoor Promotions: Roadshows and Activations

This tariff is applicable to outdoor promotional activities such as road shows and activations for the public performance of sound recordings and musical works as both background and live performance in an outdoor setting such as malls, shopping complexes, bus ranks or any other commercial setting through devices such as Radios, Television sets, Disc Players, Tape Machines, DVD Players, CD Players, Flash disc Players, PA systems and other similar devices. A flat fee of **E750.00 (VAT excl.) per day** per promotional activity shall be charged.

#### 4.11 Tariff 2.5 - Gymnasiums, Aerobics and Fitness Centres

This tariff is applicable to the public performance of musical works and sound recordings as background music through devices such as Radios, Television sets, Disc Players, Tape Machines, DVD Players, CD Players, Flash disc Players, PA systems and similar devices at gymnasiums, aerobics and fitness centres. A flat fee of **E1,800.00 (VAT excl.) per annum** will be charged per gymnasium or fitness centres. *No live music is covered under this tariff.*

#### 4.12 Tariff 3.1 - Trade Fairs and Exhibitions

This tariff is applicable to the public performance of musical works and sound recordings as background music through devices such as Radios, Television sets, Disc Players, Tape Machines, DVD Players, CD Players, Flash disc Players, PA systems and similar devices at exhibitions and trade fairs. License agreement should be signed prior to the event happening.

<b>Indoors:</b>		
<b>Number of Attendants Per day</b>	<b>Fee Per Day Where There is paid Admission (VAT excl.)</b>	<b>Fee Per Day Where There is Free Admission (VAT excl.)</b>
1 – 100	E1,173.00	E879.00
101 – 600	E1,583.00	E1,290.00
601 – 1500	E2,228.00	E1,935.00
1501 – 3500	E2,697.00	E2,404.00
Above 3500	E3,518.00	E3,225.00
<b>Outdoors:</b>		
<b>Number of Attendants Per day</b>	<b>Fee Per Day Where There is paid Admission (VAT excl.)</b>	<b>Fee Per Day Where There is Free Admission (VAT excl.)</b>
1 – 1000	E1,759.00	E1,466.00
1001 – 3000	E2,287.00	E1,993.00
3001 – 5500	E2,697.00	E2,404.00
5501 – 10000	E3,518.00	E3,225.00
Above 10000	E4,573.00	E4,280.00

### 4.13 Tariff 3.2 - Supermarkets, Wholesalers, Retail Outlets and Liquor Stores

This annual tariff applies to the public performance of musical works and sound recordings as background music in retail/chain stores, supermarkets, wholesalers, liquor stores, furniture shops, hardware stores and other similar establishments. It covers background music through devices such as Radios, Television sets, Disc Players, Tape Machines, DVD Players, CD Players, Flash disc Players, PA systems and other similar devices.

Size of Premises (Audible Area in Square metres)	Fee Per Annum (VAT excl.)
0 - 50	E2,969.00
51 – 100	E3,138.00
101 – 200	E3,476.00
201 – 350	E3,983.00
351 – 500	E4,490.00
501 - 750	E5,335.00
751 - 1000	E6,180.00
1001 - 1250	E7,025.00
1251 - 1500	E7,870.00
1501 - 1750	E8,715.00
1751 - 2000	E9,560.00
2001 - 2500	E11,250.00
2501 - 3000	E12,940.00
Above 3000	E14,630.00

### 4.14 Tariff 3.3 - Beauty & Hair Salons and Spas

This annual tariff applies to the public performance of musical works and sound recordings as background music in hair salons, boutiques, beauty spas and similar establishments. It covers background music played through devices such as Radios, Television sets, Disc Players, Tape Machines, DVD Players, CD Players, Flash disc Players and any other similar audio devices.

Seating Capacity	Fee Per Seat Per Annum (VAT excl.)
1 – 10 seats	E17.00
11 – 30 seats	E18.00
31 – 60 seats	E20.00
61 – 120 seats	E21.00

#### **4.15 Tariff 3.4 - Cinemas & Theatres**

This tariff is applicable to the public performance of musical works and sound recordings as background music in Cinemas and Theatres through devices such as Radios, Television sets, Disc Players, Tape Machines, DVD Players, CD Players, Flash disc Players, PA systems and similar devices. Flat fee per auditorium or cinema hall shall be **E1,150.00 (VAT excl.) per annum.**

#### **4.16 Tariff 3.5A – Public Transport Providers: Road and Rail Transport**

This annual tariff applies to the public performance and communication to the public of musical works and sound recordings by means of radio receiving sets, disc players, tape machines, video cassette players and similar audio devices in public service vehicles. The tariff is based on customer capacity plus number of vehicles. Customer capacity shall mean the maximum number of persons a vehicle can carry. A flat fee of **E20.00 (VAT. excl.) per seat per annum** for taxis, mini buses, buses, passenger trains or any other road and rail transport shall be charged.

#### **4.17 Tariff 3.5B - Public Transport Providers: Aircraft**

This annual tariff applies to the public performance or communication to the public of musical works and sound recordings provided by means of radio receiving sets, disc players, tape machines, video cassette players and similar audio devices in aircrafts. A flat fee of **E50.00 (VAT excl.) per seat per annum** shall be charged.

#### **4.18 Tariff 3.6 - Sports Stadiums & Arenas**

This tariffs applies to the public performance of musical works and sound recordings at sports stadiums and arenas for spectator sports events such as football, athletics, basketball, rugby, cricket matches and similar sporting events where music is used as background by means of devices such as Radios, Television sets, Disc Players, Tape Machines, DVD Players, CD Players, Flash disc Players, PA systems and other similar audio devices.

<b>Attendance per day</b>	<b>Fee per day per stadia/arena (VAT excl.)</b>
1 - 1000	E300.00
1001 - 5000	E1,050.00
5001 - 10000	E2,100.00
10001 - 15000	E3,150.00
15000 - 20000	E4,200.00
Above 20000	E5,600.00

#### 4.19 Tariff 3.7 - Music On Hold

This annual tariff applies to the communicating to the public of sound recordings when background music is used while the telephone is still on hold or a caller is being transferred to another line. For telephone music on-hold in hotel rooms, offices and reception areas at hotels, the tariff below shall be applicable per line per annum.

No. of telephone extensions:	Fee per extension (VAT excl.)
1 - 50	E15.00
51 - 100	E22.00
101 +	E31.00

#### 4.20 Tariff 3.8 – Miscellaneous

This annual tariff applies to the public performance use of musical works and sound recordings as background music in all establishments such as (but not limited to) Common Areas of Shopping Centers, Airports, Casinos, Game-rooms, Reception Areas, Banking Halls, Garage Forecourts, Hospitals and Clinics, Educational Establishments, and any other similar establishments where background music is used which are not covered under any other tariff.

Size of Premises (Audible Area in Square metres)	Fee Per Premises Per Annum (VAT excl.)
1 - 50	E1,025.00
51 - 100	E2,050.00
101 - 200	E3,075.00
201 - 300	E4,100.00
301 - 500	E5,125.00
501 - 750	E6,150.00
751 - 1000	E7,175.00
1001 - 1250	E8,200.00
1251 - 1500	E9,225.00
1501 - 1750	E10,250.00
1751 - 2000	E11,275.00
2001 - 2500	E12,300.00
2501 - 3000	E13,325.00
3001 - 3500	E14,350.00
3501 - 4000	E15,375.00
4001 - 4500	E16,400.00
4501 - 5000	E17,425.00
5001 - 6000	E18,450.00
6001 - 7000	E19,475.00
7001 - 8000	E20,500.00
8001 - 9000	E21,525.00

9001 - 10000	E22,550.00
Above 10000	E23,575.00