

SUBSIDIARY LEGISLATION

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GOVERNMENT NOTICE NO. 234 published on 11/07/2014

THE COPYRIGHT AND NEIGHBOURING RIGHTS ACT (CAP. 218)

REGULATIONS

Made under section 45

THE COPYRIGHT AND NEIGHBOURING RIGHTS (LICENSING OF REPRODUCTION AND
RENTAL RIGHTS) REGULATIONS, 2014

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*Copyright and Neighboring Rights (Licensing of Reproduction
and Rental Rights)*

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GOVERNMENT NOTICE NO. 234 published on 11/07/2014

THE COPYRIGHT AND NEIGHBOURING RIGHTS ACT
(CAP 218)

REGULATIONS

(Made under Section 45)

THE COPYRIGHT AND NEIGHBOURING RIGHTS (LICENSING OF REPRODUCTION AND RENTAL
RIGHTS) REGULATIONS, 2014

PART. I
PRELIMINARY

- | | |
|--------------------|---|
| Citation | 1. These Regulations may be cited as the Copyright and Neighbouring Rights (Licensing of Reproduction and Rental Rights) Regulations, 2014. |
| Interpreta
tion | 2. In these Regulations, unless the context otherwise-
“Author” means a natural person who creates a work |

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and Rental Rights)*

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“Act” means the Copyright and Neighbouring Rights Act;

“Copyrighted Work” means any literary or artistic work as defined in the Act;

“Copying center” means a place where an imitation or reproduction of an original literary works are done.

“Library” means a place in which literary and artistic materials, such as books, periodicals, newspapers, pamphlets, prints, records, and tapes, are kept for reading, reference, or lending.

“License” means a license duly issued under regulation 5(1).

“Literary work” means a work of a writer; anything expressed in letters of the alphabet (especially when considered from the point of view of style and effect).

“Minister” means the Minister responsible for Copyright matt

“Rental Right” means a right to use one’s literary work in return for payments.

“Reproduction” means photocopying and similar reproductions including printouts from digital processes

“Rental” means a lease for a fee for a short period of time of a copyrighted work.

“Society” is the Copyright Society of Tanzania established under section 46 of the Copyright and Neighbouring right.

PART. II
APPLICATION FOR REPRODUCTION AND
RENTAL OF LITERARY, ARTISTIC WORKS LICENCE

Reproduc
tion and
hire of
copyright
ed works

3. (1) No person shall reproduce and /or hire copyrighted works unless he has licence issued by the Society.

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and Rental Rights)*

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(2) Any person who contravenes the provisions of sub-regulation (1) commits an offence and shall, on conviction, be liable to;

- (a) a fine not exceeding than five million shillings or to imprisonment for a term not exceeding three years or to both, for the first offence if the infringement was on a commercial basis
- (b) a fine f not exceeding ten million shillings or to imprisonment for a term not exceeding five years or both, for each subsequent offence if the infringement was on a commercial basis.

Applicati
on of
license
for
reproduct
ion
and hire
of
copyright
ed works

4. (1) Any application of license for reproduction of literary Works shall be:-

- (a) made to the Society in the form set out in Part I of the First Schedule to these Regulations;
- (b) Accompanied with the form set out in part I and 11 respectively and
- (c) Upon payment of a fee determined by the Society.

Issue of
Licence

5. (1). Within fifteen days upon receipt of an application for reproduction of literary works from the applicant, the Society shall issue a license in the form set out in Part II of the First Schedule to these Regulation.

(2). The Licence issued under sub-regulation (1) shall be subject to-

- (a) conditions specified in the licensing contract set out in Part III of the First Schedule to these Regulations;
- (b) The payment of the royalties corresponding to the appropriate tariff classification specified in the Second Schedule to these Regulations.

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Refusal to issue License	6. Where the Society refused to issue license, shall within fourteen days from the date of decision communicate in writing the reasons of such refusal to the applicant.
Validity of a License	7. The license shall be valid only for the purpose in respect of which it has been issued and for the period, and with respect to the premises, specified therein.
License to be displayed	8. The licensee shall display the license in a prominent and conspicuous place position at or near the main entrance to the premises at which the reproduction or rental is taking place.
Distributi on	9. The Society shall, out of the collected fees and in accordance with its own procedures, pay to the entitled fees to the rights holders or to the class of rights holders as set out in the Third Schedule.
Appeals	10. An applicant who is aggrieved by any condition endorsed by the Society on a license or with the decision of the Society refusing to issue a license may, before the reproduction or lending is taking place or in any case within fourteen days from the date the condition is endorsed or the decision is made, appeal in writing to the Minister within stating the grounds of appeal and the minister shall make a decision within 45 days.
Penalty for failure to pay fees	11. The person who failed to pay license fees in time shall, in addition to the fees payable under these Regulations, pay a late payment fees specified in the third column of the Second Schedule.
Validity of acts	12. Anything done by the Society in respect of reproduction and rental before, during or after coming into force of these Regulations which is capable of being done by the Society under these Regulations shall be deemed to have been done under these Regulations.

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and Rental Rights)*

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Adjustments of fees' 13. (1) The fees stated in the Second Schedule to these Regulations may be revised by the Minister on the advice of the Society.
(2) The annual license fees shall be based on the tariffs classification provided in the Second Schedule of these Regulations.

Classification of tariffs 14. The tariffs classification shall be as follows:-
(a) Tariff UNI Universities: Public and Private
(b) Tariff COL Colleges: public and private
(c) Tariff SEC Secondary schools: public, private, international and religious schools.
(d) Tariff PRI primary schools: public, private, international and special schools.
(e) Tariff ORG Reproduction in organizations and institutions
(f) Tariff RPC Reproduction in photocopying centres
(g) Tariff AOB Reproduction in any other establishments.

PART III
PROCEDURE, SUSPENSION AND REVOCATION OF
LICENCE

Procedure for serving a default notice 15 - (1) Where the licensee contravenes the terms and conditions of which a license was issued, the Society shall serve on the licensee a default notice in writing specifying the nature of default and possible legal sanctions.

(2) Upon receipt of default notice, the licensee shall make representation in writing to the Society within fourteen days from the date of notice regarding a remedy or rectification of the default.

Failure to remedy or rectify the default 16. (1) Where the licensee fails to remedy or rectify the default within the time specified in the default notice or fails to make a satisfactory representation; the Society shall suspend or revoke the license as the case may be.

(2) Notwithstanding the provision of sub regulation (i) where the licensee was issued with the Revocation Notice requiring him to stop operation and continues with operation the Society shall be at liberty to seize the equipments used for reproduction by the licensee

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and Rental Rights)*

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Suspension
or
revocation
of a
license

17.(1) Where the Authority suspends or revokes a license it shall provide reasons for such revocation or suspension to the licensee

(2) Where a license is revoked or suspended under these Regulations, the licensee after being served with the notice of revocation or suspension as the case may be shall, immediately cease operations and immediately surrender the license to the Society.

(3) In case of suspension the Society shall return the license to the applicant after expiry of suspension period and fulfillment of other requirements as shall be stipulated in the suspension notice period.

PART. IV
GENERAL PROVISIONS

Power to
undertake
inspection

18. (1) An Officer of the Society, a Police Officer or duly authorized agent may undertake an inspection to any person/establishment with a view to ascertaining whether or not the provisions of these Regulations are being complied with.

Offences
and
Penalty

19.(1) Any person who contravenes the provisions of these Regulations commits an offence and on conviction is liable to the punishment as stipulated under Section 42, 43 and 44 of the Act.

(2) In addition or in the alternative to a fine, the offender may have the offending copies and equipments impounded and held in the custody of the Society until when the owner complies with these Regulations.

FIRST SCHEDULE

Made under Regulation 4 (1)

*Copyright and Neighboring Rights (Licensing of Reproduction
and Rental Rights)*

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FORMS

PART I

CSTR F.1

THE COPYRIGHT SOCIETY OF TANZANIA

THE COPYRIGHT AND NEIGHBOURING RIGHTS ACT
(CAP 218)

Application No.

THE COPYRIGHT AND NEIGHBOURING RIGHTS (LICENSING OF REPRODUCTION
AND RENTAL RIGHTS) REGULATIONS, 2014

Application for Licence for Reproduction/rental of Works in which Copyright Subsists

I/We proprietor(s)/Manager(s)

Of Apply for a licence to

Reproduction / rental of works in which copyright subsist under the Copyright and Neighbouring
Rights Act No. 7 of 1999) (Cap 218 of 2002 RE.)

Address Telephone No.

..... Location

..... District

Email:..... Fax:.....

Please tick or mark with "X" in the appropriate box

Activities of Establishment	
1. University	
2. College	
3. Secondary school	
4. Primary school	
5. Research institution	
6. Government institution	
7. Religious institution	
8. Copying Centers	
9. Industrial enterprise	
10. Other	

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I/We..... the Manager/proprietor of the above certify
that the above information is true to the best of my/our knowledge and belief

.....
Signature of Manager or Proprietor

FOR OFFICIAL USE ONLY

Tariff applicable
Fee Payable
File Number

.....
Signature of Licensing Officer

Checked by

Return to: The Chief Executive Officer
 Copyright Society of Tanzania (COSOTA)
 P.O. Box 6388,
 DAR ES SALAAM.

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and Rental Rights)*

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PART II

CSTR F.2

THE COPYRIGHT SOCIETY OF TANZANIA

THE COPYRIGHT AND NEIGHBOURING RIGHTS ACT
(CAP 218)

THE COPYRIGHT AND NEIGHBOURING RIGHTS (LICENSING OF REPRODUCTION
AND RENTAL RIGHTS) REGULATIONS, 2014
LICENCE

(Under Regulation 5(1))

.....of.....
(Name)

.....
(Address)

.....
is hereby licensed to reproduce/ hire published works in which copyright subsists under the
Copyright and Neighbouring Rights Act, 1999, at

.....
.....
(Name and location of premises)

In the district of
Subject to the following conditions:

1. in regard of books available for sale not more than fifteen percent (15%) of the book or one (1) chapter of the book per person per year
2. in regard to books which are out of stock and out of print not more than fifty percent (50%) of the book per person per year
3. The licensee is obligated to truthfully participate (if picked out in random) in a statistical survey

This license is valid from 20..... to 20

Issued onday of20.....

.....
The Chief Executive Officer
Copyright Society of Tanzania

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PART III

CSTR F.3

THE COPYRIGHT SOCIETY OF TANZANIA

THE COPYRIGHT AND NEIGHBOURING RIGHTS ACT
(CAP. 218)

THE COPYRIGHT AND NEIGHBOURING RIGHTS (LICENSING OF REPRODUCTION
AND RENTAL RIGHTS) REGULATIONS, 2014

(Made Under Regulation 41(B))

QUESTIONNAIRE FOR EDUCATIONAL INSTITUTIONS

1. Name and Address of the institution
.....
2. Number of students/ pupils
.....
3. Number of teachers/ lecturers.
.....

Dated at On this Day 20

.....
MANAGING DIRECTOR

.....
SIGNATURE

Return to:

The Chief Executive Officer
Copyright Society of Tanzania (COSOTA)
P.O. Box 6388
DAR ES SALAAM

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and Rental Rights)*

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SECOND SCHEDULE

Tariff Classification Fee per year/ Infringement Fee

I. Tariff UNI (University)

a. REPRODUCTION RIGHTS

For reproduction rights in universities

Number Of Students	Fees Per Year	Late Payment Fees
1 - 500	405,000	TARIFF + 50% TARIFF PENALTY
501 - 1,000	850,500	TARIFF + 50% TARIFF PENALTY
1,001-2,000	1,782,000	TARIFF + 50% TARIFF PENALTY
2,001-3,000	2,794,500	TARIFF + 50% TARIFF PENALTY
3,001-4,000	3,888,000	TARIFF + 50% TARIFF PENALTY
4,001-5,000	5,062,500	TARIFF + 50% TARIFF PENALTY
5,001-10,000	10,530,000	TARIFF + 50% TARIFF PENALTY
10,001-15,000	16,402,500	TARIFF + 50% TARIFF PENALTY
15,001-20,000	22,680,000	TARIFF + 50% TARIFF PENALTY
20,001-25,000	29,362,500	TARIFF + 50% TARIFF PENALTY
25,001-30,000	36,450,000	TARIFF + 50% TARIFF PENALTY
30,001-35,000	43,942,500	TARIFF + 50% TARIFF PENALTY
35,001-40,000	51,840,000	TARIFF + 50% TARIFF PENALTY
40,001-45,000	60,142,500	TARIFF + 50% TARIFF PENALTY
45,001-50,000	68,850,000	TARIFF + 50% TARIFF PENALTY
50,001-55,000	77,962,500	TARIFF + 50% TARIFF PENALTY
55,001-60,000	87,480,000	TARIFF + 50% TARIFF PENALTY
60,001-65,000	97,402,500	TARIFF + 50% TARIFF PENALTY
65,001-70,000	107,730,000	TARIFF + 50% TARIFF PENALTY
70,001-75,000	118,462,500	TARIFF + 50% TARIFF PENALTY
75,001-80,000	129,600,000	TARIFF + 50% TARIFF PENALTY
80,001-85,000	141,142,500	TARIFF + 50% TARIFF PENALTY
85,001-90,000	153,090,000	TARIFF + 50% TARIFF PENALTY
90,001-95,000	165,442,500	TARIFF + 50% TARIFF PENALTY
95,001-100,000	178,200,000	TARIFF + 50% TARIFF PENALTY

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and Rental Rights)*

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b. RENTAL RIGHTS

For the rental of copyright protected works

Number Of Students	Fees Per Year	Late Payment Fees
1 - 500	202,500	TARIFF + 50% TARIFF PENALTY
501 – 1,000	425,250	TARIFF + 50% TARIFF PENALTY
1,001-2,000	891,000	TARIFF + 50% TARIFF PENALTY
2,001-3,000	1,397,250	TARIFF + 50% TARIFF PENALTY
3,001-4,000	1,944,000	TARIFF + 50% TARIFF PENALTY
4,001-5,000	2,531,250	TARIFF + 50% TARIFF PENALTY
5,001-10,000	5,265,000	TARIFF + 50% TARIFF PENALTY
10,001-15,000	8,201,250	TARIFF + 50% TARIFF PENALTY
15,001-20,000	11,340,000	TARIFF + 50% TARIFF PENALTY
20,001-25,000	14,681,250	TARIFF + 50% TARIFF PENALTY
25,001-30,000	18,225,000	TARIFF + 50% TARIFF PENALTY
30,001-35,000	21,971,250	TARIFF + 50% TARIFF PENALTY
35,001-40,000	25,920,000	TARIFF + 50% TARIFF PENALTY
40,001-45,000	30,071,250	TARIFF + 50% TARIFF PENALTY
45,001-50,000	34,425,000	TARIFF + 50% TARIFF PENALTY
50,001-55,000	38,981,250	TARIFF + 50% TARIFF PENALTY
55,001-60,000	43,740,000	TARIFF + 50% TARIFF PENALTY
60,001-65,000	48,701,250	TARIFF + 50% TARIFF PENALTY
65,001-70,000	53,865,000	TARIFF + 50% TARIFF PENALTY
70,001-75000	59,231,250	TARIFF + 50% TARIFF PENALTY
75,001-80,000	64,800,000	TARIFF + 50% TARIFF PENALTY
80,001-85,000	70,571,250	TARIFF + 50% TARIFF PENALTY
85,001-90,000	76,545,000	TARIFF + 50% TARIFF PENALTY
90,001-95,000	82,721,250	TARIFF + 50% TARIFF PENALTY
95,001-100,000	89,100,000	TARIFF + 50% TARIFF PENALTY

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and Rental Rights)*

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2. Tariff COL (Colleges)

a. REPRODUCTION RIGHTS

For reproduction rights in colleges

Number Of Students	Fees Per Year	Late Payment Fees
1 - 500	360,000	TARIFF + 50% TARIFF PENALTY
501 - 1,000	756,000	TARIFF + 50% TARIFF PENALTY
1,001-2,000	1,584,000	TARIFF + 50% TARIFF PENALTY
2,001-3,000	2,484,000	TARIFF + 50% TARIFF PENALTY
3,001-4,000	3,456,000	TARIFF + 50% TARIFF PENALTY
4,001-5,000	4,500,000	TARIFF + 50% TARIFF PENALTY
5,001-10,000	9,360,000	TARIFF + 50% TARIFF PENALTY
10,001-15,000	14,580,000	TARIFF + 50% TARIFF PENALTY
15,001-20,000	20,160,000	TARIFF + 50% TARIFF PENALTY
20,001-25,000	26,100,000	TARIFF + 50% TARIFF PENALTY
25,001-30,000	32,400,000	TARIFF + 50% TARIFF PENALTY
30,001-35,000	39,060,000	TARIFF + 50% TARIFF PENALTY
35,001-40,000	46,080,000	TARIFF + 50% TARIFF PENALTY
40,001-45,000	53,460,000	TARIFF + 50% TARIFF PENALTY
45,001-50,000	61,200,000	TARIFF + 50% TARIFF PENALTY
50,001-55,000	69,300,000	TARIFF + 50% TARIFF PENALTY
55,001-60,000	77,760,000	TARIFF + 50% TARIFF PENALTY
60,001-65,000	86,580,000	TARIFF + 50% TARIFF PENALTY
65,001-70,000	95,760,000	TARIFF + 50% TARIFF PENALTY
70,001-75,000	105,300,000	TARIFF + 50% TARIFF PENALTY
75,001-80,000	115,200,000	TARIFF + 50% TARIFF PENALTY
80,001-85,000	125,460,000	TARIFF + 50% TARIFF PENALTY
85,001-90,000	136,080,000	TARIFF + 50% TARIFF PENALTY
90,001-95,000	147,060,000	TARIFF + 50% TARIFF PENALTY
95,001-100,000	158,400,000	TARIFF + 50% TARIFF PENALTY

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and Rental Rights)*

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b. RENTAL RIGHTS

For the rental of copyright protected works

Number Of Students	Fees Per Year	Late Payment Fees
1 - 500	180,000	TARIFF + 50% TARIFF PENALTY
501 - 1,000	378,000	TARIFF + 50% TARIFF PENALTY
1,001-2,000	792,000	TARIFF + 50% TARIFF PENALTY
2,001-3,000	1,242,000	TARIFF + 50% TARIFF PENALTY
3,001-4,000	1,728,000	TARIFF + 50% TARIFF PENALTY
4,001-5,000	2,250,000	TARIFF + 50% TARIFF PENALTY
5,001-10,000	4,680,000	TARIFF + 50% TARIFF PENALTY
10,001-15,000	7,290,000	TARIFF + 50% TARIFF PENALTY
15,001-20,000	10,080,000	TARIFF + 50% TARIFF PENALTY
20,001-25,000	13,050,000	TARIFF + 50% TARIFF PENALTY
25,001-30,000	16,200,000	TARIFF + 50% TARIFF PENALTY
30,001-35,000	19,530,000	TARIFF + 50% TARIFF PENALTY
35,001-40,000	23,040,000	TARIFF + 50% TARIFF PENALTY
40,001-45,000	26,730,000	TARIFF + 50% TARIFF PENALTY
45,001-50,000	30,600,000	TARIFF + 50% TARIFF PENALTY
50,001-55,000	34,650,000	TARIFF + 50% TARIFF PENALTY
55,001-60,000	38,880,000	TARIFF + 50% TARIFF PENALTY
60,001-65,000	43,290,000	TARIFF + 50% TARIFF PENALTY
65,001-70,000	47,880,000	TARIFF + 50% TARIFF PENALTY
70,001-75,000	52,650,000	TARIFF + 50% TARIFF PENALTY
75,001-80,000	57,600,000	TARIFF + 50% TARIFF PENALTY
80,001-85,000	62,730,000	TARIFF + 50% TARIFF PENALTY
85,001-90,000	68,040,000	TARIFF + 50% TARIFF PENALTY
90,001-95,000	73,530,000	TARIFF + 50% TARIFF PENALTY
95,001-100,000	79,200,000	TARIFF + 50% TARIFF PENALTY

3. Tariff SEC (Secondary Schools)

a. REPRODUCTION RIGHTS

For reproduction rights in Secondary Schools

Number of pupils	Fees per year	Late payment
1-100	54,000	TARIFF + 50% TARIFF PENALTY

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101-200	113,400	TARIFF + 50% TARIFF PENALTY
201-300	178,200	TARIFF + 50% TARIFF PENALTY
301-400	248,400	TARIFF + 50% TARIFF PENALTY
401-500	324,000	TARIFF + 50% TARIFF PENALTY
501-600	405,000	TARIFF + 50% TARIFF PENALTY
601-700	491,400	TARIFF + 50% TARIFF PENALTY
701-800	583,200	TARIFF + 50% TARIFF PENALTY
801-900	680,400	TARIFF + 50% TARIFF PENALTY
901-1,000	783,000	TARIFF + 50% TARIFF PENALTY
1,001-1,500	1,215,000	TARIFF + 50% TARIFF PENALTY
1,501-2,000	1,674,000	TARIFF + 50% TARIFF PENALTY
2,001-2,500	2,160,000	TARIFF + 50% TARIFF PENALTY
2,501-3,000	2,673,000	TARIFF + 50% TARIFF PENALTY

b. RENTAL RIGHTS

For the rental of copyright protected works

Number of pupils	Fees per year	Late payment
1-100	27,000	TARIFF + 50% TARIFF PENALTY
101-200	56,700	TARIFF + 50% TARIFF PENALTY
201-300	89,100	TARIFF + 50% TARIFF PENALTY
301-400	124,200	TARIFF + 50% TARIFF PENALTY
401-500	162,000	TARIFF + 50% TARIFF PENALTY
501-600	202,500	TARIFF + 50% TARIFF PENALTY
601-700	245,700	TARIFF + 50% TARIFF PENALTY
701-800	291,600	TARIFF + 50% TARIFF PENALTY
801-900	340,200	TARIFF + 50% TARIFF PENALTY
901-1,000	391,500	TARIFF + 50% TARIFF PENALTY
1,001-1,500	607,500	TARIFF + 50% TARIFF PENALTY
1,501-2,000	837,000	TARIFF + 50% TARIFF PENALTY
2,001-2,500	1,080,000	TARIFF + 50% TARIFF PENALTY
2,501-3,000	1,336,500	TARIFF + 50% TARIFF PENALTY

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and Rental Rights)*

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4. Tariff PRI (Primary Schools)

a. REPRODUCTION RIGHTS

For reproduction rights in Primary Schools

Number of pupils	Fees per year	Late payment
1-100	36,000	TARIFF + 50% TARIFF PENALTY
101-200	75,600	TARIFF + 50% TARIFF PENALTY
201-300	118,800	TARIFF + 50% TARIFF PENALTY
301-400	165,600	TARIFF + 50% TARIFF PENALTY
401-500	216,000	TARIFF + 50% TARIFF PENALTY
501-600	270,000	TARIFF + 50% TARIFF PENALTY
601-700	327,600	TARIFF + 50% TARIFF PENALTY
701-800	388,800	TARIFF + 50% TARIFF PENALTY
801-900	453,600	TARIFF + 50% TARIFF PENALTY
901-1,000	522,000	TARIFF + 50% TARIFF PENALTY
1,001-1,500	810,000	TARIFF + 50% TARIFF PENALTY
1,501-2,000	1,116,000	TARIFF + 50% TARIFF PENALTY
2,001-2,500	1,440,000	TARIFF + 50% TARIFF PENALTY
2,501-3,000	1,782,000	TARIFF + 50% TARIFF PENALTY

b. RENTAL RIGHTS

For the rental of copyright protected works

Number of pupils	Fees per year	Late payment
1-100	27,000	TARIFF + 50% TARIFF PENALTY
101-200	56,700	TARIFF + 50% TARIFF PENALTY
201-300	89,100	TARIFF + 50% TARIFF PENALTY
301-400	124,200	TARIFF + 50% TARIFF PENALTY
401-500	162,000	TARIFF + 50% TARIFF PENALTY
501-600	202,500	TARIFF + 50% TARIFF PENALTY
601-700	245,700	TARIFF + 50% TARIFF PENALTY
701-800	291,600	TARIFF + 50% TARIFF PENALTY
801-900	340,200	TARIFF + 50% TARIFF PENALTY
901-1,000	391,500	TARIFF + 50% TARIFF PENALTY
1,001-1,500	607,500	TARIFF + 50% TARIFF PENALTY
1,501-2,000	837,000	TARIFF + 50% TARIFF PENALTY

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2,001-2,500	1,080,000	TARIFF + 50% TARIFF PENALTY
2,501-3,000	1,336,500	TARIFF + 50% TARIFF PENALTY

5. Tariff ORG (Institutions and Organisations)

a. REPRODUCTION RIGHTS

For reproduction rights in institutions/organisations

(i) Public Institutions/organisations

Number of employees	Fees per year	Late payment
1-10	90,000	TARIFF + 50% TARIFF PENALTY
11-20	189,000	TARIFF + 50% TARIFF PENALTY
21-30	297,000	TARIFF + 50% TARIFF PENALTY
31-40	414,000	TARIFF + 50% TARIFF PENALTY
41-50	540,000	TARIFF + 50% TARIFF PENALTY
51-60	675,000	TARIFF + 50% TARIFF PENALTY
61-70	819,000	TARIFF + 50% TARIFF PENALTY
71-80	972,000	TARIFF + 50% TARIFF PENALTY
81-90	1,134,000	TARIFF + 50% TARIFF PENALTY
91-100	1,305,000	TARIFF + 50% TARIFF PENALTY
101-150	2,025,000	TARIFF + 50% TARIFF PENALTY
151-200	2,790,000	TARIFF + 50% TARIFF PENALTY
201-250	3,600,000	TARIFF + 50% TARIFF PENALTY
251-300	4,455,000	TARIFF + 50% TARIFF PENALTY

(ii) Private Institutions/organisations

Number of employees	Fees per year	Late payment
1-10	180,000	TARIFF + 50% TARIFF PENALTY
11-20	378,000	TARIFF + 50% TARIFF PENALTY
21-30	594,000	TARIFF + 50% TARIFF PENALTY
31-40	828,000	TARIFF + 50% TARIFF PENALTY
41-50	1,080,000	TARIFF + 50% TARIFF PENALTY
51-60	1,350,000	TARIFF + 50% TARIFF PENALTY
61-70	1,638,000	TARIFF + 50% TARIFF PENALTY
71-80	1,944,000	TARIFF + 50% TARIFF PENALTY
81-90	2,268,000	TARIFF + 50% TARIFF PENALTY

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91-100	2,610,000	TARIFF + 50% TARIFF PENALTY
101-150	4,050,000	TARIFF + 50% TARIFF PENALTY
151-200	5,580,000	TARIFF + 50% TARIFF PENALTY
201-250	7,200,000	TARIFF + 50% TARIFF PENALTY
251-300	8,910,000	TARIFF + 50% TARIFF PENALTY

(iii) Research Institutions/organisations

Number of employees	Fees per year	Late payment
1-10	360,000	TARIFF + 50% TARIFF PENALTY
11-20	756,000	TARIFF + 50% TARIFF PENALTY
21-30	1,188,000	TARIFF + 50% TARIFF PENALTY
31-40	1,656,000	TARIFF + 50% TARIFF PENALTY
41-50	2,160,000	TARIFF + 50% TARIFF PENALTY
51-60	2,700,000	TARIFF + 50% TARIFF PENALTY
61-70	3,276,000	TARIFF + 50% TARIFF PENALTY
71-80	3,888,000	TARIFF + 50% TARIFF PENALTY
81-90	4,536,000	TARIFF + 50% TARIFF PENALTY
91-100	5,220,000	TARIFF + 50% TARIFF PENALTY
101-150	8,100,000	TARIFF + 50% TARIFF PENALTY
151-200	11,160,000	TARIFF + 50% TARIFF PENALTY
201-250	14,400,000	TARIFF + 50% TARIFF PENALTY
251-300	17,820,000	TARIFF + 50% TARIFF PENALTY

(iv) International Institutions/organisations

Number of employees	Fees per year	Late payment
1-10	360,000	TARIFF + 50% TARIFF PENALTY
11-20	756,000	TARIFF + 50% TARIFF PENALTY
21-30	1,188,000	TARIFF + 50% TARIFF PENALTY
31-40	1,656,000	TARIFF + 50% TARIFF PENALTY
41-50	2,160,000	TARIFF + 50% TARIFF PENALTY
51-60	2,700,000	TARIFF + 50% TARIFF PENALTY
61-70	3,276,000	TARIFF + 50% TARIFF PENALTY
71-80	3,888,000	TARIFF + 50% TARIFF PENALTY
81-90	4,536,000	TARIFF + 50% TARIFF PENALTY
91-100	5,220,000	TARIFF + 50% TARIFF PENALTY
101-150	8,100,000	TARIFF + 50% TARIFF PENALTY

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151-200	11,160,000	TARIFF + 50% TARIFF PENALTY
201-250	14,400,000	TARIFF + 50% TARIFF PENALTY
251-300	17,820,000	TARIFF + 50% TARIFF PENALTY

(v) Religious Institutions/organisations

Number of employees	Fees per year	Late payment
1-10	54,000	TARIFF + 50% TARIFF PENALTY
11-20	113,400	TARIFF + 50% TARIFF PENALTY
21-30	178,200	TARIFF + 50% TARIFF PENALTY
31-40	248,400	TARIFF + 50% TARIFF PENALTY
41-50	324,000	TARIFF + 50% TARIFF PENALTY
51-60	405,000	TARIFF + 50% TARIFF PENALTY
61-70	491,400	TARIFF + 50% TARIFF PENALTY
71-80	583,200	TARIFF + 50% TARIFF PENALTY
81-90	680,400	TARIFF + 50% TARIFF PENALTY
91-100	783,000	TARIFF + 50% TARIFF PENALTY
101-150	1,215,000	TARIFF + 50% TARIFF PENALTY
151-200	1,674,000	TARIFF + 50% TARIFF PENALTY
201-250	2,160,000	TARIFF + 50% TARIFF PENALTY
251-300	2,673,000	TARIFF + 50% TARIFF PENALTY

6. Tariff RPC (Copying Centres)

a. Reproduction rights in copying centres

Number of copying machines	Fees per year	Late payment
1	54,000	TARIFF + 50% TARIFF PENALTY
2	113,400	TARIFF + 50% TARIFF PENALTY
3	178,200	TARIFF + 50% TARIFF PENALTY
4	248,400	TARIFF + 50% TARIFF PENALTY
5	324,000	TARIFF + 50% TARIFF PENALTY
6	405,000	TARIFF + 50% TARIFF PENALTY
7	491,400	TARIFF + 50% TARIFF PENALTY
8	583,200	TARIFF + 50% TARIFF PENALTY
9	680,400	TARIFF + 50% TARIFF PENALTY
10	783,000	TARIFF + 50% TARIFF PENALTY
15	1,215,000	TARIFF + 50% TARIFF PENALTY

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20	1,674,000	TARIFF + 50% TARIFF PENALTY
25	2,160,000	TARIFF + 50% TARIFF PENALTY
30	2,673,000	TARIFF + 50% TARIFF PENALTY

7. Tariff LIB (Libraries)

Rental or hire of copyrighted works in libraries

Number of members	Fees per year	Late payment
1-100	54,000	TARIFF + 50% TARIFF PENALTY
101-200	113,400	TARIFF + 50% TARIFF PENALTY
201-300	178,200	TARIFF + 50% TARIFF PENALTY
301-400	248,400	TARIFF + 50% TARIFF PENALTY
401-500	324,000	TARIFF + 50% TARIFF PENALTY
501-600	405,000	TARIFF + 50% TARIFF PENALTY
601-700	491,400	TARIFF + 50% TARIFF PENALTY
701-800	583,200	TARIFF + 50% TARIFF PENALTY
801-900	680,400	TARIFF + 50% TARIFF PENALTY
901-1000	783,000	TARIFF + 50% TARIFF PENALTY
1001-1500	1,215,000	TARIFF + 50% TARIFF PENALTY
1501-2000	1,674,000	TARIFF + 50% TARIFF PENALTY
2001-2500	2,160,000	TARIFF + 50% TARIFF PENALTY
2501-3000	2,673,000	TARIFF + 50% TARIFF PENALTY

8. Tariff AOC (Any Other)

Reproduction in any other establishments.

Number of employees	Fees per year	Late payment
1-10	54,000	TARIFF + 50% TARIFF PENALTY
11-20	113,400	TARIFF + 50% TARIFF PENALTY
21-30	178,200	TARIFF + 50% TARIFF PENALTY
31-40	248,400	TARIFF + 50% TARIFF PENALTY
41-50	324,000	TARIFF + 50% TARIFF PENALTY
51-60	405,000	TARIFF + 50% TARIFF PENALTY
61-70	491,400	TARIFF + 50% TARIFF PENALTY
71-80	583,200	TARIFF + 50% TARIFF PENALTY
81-90	680,400	TARIFF + 50% TARIFF PENALTY
91-100	783,000	TARIFF + 50% TARIFF PENALTY

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101-150	1,215,000	TARIFF + 50% TARIFF PENALTY
151-200	1,674,000	TARIFF + 50% TARIFF PENALTY
201-250	2,160,000	TARIFF + 50% TARIFF PENALTY
251-300	2,673,000	TARIFF + 50% TARIFF PENALTY

PART IV

CSTR F.4

THIRD SCHEDULE

(Made under Regulation 9)

DISTRIBUTION RULES

1. RIGHTS:

These distribution rules relate to the following rights:

- (a) The Copyrights of national and foreign authors of literary works for the following types of uses:
- Reproduction
 - Rental or hire

In case where a society tariff applies to both categories of rights hereinbefore mentioned the income from royalties based on such tariff shall be distributed in the following manner:

- 50% for the national and foreign authors of artistic, musical, literary and dramatic works;
- 50% for the national and foreign publishers of artistic, musical, literary and dramatic works.

2. RIGHTS OF AUTHORS OF COPYRIGHTED LITERARY WORKS

- (a) Distribution classes

All royalties due to the national and foreign authors of works shall be deemed to come from one of the following two distribution classes.

Class 1. Reproduction by way of photocopying, etc;

Class 2. Rental or hiring in educational institutions and libraries both commercial and non-commercial.

- (i) *Attribution of the royalties to the different distribution classes*

The royalties collected on the basis of these tariffs shall be attributed to the distribution classes as follows:-

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and Rental Rights)*

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Class 1 Tariff UNI Universities: Public and Private

Tariff COL Colleges; both public and private

Tariff SEC secondary schools classified into public, private, international and religious schools.

Tariff PRI primary schools classified into public, private, international and special schools.

Tariff ORG reproduction in organizations and institutions

Tariff RPC reproduction in photocopying centres

Tariff AOB reproduction in any other establishments.

Class 2 Tariff UNI

Tariff COL

Tariff SEC

Tariff PRI

Tariff LIB

(B) Specific rules for the different distribution classes

(i) **Class 1**

The distribution shall correspond with the actual reproduction for each work per pages estimated.

3. DEDUCTION OF COSTS OF ADMINISTRATION, ETC

Before attributing the royalties to the different rights holders a percentage to cover administration costs of the society shall be deducted. This percentage shall be the same for all the royalties collected.

The percentage of the deduction shall correspond with the effective costs of administration of society without aiming at accumulating a reserve or making profit but it shall NOT exceed 30% of the gross royalty collections when the society has attained full functioning.

(a) Money for foreign societies not signatory with society shall be in reserve funds for 3 years after which if not distributed to owners may be used to be distributed to national rights holders one month after the lapse of three years.

4. ROYALTIES RECEIVED FROM FOREIGN SISTER SOCIETIES

Royalties received from foreign sister societies shall be paid as soon as possible to the deserving members of the society, after deduction of a handling charge of 5% designed to cover administration costs of society.

Dar es Salaam,
21st June, 2014

ABDALLAH O. KIGODA,
Minister for Industry and Trade