

H.S. Botha Productions

Sydney
Australia

LICENSING APPLICATION & INFORMATION

A COPY OF THIS FORM IS AVAILABLE VIA www.hsbotha.com

Licensing Information is available on pages 3 - 4

How do I enquire about a license directly from H.S. Botha Productions?

- Contact Sean Botha @ H.S. Botha Productions @ hsbotha09@gmail.com.
- Include this documentation filled in with the appropriate details and attach in an email to H.S. Botha Productions.
- In the first communication indicate the format of the project, title of the project and the music the client is seeking to license.
- Music Library: <https://soundcloud.com/hsbotha>
- Include Date, Contact Name, Email and Phone number
- *The Client can expect a return email from Sean Botha between 48 – 72 hours of receiving the enquiry. This will be followed by a direct phone call or conversation via Zoom/Teams or Skype in regard to the specific needs for the project.*
- *A licensing agreement will be sent to the applicant within 24 hours after the face-to-face discussion of the requirements.*

Application Form

Name: _____

Company Name: _____

Email: _____

Contact Phone Number: _____

Country: _____

Project Title: _____

Music Required: _____

Please indicate which License is required:

1. Non-Exclusive
2. Direct Non-Exclusive

Please indicate what format and/or medium the music will be used for:

1. Motion Picture
2. Documentary
3. Television
4. Video Game
5. Social Media
6. Other

If you have chosen “Other” – please describe the project and its format:

Licensing Bodies of Australia:

APRA AMCOS <https://www.apraamcos.com.au/>

PPCA <http://www.ppca.com.au/>

OneMusic <https://onemusic.com.au/licences/>

LICENSING INFORMATION

H.S. Botha Productions is an independent composer and sound designer actively engaged in the licensing of original musical compositions and sound design for use in all forms of media. These include the following formats: *Motion pictures, Short film, Documentaries, Broadcast Television, Video games, Video for social media, Youtube content, Radio, Podcasts and Digital radio including experimental storytelling and/or narratives.*

- a) H.S. Botha Productions offers/grants non-exclusive licenses for the public performances of the recordings and compositions.
- b) H.S. Botha Productions owns and/or controls the rights to license a catalogue of musical compositions and/or sound recordings in all media.
- c) Direct non-exclusive licences are available for the following types of use:
 1. Public performance and Transmission rights
 2. Sound Recordings
 3. Motion Pictures, including short film and experimental film
 4. Documentaries
 5. Broadcast Television
 6. Video Games
 7. Video for Social Media – Facebook, Tik Tok, Instagram, Reddit, Twitter, LinkedIn, Snapchat, Pinterest, Line, Telegram, Medium, Youtube, WhatsApp, Messenger, WeChat, Tumblr, QQ, Qzone.
 8. Podcasts
 9. Radio, including Digital Radio
 10. Experimental Storytelling and/or Narratives
- d) Streaming platforms are expected to negotiate with the **PPCA or APRA AMCOS IN COLLABORATION WITH H.S. Botha Productions** and will be offered non-exclusive licences based on the case or project presented to the composer. Streaming platforms include:
 1. Netflix
 2. Amazon Prime Video
 3. Stan
 4. Binge
 5. Disney Plus
 6. HBO Max
 7. Twitch
 8. Hulu
 9. Paramount+
 10. Peacock

Licences for streaming platforms are available for a 12 – 24 month period and will be confirmed once non-exclusive rights to the music has been agreed upon.

- e) Standard non-exclusive licences will be made available to ongoing and/or returning clients.

Licences for streaming platforms are available for the negotiated time period between the client and H.S. Botha Productions. This will be confirmed once non-exclusive rights and costs of the music has been agreed upon. This will depend on the project, production and required timeframe of the client.

- ***Please take note that all direct licences offered are non-exclusive. An alternative option is available to prospective licensees is by obtaining a PPCA licence (for broadcast or other communication activity) or a OneMusic Australia licence (for public performance activity). It is for the licensee to choose which licensing route they want to take.***
- f) H.S. Botha Productions are open to potential use of their compositions as background music in retail settings and will require meticulous licensing which will only be available for a minimum of 3 to 6 months at a time. This type of license can only be obtained through the PPCA, APRA AMCOS or OneMusic.
- g) H.S. Botha Productions does not offer blanket licences to clients.
- h) Administrative fees of approximately \$100 are payable to H.S. Botha Productions once the piece of music has been licenced.
- i) A minimum fee approximately \$250 - \$500 are payable to H.S. Botha Productions in cases where the project contains a low or below average budget.

Licences issued by H.S. Botha Productions applies to the protected sound recordings created and/or performed by H.S. Botha Productions and/or H.S. Botha (Main Artist).

Penalties for Breaching Copyright of sound recordings, original compositions in Australia:

1. The Copyright Act, Trademarks Act and other legislation provide severe penalties for dealings in music that infringe the rights of artists, composers, lyricists, producers, record companies and music publishers.
2. Penalties range from injunctions, damages and costs through to fines of up to \$60,500 for individuals and up to \$302,500 for corporations per infringement and/or up to 5 years imprisonment. The police can also issue an on-the-spot fine of \$1320 and seize copyright infringing music and devices, including computers and servers used in the commission of the crime.
3. Directors of corporations may also be subject to such penalties.
4. Furthermore, copyright infringing sound recordings and devices used in their creation (eg. computers, CD burners) can be subject to orders for destruction.