

THE IDEA THAT
GOOD MUSIC
COMES CHEAP
IS ONE BIG LIE!

CRIME  LINE

SAFACT
SOUTHERN AFRICAN FEDERATION
AGAINST
COPYRIGHT
THEFT

 **POSA**
Performers Organisation of South Africa

 **SAMRO**
Southern African Music Rights Organisation

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WHAT IS COPYRIGHT©?

Copyright is the ownership that an artist (including authors and composers) has in his/her creation. It gives him/her protection from people copying, sharing, selling and recording it without his/her permission.

...AND MUSIC PIRACY?

Music Piracy (which includes the creation and sale of **fake CDs**, illegal online **downloads** and **illegal file-sharing**) happens when people do not respect the ownership that songwriters and performers have in their work.

WHAT ARE THE DIFFERENT TYPES OF “MUSIC PIRACY”?

© **Pirate recordings** are when the legitimate recordings (e.g. original CD) are illegally copied.

© **Bootleg recordings** are the illegal recordings of radio or TV broadcasts, or live concerts.

© **Counterfeit recordings** are recordings that the pirates try to pass off as the original, i.e. they also copy the original artwork, trademark etc. of the CD and sell it as an original.

© **Online piracy** refers to the unauthorised downloading of music, film, books etc. from Internet sites.

COPYRIGHT IN YOUR OFFICE

In office environments, copyright-protected works are used all the time. From daily newspapers and online resources, to industry journals and music, copyright is an integral and inevitable factor in any office.

Thanks to a number of business-friendly initiatives, copyright compliance has become easier for all organisations doing business in South Africa.

DOES YOUR SWITCHBOARD DEFAULT TO MUSIC WHEN A CALL IS BEING TRANSFERRED? DO YOU KEEP A SHARED FOLDER OF INDUSTRY ARTICLES? MOVIES AND MUSIC SHARED ON THE INTRANET?

Use this checklist to ensure your company is on the right side of the copyright law:

© Ensure your marketing department insists on using a **media monitoring** agency that pays copyright royalties to the various news publishers

© **Music that is broadcast** to your customers, e.g. on your shop floors, should be licensed

© Obtain a licence to **share published articles** company-wide via your company intranet, email or by way of photocopies for distribution

© Playing **music-on-hold** or music on your **website** also requires you to obtain a licence.

***Visit www.samro.org.za and www.dalro.co.za to apply for your licence*

TEACH YOUR KIDS GOOD © HABITS

TEACH THEM THE IMPORTANCE OF COPYRIGHT

The potential to earn income from sales and other uses incentivises creators to keep creating.

Without this incentive, which stems from copyright, creators are less likely to continue making the sacrifices necessary to focus on their creativity and creations. That means less (quality) music, art and books.

Help your children understand that they have an active role to play in ensuring that copyright-holders keep creating!

RESPECT FOR COPYRIGHT, IN GENERAL, IS INVERSELY PROPORTIONAL TO LIKELIHOOD OF PLAGIARISM IN SCHOOLS

Piracy is very closely related to plagiarism in that both infringe on the principles and laws of copyright.

Plagiarism (stealing another's ideas and presenting them as your own) remains a problem in the South African educational system, particularly in tertiary institutions. Learners are excluded from universities and colleges because of the blatant disregard for the rules of copyright. You can help your kids avoid this trap by ensuring they have an early understanding of copyright.

The truth is without a proper foundation where all forms of copyright (music, online content etc) are recognised, respect for academic ideas will be hard to come by!



IS THE FUSS ABOUT COPYRIGHT REALLY JUSTIFIED?

IT'S JUST A CD COPY, NO ONE GETS HURT. WHY THE FUSS?

...because **piracy breaks the Music "Cycle"** and prevents composers and recording artists from earning royalties!

SAMRO looks after the copyright of composers and songwriters (and other copyright-owners too) and work to make sure they receive their royalties. Music piracy destroys the Music Cycle.

Remember: Piracy is not a victimless crime!

*Turn to the back page for the Music Cycle diagram

PIRACY ALSO INTERFERES WITH THE AUTHOR'S MORAL RIGHTS

Although the Economic Rights (those rights that give the author money) attached to copyright fall away 50 years after the author dies, his/her Moral Rights, which protect the reputation and integrity of his/her work, last forever.

Piracy, especially in the case of counterfeit recordings, almost always lowers the quality and presentation of the song or cd, therefore seriously infringing on the author's moral rights.

PIRACY IS A CRIME!

WHAT DOES THE LAW SAY?

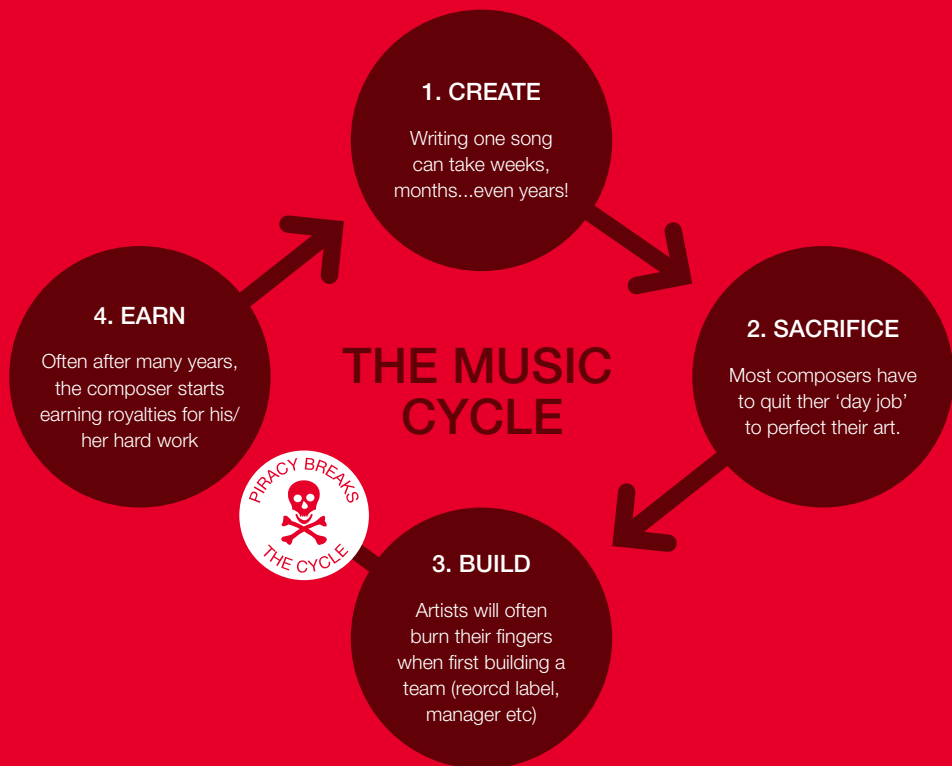
The Copyright Act says the creator of a song is the only person who can copy or authorise the copying of that song.

So, unless you have such permission (as legal music websites and CD distributors would), you may not copy or share that song. To do so, or to support websites or pirate syndicates that do is illegal and means you are supporting and assisting a crime!

"Music pirates aren't in the music business, they are in the plastics business. They buy and sell plastic and get [you] to pay them 10 to 20 times their cost for a blank disc by simply loading that plastic up with stolen music."
(www.riaa.com/physicalpiracy.php)

MUSIC PIRACY IN SOUTH AFRICA

Although online piracy is a growing problem in South Africa, most of the pirate activity in South Africa is that of bootleg and counterfeit recordings. This means that there are still far too many South Africans buying illegal recordings at traffic lights and flea markets! SAY NO & MAKE A DIFFERENCE!



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