

**We have waited long enough!
Parliament must act!
It's time to honour and value our artists!**



**Artists & Creatives for Fair Royalties and Fair Copyright
Support our lives and livelihoods!**

We are a group of musicians, actors and creatives in South Africa, including well established veterans of the performing arts industry, creative leaders of the South African Youth, and new young voices from our townships, rural areas and communities across South Africa. We are calling for fair royalties for artists and fair use of arts and culture for learners and the community.



See attached Excel spreadsheet for full list of signatories.

Artists for Fair Royalties and Fair Copyright

We note that

- ❖ Historically in South Africa many artists have not been fairly remunerated for their work
- ❖ A number of high profile cases like that of Solomon Linda and Henry Cele illustrate the failure of the present copyright regime to protect artists from predatory practices by large multinational companies
- ❖ Many of our artists continue to die without proper recognition and without ever having received fair remuneration
- ❖ Our collecting societies are not working in the interests of their members and royalties are not reaching the people to whom they are owed

As Artists we believe

- ❖ Artists who produce work must be able to make a livelihood from their work and must be protected from unfair exploitation and theft
- ❖ No artist must ever again die a pauper due to failures in our copyright regime
- ❖ Fair Royalties to be paid for all musicians, composers and other creators of musical and associated artistic works and to all performers who appear in creative works
- ❖ Artists who have signed away their rights to their work in the past when contracts were not regulated, need protection in the present and future. There must be a right to fair royalties for all future use of our works, or works where we appear.
- ❖ Creatives must have access to the diverse culture of the country to inspire new work

As Citizens committed to a fair society we believe

- ❖ Communities must have access to knowledge and to educational materials so they can become the creatives and innovators of the future
- ❖ Learners in public schools must have access to textbooks
- ❖ Blind and disabled South Africans must have access to accessible format copies of creative and educational works
- ❖ Everyone must have access to creative works through fair use, which opens the doors of learning and culture, but which prevents piracy

To Achieve all these aims we need legislation which guarantees Fair Royalties for artists and balanced and equitable Fair Use for all people in our society, with protection of the right to earn

We call for

- ❖ Urgent reform of the Copyright law in South Africa to replace the 1978 Act by means of the Copyright Amendment Bill
- ❖ Keeping those clauses that ensure that future contracts guarantee fair royalties for musicians and performers.
- ❖ Keeping those clauses that ensure that future earnings on past contracts are shared with musicians and performers in the form of fair royalties
- ❖ Keeping the Fair Use provisions in the law, so that communities can access arts & culture and educational materials
- ❖ Keeping the clauses that regulate collecting societies to ensure they are controlled by their members and that performers have their own collecting society
- ❖ Clarification in regulations to the law that Fair Use is not a free for all; no works may be pirated causing the livelihood of the original creator to be harmed
- ❖ Government must put in place much more substantial and sustainable funding and support for the creative arts to strengthen and ensure the livelihoods of all those who contribute to the cultural life of South Africa

*See attached Excel spreadsheet for full list of signatories