



MASA
Musician Association of South Africa
20 De Korte Street
Braamfontein
Gauteng
2001
Tel: +27 (0) 11 712 8416
info@masamusic.org.za
www.masamusic.org.za
Reg. 2016/11/10/10/10

TO: Ms J.L. Fubbs
Chairperson: Portfolio Committee on Trade and Industry
PO Box 15
Cape Town
8000
7 July 2017

Dear Ms. Fubbs

MASA is a National Labour Association with Branch Affiliations in most of the Provinces, representing Professional South African Musicians who are either Composers or Performers or both. Therefore both the Copyright Amendment Bill, as well as Performers Protection Bill directly impacts on our Members.

We are also a member of the Copyright Alliance and we support the submission made by the Alliance in response to the Copyright Amendment Bill, 2017. We nevertheless wish to point specifically to a matter that is of supreme significance for the South African cultural and creative industry, namely the issue of local content quotas for television and radio. It is regrettable that this important matter, which formed part of Clause 11 of the 2015 version of the Copyright Amendment Bill, fell off in the 2016 and 2017 versions. We note however that Clause 32 of the current Bill introduces a new section (cL), which provides that the Minister may prescribe local content quotas in consultation with the Minister responsible for Communication.

We see this as a positive development. In this regard we wish to point you to the Copyright Alliance's proposed amendment in relation to this matter, in particular that it needs to be dealt with in a separate subsection which focuses on the issue. **The Copyright Alliance proposes a new subsection (2) under section 39 of the Copyright Act**, which provides the following:

“(2) In respect of the broadcasting industry’s role in promoting the growth of South African local content in order to develop and protect the national cultural identity and character, and to strengthen the economic development and social cohesion of the country through its cultural and creative sectors; the Minister shall, in consultation with the Minister responsible for communication and the relevant industry stakeholders, from time to time make regulations prescribing the quota ratios for local music and visual content for television and radio broadcasting.”

We are fully behind the Copyright Alliance's submission in this regard and urge the committee not to miss this opportunity to do something good, positive and revolutionary for the South African cultural and creative industries.

Thanks & best Regards,

G.P. Le Roux
On behalf of MASA Executive

Board of Directors: Mr. Tebogo Sithathu - President, Mrs. Faith Kekana - 1st Vice President, Mr. Marc Rantseli – 2nd Vice President, Mr. Oupa Lebogo - General Secretary, Ms. Anniki Maswanganyi - Deputy General Secretary, Mr. Gabriel Le Roux - Treasurer, Ms. Alec Khaoli, Ms. Mandisa Dlanga, Ms. Khanyo Maphumulo, Ms. Nokwazi Dlamini