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| **MINISTRY OF COMMUNICATIONS REPUBLIC OF SOUTH AFRICA**  Private Bag X 745, Pretoria, 0001, Tel: +27 12 473 0164 Fax: +27 12 473 0585  Tshedimosetso House,1035 Francis Baard Street, Tshedimosetso House, Pretoria, 1000 |

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.: 1471**

**Ms C King (DA) to ask the Minister of Communications:**

(1) For each of the past three financial years, (a) what number of local productions has the SA Broadcasting Corporation (SABC) sold, (b) what are the names of the productions that have been sold and (c) what amounts are charged by the SABC for each production;

(2) whether, in line with clause 7 of the SABC Freelance Artists’ Agreement, performers are being paid commercial exploitation fees; if not, will she facilitate the process to ensure that actors are appropriately compensated for productions, which have been exploited for their commercial value; if so, what are the relevant details;

(3) what formula does the SABC use to calculate commercial exploitation fees? NW1613E

**REPLY**

According to the SABC;

1. no local productions were sold,
2. in terms of the aforementioned clause 7, the SABC is currently engaged in discussions with actors on an individual basis and through representative organisations to expedite payment. In order to facilitate the payment process, the SABC has made lists of material sold available on its website and would encourage legitimate claimants to lodge claims using the email address [fees@sabc.co.za](mailto:fees@sabc.co.za).
3. the formula for the payment of commercial exploitation fees is specified in the SABC standard agreements with production companies and principal actors:
4. The producers are entitled to 15% of the revenue, less SABC expenses, generated through content sales and licencing agreements
5. The scriptwriters are entitled to 10% of the revenue, less SABC expenses, generated through content sales and licencing agreements
6. Principal actors are entitled to a negotiated lump sum payment on the basis of a content sales and licencing agreements. Should the SABC and the principal actors fail to reach an agreement, the principal actors shall collectively receive two per cent of the revenue, less SABC expenses, on a pro-rata basis.
7. The provisions regarding scriptwriters and principal actors do not apply to non-drama productions.