



arts and culture

Department:
Arts and Culture
REPUBLIC OF SOUTH AFRICA

PRESIDENT'S INTERACTION WITH THE CULTURAL INDUSTRY SECTOR SANDTON CONVENTION CENTRE

DATE: 17 NOVEMBER 2009

SCHEDULED TIME: 10H00-13H00

PROGRAM DIRECTOR: MINISTER IN THE PRESIDENCY, MR COLLINS CHABANE

1. OPENNING AND WELCOME

At 10H50, the gathering was opened with a National Anthem.....and a silent meditation and prayer. The program director, Minister Collins Chabane, welcomed the Minister of Arts and Culture, Lulu Xingwana on stage to open and welcome the delegates.

2. WELCOMING SPEECH BY MINISTER OF ARTS AND CULTURE

Minister's Speech (.....)

In Minister's speech, the emphasis was on the issues that were raised by the cultural sector in previous interaction and the fact that the government is not meeting the sector for the first time nor the last time with the intention of resolving issues of concern. The Minister welcomed the Honourable President as a Keynote Speaker for the day.

3. KEYNOTE ADDRESS BY THE PRESIDENT

The President's Speech (.....)

The President stated that the objective of the Interaction: is to open a conversation with everyone in the cultural industry sector as culture plays an important role in the country's social cohesion, identity and nation building.

In his speech he reflected on issues raised by the sector in previous interaction - amongst others, they are:

Inadequate local content

Copyright issues

Defining arts

Tax issues

Need to fight piracy

In his speech, the President was very concerned with many areas of concern amongst which he highlighted two critical issues,

- Organization of the cultural industry
- Too much sex and violence on television

4. INTERACTION WITH THE SECTOR (ISSUES RAISED)

1. Tax issues- Whilst artists are taxed just like everybody else, it does not benefit them as they die poor. It will be good if the tax contributions by artists assist in other ways – one being towards their retirement.
2. There is a lack of both business and legal skills in management and creating infrastructure to protect and grow businesses in this sector despite the enormous talent that is abounding in South Africa.
3. Government should consider providing a Rescue Package to Reliable Music which is being liquidated as we meet here. If this happens we lose 30% of the music. There is no assistance from government to save this “LOCAL” industry.
4. Theologists and pastors need to be recognized and acknowledged as artists in their own right. Attention has to be given to the North West Studio that was sold to an individual. The government needs to urgently intervene as this is one of the examples of infrastructure being used for self interests whereas it should have been at the disposal of the artists in that region. Artists cannot travel to Johannesburg when they need to use recording facilities?
5. The Production industry does not want hand-outs. Address Intellectual Property issues – artists should be allowed to have the Intellectual Property Rights for work that they created to enable them to negotiate with the bank etc. and build their own industry.
6. People with disabilities are the most marginalized in society. Request that the grievances be addressed as a submission has been forwarded.
7. Artists should be paid for cancelled concerts; the case in point was that, disabled artists were contracted by the Presidency to perform on Disability Awareness Day however just before the concert the contracts were cancelled without compensation to the artists.
8. There should be a special police force to deal with piracy.
9. Artists do not get work consistently and when they work they are taxed 25%. At one time we were given a tax incentive and were paying a lower tax – will artists ever go back to that again?
10. There is a need for substantial institutional development to protect the artists. A formation of a national body with an emphasis on organization. Part of its mandate would be skills development in publishing, script writing, composition etc. This body would need to develop rural talent too and advocate for facilities for them. It should also concentrate on youth development.

11. There should be transparency in signing of contracts with recording companies as the middle man benefits more than the artist himself/herself. Artists are disadvantaged by not being entitled to their royalties. The State should develop a standard contract which could be used to safeguard artists from this type of exploitation.
12. Recession affects everybody. Government departments should not take on the role of promoters where they choose their friends to perform in certain events. This task should be left to the promoters themselves.
13. There should be interface between Depts. of Education and Arts & Culture. The artists do not always have certificates to submit when they need jobs in the area of arts and culture. Arts & Culture should deal with the dynamics of how artists work because there is a challenge with the Education Dept. which requires the certificates.
14. There should be disciplinary measures taken against corrupt officials, arrogant and negligent officials even in the Presidency and those who sabotage political leadership. For example, certain MECs are so supportive of programmes on the ground but officials have their ulterior motives and do not follow political leadership instructions (This has happened both in the Western Cape and North West).
15. Piracy is killing the talent, as it does not allow the artists to reap the benefit of their creativity, it must be dealt with as a matter of urgency as it is destroying many livelihoods.
16. For many INVESTING IN CULTURE PROGRAMMES IN PROVINCES, there is no infrastructure. This has to be addressed by the government as soon as possible. People are working under trees and if the weather is unfavorable, work stops. Applications have been made for Community Arts Centers to be built but there is no response from government.
17. The issue of local content is crucial to all including the President, the President should be objective to even address the content of the songs he sings (umshini wam) and the statements that his supporters utter (Kill for Zuma) as these perpetuate the act of violence. What people should bear in mind is that artist's objective is to SPEAK TRUTH TO POWER, it does not matter if the subject matter is bad or good or who the person is. We should acknowledge the issue of violence was allowed to be used at Polokwane. ([There was objection from the crowd](#))
18. Community Arts Centres close at 17h00, this prevents those who would like to carry out activities after work. This has to be addressed.
19. South Africans should all be committed to promoting our LOCAL CONTENT; the Eurocentric/ Foreign artists that are given priority in this country benefit no one.
20. It has been observed that in the Northern Cape, political employees are always Coloured, this happened in the past 15 years of democratic government. This needs to be looked into as race issues become a question.
21. The issue of UNITY of the Sector is long over due and the sector itself has tried for the passed 15 years but has been unable to unite. The government should

- facilitate it and take charge as they are the ones who are in charge of this country.
22. The government cannot blame the Sector for its division, it is itself divided - why is the country divided into Provinces anyway, and provinces are not equally funded?
 23. Disappointment on Minister of Public Works absence, as the big challenge in some provinces is infrastructure. For example, Limpopo is in need of infrastructure, there is not a single Performance Stage in the whole Province. Another point is that ARTS AND CULTURE IS NOT SPORTS AND RECREATION; these two should be respectively separated immediately.
 24. The sector needs a significant Funding/Financial Boost/Budget
 25. Theatres are struggling in terms of funds and infrastructure. Infrastructure which is not used, is depreciating. There are 20 theatres which are not eligible to conduct plays, there were provincial task teams which were formulated through the South African Theatre Initiative (SATI), but this seems not to be working. An immediate intervention is needed.

5. REPLY BY THE PRESIDENT: THE PRESIDENT EMPHASISED THE FF

- Problems of the Sector will not be solved in one day, it is a continuous engagement process. The next meeting should be longer than a half day as there are many issues to discuss.
- Submissions that are received by Presidency and Ministries, tabling the challenges of the Sector will be attended to
- Unity amongst the Sector is crucial especially if they want Government to assist them.
- Criticisms made against the Ministries, Media, Government Officials and the Presidency are noted and possible solutions will be looked into.
- The Hotline complaints will be followed up
- The Sector should not miss the opportunity to meet with the government administration that is well prepared to listen and assist.

(The President had to leave and Ministers remained for comments to issues raised by the Sector)

6. RESPONSES/COMMENTS BY THE MINISTERS

MINISTER OF FINANCE

- People can consult with SARS for advise in seeking possibilities of their proposals on tax issues
- Recession has made the government to reprioritize funds to respond to certain critical issues that affect the majority, hence various initiations by the government.

- We will be collecting R70 Bill less in taxes by 31st March because of the recession we are facing.
- It would be beneficial for artists to organize themselves as NGOs. There would be tax benefits for people who make donations to NGOs.
- In terms of Social Security, Minister advised artists to contribute towards Retirement Annuities (RA) as Government subsidizes 40% when anyone contributes towards RA. Government is busy working on a social security system which will be released in a year or two.
- Intellectual Property issue is critical. The sector together with the government and society as a whole need to create a climate that opposes illegal dealing including piracy. SARS and Police are working closely together to educate people that no form of corruption or criminality will be tolerated.

FROM THE MINISTRY OF TRADE AND INDUSTRY

- Need to educate the people on counterfeit products.
- We have a special force that educates people on what is counterfeit
- On Intellectual Property there would be laws amended.
- Public Hearings will be held in December or January on the issue.
- As we enter the Knowledge Economy, the Dept. is working on a tracking tool to allow Government to acknowledge the contributions from various sectors to the national GDP.

MINISTER OF HIGHER EDUCATION

- There should be a tripartite alliance between Arts and Culture, Higher Education and Basic Education departments to deal with the Sector challenges. These departments should pave way for intervention.
- We must attend to how arts and culture can be taught in schools.
- One of the biggest enemies we face are the monopolies – they are a huge opposition to the co-operatives
- SETAS could train artists in relevant skills. There is a lot we can do in skills development.

MINISTER OF COMMUNICATION

- The Intellectual Rights issue and the local content issues are addressed in the proposed Public Service Broadcast Bill

- The following issues are attended to by the department with other relevant departments: Local Content Development Strategy, Local Content Generation Hub, Local Content for the Broadcast and bail out issues.
- On the question of studios – if they are owned by private individuals, government cannot interfere, any way these studios would become obsolete as we move onto the digital age. New studios would have to be built.

MINISTER IN THE PRESIDENCY, NATIONAL PLANNING COMMISSION

- He emphasized that, the gathering has confirmed that the government has to do things differently and the commission definitely has a role to play together with other government departments. Culture, Patriotism and Identity Building are key in uniting us.

DEPUTY MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

- There is a special force dealing with piracy. The Department of Justice and the Department of Police with Hawks are involved in dealing with piracy
- Piracy is a serious problem and we are losing more than R500 million a year.
- Municipal bylaws can be used to deal with Piracy problems together with law enforcement.

In fighting piracy and counterfeiting 3 Recommendations are made:

- The sector should organize itself
- Mobilization of the community
- No person should take the law in their own hands

7. CLOSING REMARKS by DEPUTY MINISTER OF ARTS AND CULTURE

- Engagement with the Sector will continue, Arts and Culture department will coordinate another session with the industry next year 2010
- Organized formation of the Sector will make government work easier in attempting to resolve the challenges they face.

The meeting adjourned at 14h15 and Lunch was served.