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# For the **love of music**

## SAY NO TO PIRACY

Read this handy guide to find out how piracy is affecting music artists, the copyright laws that protect their music, and what you can do to help.



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# Piracy & **your kids**

## WHY COPYRIGHT IS IMPORTANT

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. That means less (quality) music, art and books.

**Teach your kids the value of copyright, and how it helps to make sure their favourite artists keep creating.**

## LACK OF RESPECT FOR COPYRIGHT GOES HAND IN HAND WITH PLAGIARISM AT 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.

**Proper respect for the laws of all copyright material (e.g. music and online content etc.) is the key to keeping academic plagiarism at bay.**

**IT'S UP TO YOU TO TEACH YOUR KIDS THE IMPORTANCE OF COPYRIGHT**

# Copyright at **work**

In the office environment, copyright-protected works are used all the time.

From daily newspapers and online resources, to industry journals and music, copyright is an integral part of day-to-day work life.

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?**

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

# What is copyright?

COPYRIGHT IS THE OWNERSHIP THAT SONGWRITERS OR COMPOSERS HAVE **OVER EVERY SONG THEY CREATE.**

It gives them protection from people copying, sharing, selling and recording the song without their permission.



## WHAT ABOUT MUSIC PIRACY?

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

## WHAT ARE THE DIFFERENT TYPES OF MUSIC PIRACY?

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

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

© **Counterfeit recordings** are recordings that 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.

# Piracy is not a **victimless crime**

PIRACY BREAKS  
THE MUSIC CYCLE  
AND **PREVENTS  
COMPOSERS &  
RECORDING  
ARTISTS FROM  
EARNING  
ROYALTIES.\***

SAMRO looks after the copyright of composers, songwriters and other copyright-owners too. We work to make sure they receive the royalties they have worked so hard to earn.

## **Piracy interferes with the author's Moral Rights**

Economic Rights ensure that artists receive royalties for their work. These rights fall away 50 years after the author dies, but the Moral Rights that protect their reputation and the integrity of their work last forever.

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

\*Turn to the back page for the Music Cycle diagram



# Piracy is against the law

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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](http://www.riaa.com/physicalpiracy.php))

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## THE **COPYRIGHT** **ACT**

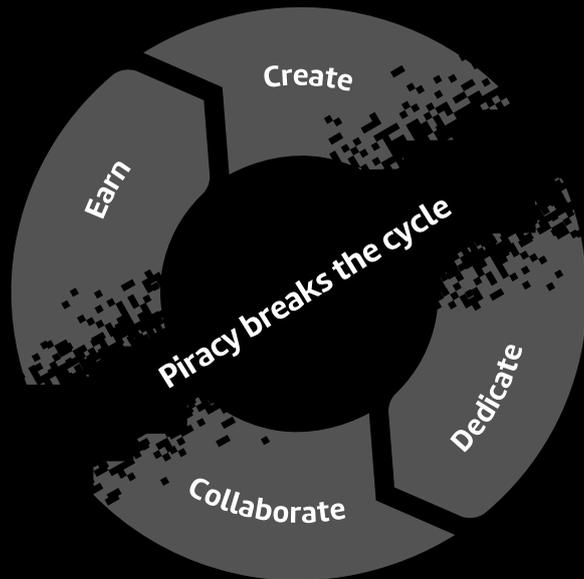
The Copyright Act says that the creator of a song is the only person who can copy or authorise the copying of that song.

So, unless you have permission (as legal music websites and CD distributors do), 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 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. It's up to you to do the right thing and make a difference.

# The **music cycle**



## CREATE

Writing good music is time-consuming and can take anything from a week to a year or even longer.

## COLLABORATE

Finding the right record label, manager and band members takes time and a lot of effort.

## DEDICATE

Most artists work full-time to perfect their music without any other source of income.

## EARN

It often takes years for artists to start earning royalties for all their hard work.



This Guide was made possible by  
The Southern African Music Rights Organisation NPC (SAMRO)  
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