Talent is not enough

Music creators should always get credit for their talent. That’s why, for the past 50 years, SAMRO has protected the musical works and rights of lyricists, composers, performers, authors and publishers. We create value for both the creators and users of music.

So, whether you live to make music or make music to live, speak to us about how we can ensure your music rights are protected whenever and wherever your music is used.

www.samro.org.za
From the CEO’s desk

The American president Harry S Truman once said that in periods when there is no leadership, society stands still.

We believe the same can be said of any grouping – a business, an NGO, a school, a country. That’s why at SAMRO, we have taken the utmost care to place the correct people in the correct management positions to best serve the interests of our own “citizens”: the creators and users of music.

This year has seen the introduction of a highly competent new executive team that, we are confident, will lead SAMRO forward in realising its vision of becoming a copyright asset management and services society that is progressive and agile.

As you are all aware, the business of music is by no means a static one, and there are constantly new challenges to be met and new opportunities to be taken. It is therefore a given that we as a copyright administration body need to be fleet-footed and on the ball if we are to respond effectively to the demands of the industry.

In order to correctly assess and meet the needs of a changing business environment and an evolving social order, and deliver premium service to our valued stakeholders, we must have the right people in the right positions.

Having the necessary human capital in place will, we believe, help cement SAMRO’s status as an important player on the continent and around the world.

In this edition of SAMRO Notes, we introduce you to our reconfigured executive team – as you will see, they are all highly motivated and committed individuals with the necessary expertise and insights to steer us into a bright future.

But having the right people and a dynamic vision means nothing without the necessary technical support to back them up. For this reason, we are implementing a new business system that will streamline SAMRO’s internal operations while making it simpler for the creators and users of music to interact with the organisation via a new, secure web portal.

What all of this means is that SAMRO will soon be doing things better, faster and more efficiently. We look forward to being of greater service to you, and welcome your feedback via any of our 24/7 Communication Hub platforms.

Nick Motsatse | CEO

On the cover: Incoming SAMRO Chairman, Abe Sibiya | Photo courtesy of SAMRO
Letter from the Editor-in-chief

SAMRO has entered an exciting phase as a business, and has started rolling out a number of progressive, forward-thinking plans that will cement our status as a leading African copyright society.

We can’t deny that we are excited by the many dynamic changes taking place within the organisation at the moment – all geared towards making SAMRO a better, more efficient, tightly-run ship.

First up is the new SAMRO website, which went live in November. I’m sure you’ll agree that a revamp of our website was long overdue – but that the wait has been worth it.

As you read this, you will now be able to hop onto www.samro.org.za and encounter a newly designed, interactive website that is user-friendly for both music creators and music users, and is chock-full of easily digestible information for members of the public too. Read more about our spruced-up new online presence in this edition of SAMRO Notes.

On the subject of information technology, we are in the process of rolling out a brand-new business administration system that will make it easier for us, as SAMRO, to serve you, our music creators and music users.

By the time 2013 has dawned, SAMRO will have a cutting-edge new system in place to run its operations. This will replace the old set of systems, which has struggled to keep pace with the internet age as well as the organisation’s expansion into administering Mechanical and Needletime Rights, in addition to Performing Rights. The Apollo 12S project is a vast undertaking, but we have faith in our excellent team that is currently hard at work to ensure its smooth implementation early next year.

Not only will this make SAMRO’s internal operations run like clockwork, but the new system will also be accompanied by a web portal to provide music creators and users with convenient online access to a variety of functions – such as notifying new works, viewing royalty statements, applying for licences and submitting playlist data. You can find more details about these developments elsewhere in this edition.

So, as you see, we are entering our next half-century with a focus firmly on evolving to keep pace with the changing times and needs of our stakeholders – yet we remain committed to the same core SAMRO values that have brought us this far. And key among those is our commitment to preserving, enhancing and extracting the value inherent in music for the benefit of our members.

We hope you enjoy this edition of SAMRO Notes as much as the content and production team has enjoyed producing it for you.

Sipho Dlamini | General Manager: Marketing, Communications and Business Development | Photo courtesy of SAMRO
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A club [name supplied to SAMRO] in Vanderbijlpark is currently the most popular place in the Vaal. On Thursdays they have karaoke, with a database of about 10 000 Afrikaans and English songs.

On Fridays and Saturdays they play dance music, all types of music. I suspect that all their Afrikaans songs are obtained illegally, as they load them on to their computer and don’t have a single CD to show for it. This includes the latest albums.

I report this as an urgent matter to you, although I would like to stay anonymous. However, a well-known radio announcer referred me to you for action as the club apparently holds no permits or licences, except for its liquor licence. – Anonymous

Please note that SAMRO’s sales team went to the venue and has ensured that all the relevant parties have filled in the necessary application forms for their appropriate licences.

Many thanks for the tip – we really appreciate you taking the initiative to alert and assist us. It will certainly add value to the owners of the music that they use in their facility. – Editor

Can SAMRO now help members 24/7?

I have been sending queries on my membership to SAMRO’s Customer Services email address, but I have heard that SAMRO has now introduced a 24/7 helpline. Has this replaced the Customer Services number and email address, and what are the benefits of this new service? – Intrigued SAMRO member

You are quite correct – this year SAMRO has rolled out its new 24/7 Communication Hub in order to render assistance to members, licensees and members of the public at all hours, even over weekends. You can still make use of customerservices@samro.org.za, but for further options please turn to page 44, where we outline more details of the convenient new 24/7 facility and how it works. – Editor

SAMRO encourages members to interact with us via our social media platforms. We have included one of the most interesting responses to a recent Facebook post below.

SAMRO asked:
Talent is not enough! Tell us how you work the business of your music. With the drop in CD sales and the rise of digital music, how do you make your music work for you? Share with us your stories of how you make a living from the music you write and compose... Do you write jingles for adverts? Are you a film score composer? Is your music being used in advertising and promos?

SAMRO member responded:
DJ Hypnosis: There are a lot of avenues that help my small endeavour. First of all, I make sure all my works are in order with SAMRO. I submit as much material to radio as possible; my Radio & General royalties for one song normally pay 80% more than the sales I make digitally and from albums.

I also push radio jingles – lately, I’ve approached production houses to try and get work making their timeline audio, advert music and soundtracks if possible. I’m hoping I will succeed. And I also have a prominent publisher who makes sure I never miss a cent of my publishing royalties.

I also gig a lot: gigs keep us going, as it’s a “now” payment. Another way is to get your music on as many albums as possible, to make more “small” royalties that add up to big amounts. Lastly, get an education. I use the money I get from music to pay for my auditing degree and to update my studio. Education will assist musicians in avoiding the loopholes that many currently don’t spot.

Please see pages 38-41 and 46-48 for our informative articles on alternative revenue streams and music publishing.
**SAMRO rubs shoulders with music stars**

SAMRO has been a hive of star activity in recent months. South African-born artist Jonathan Butler, who was in the country for a number of concerts, took time to pose for photos with SAMRO Marketing and Communications Manager Kgomotso Mosenogi. Plus, American soul singer, keyboardist and songwriter Frank McComb (centre) signed up as a member, and jazz saxophonist Gerald Albright popped in for a visit, as did fellow Jazz by the River headliners Wanda Baloyi and Kabomo.

**Music MBA begins inaugural semester**

In the global economy, knowledge has become a valuable resource. Business leaders not only require experience, but also continued, relevant education and a rich base of networks. The music industry is no different.

Over the last two decades, shifts in the music industry have changed business practices. Benchmarks, strategic partnerships and commercial innovation are becoming critical to success. With this in mind, Henley Business School’s newly launched MBA for the Music Industry is likely to become a valuable tool and investment for managers and business leaders in the industry.

A world first, the MBA is targeted at the music industry specifically, but also draws on the business acumen taught in other MBAs.

Among the South Africans accepted into the inaugural programme that started in September 2012 was Bradley Williams, Managing Director of Entertainment Monitoring Africa, co-owner of independent music label Motif Records and board member of the Music Managers’ Forum of South Africa.

For more details about this part-time programme, which is administered from the United Kingdom, visit [www.henley.com/mbamusic](http://www.henley.com/mbamusic)

**Dube bags top international reggae award**

Hearty congratulations go out to Nkulee Dube, daughter of the late reggae legend Lucky Dube, who was named most promising entertainer at the 31st International Reggae and World Music Awards, held in Chicago on 5 July 2012.

This marks the first major international recognition — and, we’d wager, not the last — for the talented Dube, who is continuing with her father’s music legacy in superb style.

With a signature style that fuses ethno-soul with jazz and ragga, the young South African singer-songwriter was nominated in an impressive six categories for the awards: best female vocalist, best song, most promising entertainer, best music video, best new entertainer and best album.

Velile Sithole, the Managing Director and co-founder of Native Rhythms Productions, her label, said: “We hope that this is the beginning of big things to come and, hopefully, some form of recognition by South African concert and festival promoters.”

After receiving this prestigious accolade, Dube embarked on the 10-date “Tosh Meets Marley” concert tour of the United States, before heading to Europe to perform in the Netherlands, Belgium and Germany.

**News of note**
SAMRO’s bold new vision:

Faster, better, easier

Fixing its sights on future horizons, the company is redefining its business model in response to the evolving global copyright management landscape.
On the contrary, SAMRO’s new vision outlines a progressive asset management and services society that is a dynamic player in the African and global arena, and runs like a well-oiled machine to deliver optimum service to the authors and creators of music.

And the crux of this focus is helping members to make their prized assets – their musical works – work for them in the most advantageous way.

Says Sipho Dlamini, SAMRO’s recently appointed General Manager: Marketing, Communications and Business Development: “SAMRO has, in the past, largely been perceived as an old and slow organisation. In reality, SAMRO operates effectively as a business that, with no government subsidy, collects money from licensees and distributes it to its members. We have, for example, seen a massive growth in business between 1990 and 2010. SAMRO has experienced steady growth even when times are bad.

“Having said that, our first main objective in repositioning SAMRO is to improve certain aspects of the way we do business – for example, upgrading our technical platforms by installing new systems.” This includes acquiring and installing a new information technology operating system that will be fully operational by the end of January 2013 and that will “redefine the way we operate” and “allow us to do things faster and better”.

The new technology will make it easier for author/composer members and publishers to access their SAMRO account details, including updating their lists of works and share splits and enabling them to notify their works online – in a similar fashion to internet banking.

Dlamini acknowledges that some members may be slow to respond to such changes, but believes that “once people understand the process and see it happening, they’ll see that it’s part of our repositioning as a high-performance business that adheres to strong business principles, procedures and corporate governance guidelines.”

Furthermore, with such a diversity of cultures among its membership base, SAMRO is attempting to cater for all: from those with laptops and iPads who prefer digital interaction to those who would opt for the more traditional methods of communication, such as printed statements and phone calls.

“We intend interacting more with members to make SAMRO a happier place,” says Dlamini. “The new SAMRO 24-7 service is very convenient for all members, particularly those who have day jobs and are unable to contact SAMRO during office hours. They can now get in touch with SAMRO after hours – we’ve made it simpler to interact with us, with more efficient systems.”

Overall, says Dlamini, it’s important to get people to see SAMRO as an effective copyright asset management business that is independent and is not run like a government department or organisation.

“Our focus is on treating members’ works like the assets they are, and managing them with care – and also finding new ways to monetise that value for the benefit of members. We need to make sure that as many places as possible pay to use their intellectual property. So it’s about identifying venues and revenue streams, and educating people on the need to pay.”

Speaking animatedly and with conviction, the new GM articulates an exciting new vision for a forward-thinking rights administration society – and certainly, with cutting-edge technology, fresh ideas, motivated staff and a reinvigorated business model, it seems the sky’s the limit for SAMRO and its members.
A new power-packed executive team to steer SAMRO forward

SAMRO has made a number of key appointments to boost its strategic repositioning as a 21st-century copyright asset management and services society.

Greg Zoghby started out at SAMRO as GM: Operations six years ago, before being appointed to the position of COO. In his new role as Group CFO, he has oversight of SAMRO departments including finance, credit control, human resources, organisational development, legal services, company secretarial services and general administration.

He aims to reduce SAMRO’s ratio of expenditure to revenue, streamline its financial reporting and ensure proper governance in terms of the Companies Act. Furthermore, Zoghby will head up Gratia Artis, SAMRO’s non-music rights commercial arm, which aims to generate additional revenue for members through non-licensing avenues.

This includes a new executive management team to lead it in bringing this new vision to successful fruition.

SAMRO has made the following staff changes:

Gregory Zoghby, SAMRO’s former Chief Operating Officer, has assumed the newly created position of Group Chief Financial Officer as well as Managing Director of Gratia Artis (Pty) Ltd, a wholly owned subsidiary of SAMRO that serves as a holding company for all non-royalty revenue streams.

Bronwen Harty, former General Manager: Finance and Administration, has been promoted to the role of Chief Operating Officer and has taken responsibility for all Performing and Mechanical Rights operations.

André le Roux, former General Manager: SAMRO Endowment, has been promoted to the position of Executive General Manager for Corporate Social Investment and acting Managing Director: SAMRO Foundation.

Sipho Dlamini has been appointed as the General Manager: Marketing, Communications and Business Development, and is responsible for managing the SAMRO brand, as well as market repositioning and development, inter alia.

Tiyani Maluleke, former Business Development Specialist at SAMRO, has been appointed to the newly created post of Stakeholder Relations Executive: CEO’s Office.

Nothando Migogo continues in her role as Managing Director of the Dramatic, Artistic and Literary Rights Organisation (DALRO), a position to which she was appointed in 2011.

Sipho Dlamini brings to SAMRO a wealth of experience in the music industry, both locally and internationally. Over the past decade he has worked in South Africa, Dubai, Los Angeles and the Far East in senior executive positions. He has produced top South African artists, established record companies and worked on the opening and closing ceremonies of the 2010 FIFA World Cup.

As GM: Marketing, Communications and Business Development, Dlamini is responsible for managing SAMRO’s and the SAMRO Group’s brand. He is also helping reposition SAMRO as a copyright asset management and services business. A key component of his role is market development, including negotiating agreements with rights holders in Africa to represent their rights in an online environment, while promoting South African repertoire internationally.
As SAMRO’s new COO, Bronwen Harty oversees all Performing and Mechanical Rights operations, including the operations division, information management and services (IM&S) and sales.

Harty has been with SAMRO for five years, having started at the organisation as a financial accountant. In striving to realise SAMRO’s core strategic goals, her key responsibilities include delivering upgraded IT and administration systems, developing synergies within the Group and the three divisions that report to her, and maximising the efficiency and effectiveness of the organisation while developing new business opportunities.

The SAMRO Foundation is a non-profit organisation that has replaced the SAMRO Endowment for the National Arts (SENA). André le Roux will continue as the interim MD of the SAMRO Foundation, in addition to his new position as EGM: Corporate Social Investment.

Le Roux, who has been involved with the SAMRO Endowment since 2006, hopes to continue his vision of “roots to fruits” – nurturing the arts at grassroots level by investing in arts education at primary, secondary and tertiary level. This will be achieved through “platforms for excellence” such as the Overseas Scholarships competition, the Hubert van der Spuy music competition and the Cape Town and Gauteng big band festivals.

He is also focusing on building the SAMRO Archive and supporting the Stakeholder Hub with other arts industry organisations.

Tiyani Maluleke has served SAMRO since 2008 in the fields of tariff and business development, and previously worked in finance at various blue-chip companies. She has taken up a newly created post in the CEO’s office forging, monitoring and tracking SAMRO’s new strategic direction.

As Stakeholder Relations Executive, she is also responsible for customer experience programmes, delivering on key projects that add value to members and licensees. In addition, she handles government relations, and liaises and forms strategic alliances with the key departments that relate to SAMRO’s business.
SAMRO salutes long-serving Chairman Annette Emdon

Few individuals have served SAMRO with such unswerving commitment and vision than outgoing Chairman Annette Emdon.

As Chairman of the Board of Directors for the past 15 years – and SAMRO’s first female Chair – she and the Board have ensured that SAMRO adheres to the highest standards of corporate governance and regulation.

And when it has come to monitoring the performance of management, the determining of policies and procedures, and long-term planning, her sure and steady leadership have kept the ship firmly on course. These qualities recently earned Emdon a SAMRO Builders Award for “outstanding commitment and contribution by a current Board member”.

Emdon also holds the distinction of not only being the first woman to be appointed to the SAMRO Board of Directors, but also the only woman to have served on the Board under all its previous and present CEOs.

In handing over the reins to her successor, Emdon praised former CEO Rob Hooijer and current CEO Nick Motsatse as “men of great calibre”.

“They set the standard and ran a very tight ship, ensuring that SAMRO is able to grow from strength to strength,” she said. “It has been a great privilege to serve during a time of great changes for the company, and I hope going forward that I can still be of service as an ordinary Board member.”

Motsatse hailed Emdon’s steady stewardship “during a period of great transition for the company”, during which Hooijer, as chief executive, was tasked with transforming SAMRO from a well-run family business under the founding Roos family into a corporate entity, and was succeeded by Motsatse, whose mandate has been to grow the business and maintain its performance on behalf of its members.

“Her leadership in guiding the Board through this process, and ensuring it happened, has been nothing short of remarkable and is testimony to the stability of the organisation. Together we were able to usher in a new era for SAMRO,” Motsatse added. “The interests of SAMRO always came first.”

Emdon is a respected independent music publisher and a trained operatic singer in her own right. She runs an orchestral hire library and looks after copyright-related matters for a number of music publishers.

Hailing from a musical family, she played piano in her youth before enrolling for voice training with well-known singers such as Ester Mentz. After graduating with a BMus from Wits University, she worked as a timpanist for the Johannesburg Symphony Orchestra and was a founder member of the SABC Junior Orchestra.

In addition to teaching music privately, she worked for many years as a music programme compiler for the SABC’s “English service” before joining Boosey & Hawkes Music Publishers, where she worked her way up to managing director.

Having served on several industry bodies – including as a member of the SAMRO Board since 1987, and as Chairman since 1997 – Emdon has amassed a wealth of knowledge and experience in the local music industry. SAMRO looks forward to continuing to benefit from this stalwart’s valuable wisdom in the years ahead.
Abraham “Abe” Sibiya is living proof of the saying, “If you want to get something done, give it to a busy person.” That’s because SAMRO’s newly appointed Chairman thrives on tackling a wide range of personal and professional interests, most of which involve making music.

Sibiya (46) is an accomplished composer, producer, publisher and multi-instrumentalist who has worked with the likes of Yvonne Chaka Chaka, Chicco, Dorothy Masuku and the Soweto Gospel Choir.

He is also the Chief Executive of the Urban Rhythm Factory music publishing and audio production house, the channel head of ONE Gospel on DStv and the pastor and founder of the Zoe Bible Church in Ivory Park.

And now, after Annette Emdon stepped down in September following 15 years at the helm, Sibiya has also taken on the added challenge of chairing SAMRO’s Board of Directors as the organisation charts new waters in copyright asset administration. He has served on the SAMRO Board since 2010.

As an acknowledged creative businessperson who wears several hats with ease, he’s more than ready to embrace this new challenge – and is hugely excited. He jokes that his mind is so active, and is constantly invaded by “a huge eight-piece band in my head”, that he only needs four hours of sleep a night. “I like to keep busy – I’ll sleep when I’m dead!” he declares.

“I’m very passionate about music, and in my new role at SAMRO I’m looking forward to taking care of things that bug musicians and hinder them from creating music – because I know where they’re coming from.

“I’m also keen to teach them more about the business side of music, especially youngsters. They should know how to operate as independent artists or set up their own record companies.”

For Sibiya, it’s not music per se that has changed in the digital era – it’s how it is consumed. The basic principles of creating memorable melodies remain the same as ever. “The song is still king, and the business basis has not changed. The difference is that the music consumer now makes the decisions. Before, they had no power, but in the digital age things have changed,” he says.

“If you are a musician or a record company, I believe you need to adopt a 360-degree approach and think about the whole picture. There are so many opportunities and new directions out there to be seized. It’s not enough to have stars in your eyes – you need to know yourself as a brand.”

Sibiya certainly knows what he’s talking about when it comes to the business of music – he has been immersed in that world since he was a youngster. Growing
up in Komatipoort, Mpumalanga, the child music prodigy started out playing the accordion before graduating to the guitar and the piano.

As his love for music grew, inspired by the likes of Earl Klugh, Jim Reeves, Boston, Lionel Richie and the Commodores, he would regularly play music in church and at high school variety concerts. But he harboured an enduring devotion for the guitar. In fact, his fellow pupils nicknamed him “Sginci” – meaning “guitar man”.

After matriculating in Nelspruit, Sibiya headed to Witbank to undertake an apprenticeship in electrical engineering while teaching part-time. However, fate intervened and he ended up moving to Joburg to “pursue my dream” of a career in music.

It wasn’t long before the determined and hard-working young man with the proactive attitude joined a band, and his career took off from there. But one of his focus areas as SAMRO Chairman will undoubtedly be mentorship, given the lasting impression it has made on his own life.

“Blondie Makhene made a big impact on me back then,” he reveals. “He spotted me, and his words and support made me what I am today. Even now, I put aside an hour once a week to talk to and inspire a youngster, regardless of the industry they’re in.”

Sibiya made a decent living performing in original and cover bands, but his big breakthrough came with crossover Afro-pop outfit Zia, fronted by ex-Clout singer Cindy Alter. They were extremely successful and mesmerised audiences locally and throughout Europe. After opening for the Bee Gees at a gig in Paris, Zia were asked to tour and record with the Australian supergroup – a golden opportunity that, unfortunately, fell through due to contractual complications.

After Zia split, Sibiya veered into producing and songwriting before moving into television and radio production. Even today, despite having risen to great heights as a broadcasting executive, production house head and theologian, he cannot give up his love of writing songs – and not just gospel, but also a spectrum of styles ranging from advertising jingles and classical music to mbqanga and rock. “My dream was always to be a rock star,” he confesses.

Having been intimately embedded in the music industry for many years, Sibiya is sincere in his wish to see local musicians soar – both locally and internationally. “Our songwriters have the world as their oyster. They are doing well out there, but I would like to see more money coming back to them.

“Musicians must never forget that the song rules, so let’s write good, timeless songs that will outlive us. My dream is to see more of the best songs in the world coming out of South Africa – the kind that have been crafted by Caiphus Semenya, Hugh Masekela, Miriam Makeba, Bright Blue, Johnny Clegg, Lucky Dube, Arno Carstens… what made all of them stand out was their songs. It all comes down to the song.”

As the sweet strains of music continue to accompany the sound business thoughts competing for prominence in his head, Abe Sibiya is perfectly poised to contribute in a dynamic way to SAMRO cementing its reputation as a leading player on the global stage.
SAMRO extends a warm welcome to Phelelani Mnomiya, who has been elected to the Board of Directors following the retirement of Professor Mzilikazi Khumalo.

Mnomiya is a widely esteemed bass singer, composer, arranger and producer, as well as a lecturer in Choral Studies at the Music Department of the University of KwaZulu-Natal.

His field of specialisation is classical and gospel music, and he has been conducting workshops and adjudicating different competitions for more than 30 years.

He has written many songs since 1976, some of which are found in his songbook *The Classical Songs of S.B.P. Mnomiya*, which was published in 2006. Among his works are two cantatas, *Zizi lethu* and *Inqayizivele* – the former was performed at the Barbican Theatre in London and the latter at the Playhouse in Durban during the 2010 FIFA World Cup.

Mnomiya’s songs are prescribed in a variety of music competitions in South Africa, as well as in countries such as Botswana and Swaziland. He has also released three gospel albums: *Fire*, *Sekuyakhanya* and *Amazing*.

In 2010 Mnomiya was commissioned by SAMRO to write an orchestral overture. The result was the *Afroverture*, which was given its successful world première in 2011 in Johannesburg, in a performance by the Johannesburg Philharmonic Orchestra conducted by Simon Wright. His one-act opera, *Ziyankomo and the Forbidden Fruit*, was staged by Opera Africa at the South African State Theatre in early 2012 with great success.

SAMRO welcomes this luminary of our music fraternity as its newest Board member, and looks forward to reaping the benefits of his vast knowledge and expertise.
For Hotstix, old school is super-cool

Few South African names epitomise musical longevity and unmatched talent more than that of African pop and soul maestro Sipho “Hotstix” Mabuse, who recently added another remarkable accomplishment to his CV: that of receiving his matric certificate at age 60.

The iconic musician and SAMRO Board member has been releasing chart-topping hits since he formed The Beaters (which was later to become Harari) in 1968, but 44 years later, he is coming out tops in another sphere — that of an inspirational role model for the value of education.

“Music simply overtook everything in my life, and that is why I never wrote my final Grade 12 exams,” he says when reflecting on his monumental feat of attaining his matric in 2012.

“The bands I was involved in developed so rapidly that I did not have time to concentrate on the academic side of life. There was a lot of local and international touring, and that made it almost impossible to pursue my matric,” he notes.

But what made him decide to make the time to finally complete his secondary school education?

“I have always wanted to obtain my Grade 12, but besides the constantly hectic life on the road, I just kept on postponing it. They say procrastination is the thief of time, and I let it steal my time for far too long. I had a strong desire to study a music and anthropology degree and one of the requirements for that is matric. That is when I realised just how important it was to set aside and just do it!” he chuckles.

Just as he proved his prowess with era-defining tracks like Burn Out and the 1980s Shangaan-disco hit Jive Soweto, his ingenuity came to light again as he obtained his matric within a very short period of time.

“What people don’t realise is that I collectively had lectures for just 24 hours in a span of three months and I did not have a lecturer for some of the subjects I enrolled in, like ethnology and Sotho, so I taught myself those,” says the musician, who has worked with the likes of Miriam Makeba, Hugh Masekela and Sibongile Khumalo.

Even though it has taken him until 2012 to attain his matric, the affable and multi-talented performer highlights the silver lining.

“Back in the day we had very limited subjects [at school], but now I can get to choose something like ethnology, which I am using to link to the anthropology degree that I am going to register for. These degrees will allow me to work even closer with organisations like SAMRO that have artists’ best interests at heart,” he states.

“But the most important lesson I hope to teach people is the value of education. No matter how talented or resourceful a person can be, education is always paramount,” he points out.
Toasting 50 years in true musical style
SAMRO celebrated 50 years as Africa’s leading music copyright administrators with a star-studded bash at the stylish Randlords venue in Braamfontein. On the sizzling entertainment bill were the likes of Wouter Kellerman, Sipho “Hotstix” Mabuse, The Soil, Liquideep, the Naked DJ and Lulo Café. It was truly a party to remember, as befits an organisation that has marked its grand golden jubilee while continuing to go from strength to strength!
Liquideep: ‘Our music is a precious asset’

Sensational dance duo gets on down to the serious business of music

With record-breaking hits such as Fairytale and Alone, you’d have to have been living under a rock not to know the deep-house duo Liquideep, made up of singer and songwriter Zyon and DJ and producer Ryzor. The pair has thoroughly crafted a reputation for themselves as Africa’s masters of melodically rich and lyrically superior dance music.
Liquideep boast a string of nominations and awards that include South African Music Awards (SAMAs), Channel O Music Awards and MTV Africa Music Awards. In 2012, Liquideep triumphed at the MTN SAMAs by scooping the award for most played song on South African radio for their track *Alone*, while their single *Settle for Less* was shortlisted for the coveted record of the year award.

But the musical duo has also managed to transcend national and continental borders by being commissioned to remix revered artists, producers and DJs such as Stephanie Cooke. Furthermore, their work has attracted the attention of some of the biggest names in the house music genre, such as Lars Behrenroth and Raw Artistic Soul.

Among Ziyon and Ryzor’s most endearing attributes is the crossover appeal of their infectious tunes. From youth radio station 5FM to adult-contemporary station Kaya FM, to even the shores of the US, where producers have snapped up their works for inclusion in their own compilations, Liquideep continues to appeal to a broad cross-section of the music-loving world, with highly-acclaimed tracks such as *Angel* and *Synthetic Vibes*.

But what their adoring fans do not fully realise is that when the award-winning duo is not busy thrilling audiences on stage, that is actually when they are working the hardest.

We asked them how important they think it is for creators of music to not only be concerned with the recording side of being artists, but also to pay close attention to the financial and rights side of music, which includes ensuring the venues they play at are licensed with SAMRO.

“It is imperative for artists to make sure that their music business is always in order,” says Ryzor. “This is because performance venues are one of the avenues where performance royalties can be collected,” he adds.

As testament to the way Liquideep handle the business side of their music, they were asked to perform at SAMRO’s 50th anniversary celebrations earlier this year.

“We felt very honoured to have been among the performers, as SAMRO represents a lot of South African artists. We strongly believe that we are in good hands when dealing with the organisation, because they are constantly looking out for our best interests,” says Ziyon.

What are some of the decisions that they have had to make to ensure that their intellectual property is protected?

“All our music is 100% owned by our company, Mental Wave, and it’s registered with SAMRO. By doing this, we are creating a passive income structure that looks after not only us, but those who will come after us,” notes Ryzor.

“This is because we took a conscious decision to look at music as an asset that needed to be protected at all costs,” agrees Ziyon.

Liquideep are known for never resting on their laurels and their reputation to achieve more – whether on stage, through CD sales or as a strategic business – is something they wish for all other artists and those who have been entrusted with the wellbeing of the South African arts industry.
Builders’ Awards: Honouring the titans who shaped SAMRO

The SAMRO Builders’ Awards, held in June at the Turbine Hall in Newtown, marked SAMRO’s golden anniversary by thanking some of the many people who have played a role in the organisation over the last 50 years.

It was an afternoon of beautiful music, recognition and celebration. The members of the first forward-thinking SAMRO Board were remembered fondly and acknowledged for the incredible legacy they left to South Africa’s composers and musicians.

Professor Mzilikazi Khumalo, passionately conducting the SAMRO Choir in traditional song, was the perfect opener for an afternoon that celebrated the achievements of the organisation and the people within it, from long-serving staff members to music icons.

To mark the occasion, Coenie de Villiers delighted the audience with a moving piano performance that included the very first song he registered with SAMRO in 1973. He said he was proud to be able to perform in his native tongue, Afrikaans, reiterating the fact that as South Africans we are gifted with the opportunity to perform in any voice we choose.

It was fitting that Prof Khumalo was presented with one of the lifetime member achievement awards; he accepted it with much delight and some surprise. Prof Khumalo served on the SAMRO Board for 18 years, 16 of which were as vice-chairman. He thanked SAMRO for its service both to him and to South African music, and expressed his joy at the fact that SAMRO values all music being created in the country, not just music specific to a certain segment of the population.

Another lifetime member achievement award was bestowed posthumously on Meadowlands composer David Daniel “Strike” Vilakazi. In 1962, Vilakazi became the first black member of SAMRO. The award was graciously accepted by his widow, who thanked SAMRO for the continued financial support she receives from his royalties.
In accepting the lifetime member achievement award for his late mother, Princess Constance Magogo kaDinuzulu Buthelezi, the Honourable Prince Mangosuthu Buthelezi surprised SAMRO with the presentation of a beautiful and rare photographic image of his mother.

He said: “Music always defined my mother. According to Zulu custom, on the second day after my parents’ wedding, my mother’s people sat with my father’s people to disclose the state of her health. My mother, they said, was in perfect health – except for one small quirk: she could not stop singing!

“In her lifetime, Princess Magogo became a revered musician and composer. She played some Zulu instruments, such as uGubhu, as well as the autoharp and piano. She sang uMbhaqanga, love songs, and favoured the Psalms of David, which she set to music. She could recite many of David’s Psalms word for word in isiZulu.

“I am blessed to have recordings of my mother singing and playing the uGubhu. It is a haunting sound that still calms me and reminds me of her love. I am also delighted that one of Princess Magogo’s great-granddaughters has inherited her talent and is now making a name for herself in her own right, as Toya DeLazy,” Prince Buthelezi said.

Eminent art-music composer Professor Jeanne Zaidel-Rudolph, who counts orchestrating the South African National Anthem among her achievements, and much-loved jazz singer and composer Dorothy Masuku were also presented with lifetime member achievement awards.
SAMRO members are always welcome to approach SAMRO directly with any queries they may have. The organisation offers several internal avenues whereby members can enquire, complain or request information.

Should you have a complaint or grievance with SAMRO itself, it needs to be lodged in writing with Writer Services. This can be done either by “snail mail” (send a letter to PO Box 31609, Braamfontein, Johannesburg, 2017) or via email to 24-7@samro.org.za. Once the grievance has been lodged, SAMRO aims to acknowledge and respond to it within 24 hours of receiving it.

A dispute over copyright, royalties or duplicate claims must also be lodged in writing to Writer Services. For the full policy and procedures document, visit www.samro.org.za. It is important that in such cases the member gathers the necessary documents to support his/her claim. This includes the full details of the music work in question, agreements between the various parties and affidavits.

SAMRO takes no sides in such disputes, but the Board may decide to stop royalty payments to parties with an interest in the work until the disagreement has been resolved. However, any royalties that accrue in the interim are retained in a Special Dispute Account, and will be released once the dispute has been settled.

In the case of a dispute, SAMRO will facilitate a meeting among all the parties involved. If a resolution cannot be found, the members are then advised to seek legal advice on their own.

Remember: All SAMRO members’ information is kept confidential and will not be given to any outside parties, including the media.

Get in touch with SAMRO 24/7

Do you have a question about your SAMRO membership you need answered NOW? Then contact SAMRO 24/7, the new 24-hour Communication Hub. You will receive feedback on the status of your query within 24 hours.

Telephone: 0800 247 247 (toll-free from Telkom landlines and for 8ta subscribers)
SMS: 45141 @ R1 per SMS
Fax: 086 688 3616
Email: 24-7@samro.org.za
Twitter: @SAMROMusic
Facebook: /SAMROSouthAfrica
Comprising members Eduard Leonard, Emile Welman, Ernie Bates, Riaan Weyers, Shane Smit and Valentino Ponsonby, Overtone started out as a “university serenade group” in Johannesburg six years ago, performing at corporate events and music festivals. The band started out doing a cappella but are highly versatile and musically diverse: they can sing in English, Afrikaans and Zulu as well as play various instruments.

During the filming of Invictus in Cape Town a couple of years ago, they were “discovered” by director Clint Eastwood and his wife Dina, and were given the opportunity to record most of the Oscar-nominated film’s soundtrack. Dina Eastwood was so taken with the band that she undertook to manage them.

Since then, they have opened for Corinne Bailey Rae’s Sea Tour and OneRepublic, and have been the featured band at Steve Wynn’s luxury casinos, Wynn and Encore in Las Vegas.

Overtone’s debut album, Frequency, was released in 2009 and that year they were nominated for two Vonk Awards – best newcomers and best group of the year.

Being a part of Dina Eastwood’s new reality show, Mrs Eastwood and Company, has given the band the opportunity to showcase their music and their lives to an even greater audience. Check them out at http://overtoneband.com

From campus band to reality TV stars

It has been a crazy couple of months for South African vocal pop band and SAMRO members Overtone. Managed by Dina Eastwood, they have gone from recording and releasing their new single Nothing Else Matters to filming Mrs Eastwood and Company (currently showing on the E! entertainment channel) and touring both the United States and South Africa.
SAMRO benefits:
Your questions answered

SAMRO’s Chief Operating Officer, Bronwen Harty, answers some of your frequently asked questions regarding the SAMRO Funeral Benefit Scheme and the SAMRO Retirement Annuity Scheme. Both benefits are available to SAMRO members at no cost.

**FAQ: Funeral Benefit Scheme**

**Q:** As a SAMRO member, do I have to contribute any money to this scheme?

**A:** No, the contribution is paid by SAMRO.

**Q:** Which members of my family does it cover – is there a limit to the number of dependents? Does it only apply to my immediate family?

**A:** The funeral benefit scheme covers the member, their spouse and all children under the age of 21. Only the first spouse is covered, but there is no limit to the number of child dependents.

**Q:** What if I have children out of wedlock, stepchildren, adopted children or children with a previous spouse – are they also covered?

**A:** Children born out of wedlock, adopted children and children with a previous spouse are covered. Stepchildren where there has been no formal adoption process are not covered.

**Q:** If I have more than one spouse – for example, in a traditional marriage – are all my spouses covered?

**A:** Only the first spouse is covered. Should the member remarry after the death of the spouse, then the new spouse would be covered.

**Q:** Are my family members still covered for their funeral expenses after I have passed away? When, if ever, does their cover lapse?

**A:** Yes, your family members are still covered after your death – your spouse is covered until his/her death and your children until the age of 21.

**Q:** What if my spouse remarries after my death – is he/she still covered by the scheme?

**A:** If your spouse remarries after your death, he/she would continue to be covered. However, their new spouse would not be covered and their children from the new marriage would not be covered.

**Q:** If I have another funeral policy, or am a member of a burial society/stokvel, am I still eligible for the SAMRO funeral benefit?

**A:** Yes.

**Q:** Should I contact SAMRO to ensure that my details, and those of my dependents, are up to date?

**A:** Yes. You should also make sure that your dependents are aware of the scheme and the rules around claiming.

**Q:** What procedure should be followed to claim the funeral benefit in the event of my death, or that of a spouse or dependent?

**A:** You or, in the event of your death, your spouse or the executor of your estate should contact SAMRO immediately to advise that you have passed away. A number of documents are required – most importantly, a valid death certificate. When you contact SAMRO to inform us of the death, a member consultant will advise what documents are required to process the claim.
FAQ: SAMRO Retirement Annuity Fund (SRAF)

Q: Do I have to contribute financially to the retirement annuity scheme in order to benefit from it?
A: No, SAMRO pays an annual contribution to the fund on your behalf. You must, however, be a composer or author member of SAMRO in order to qualify for the benefit.

Q: Can I hold another pension or retirement policy at the same time as being a member of the SRAF?
A: Yes.

Q: Can I claim a tax benefit for my membership of the SRAF?
A: Yes, but then you would also have to declare the contribution as income, as SAMRO pays this on your behalf.

Q: Do I have to earn royalties in order to be a member of the fund? What if, in any given year, I don’t earn royalties – is my membership suspended or frozen?
A: You would receive your first contribution to the fund in the first year that you earn South African Performing Rights royalties. If you do not earn any SA Performing Rights royalties in a particular year, there will not be a contribution to the fund; however, your fund benefit will continue to earn investment income in the SRAF. The next time you earn royalties, a contribution will be paid on your behalf. Once your first contribution has been paid, your membership of the fund remains active until you retire, irrespective of whether you earn royalties from SAMRO or not. Only the contributions paid on your behalf by SAMRO are dependent on your royalty earnings.

Q: Does the amount contributed to the fund on my behalf depend on my SAMRO earnings?
A: The contribution to the fund is dependent on you earning royalties from SAMRO. If you earn South African Performing Rights royalties in a year, then a basic contribution of R800 is paid to the fund on your behalf by SAMRO. The balance of the contribution calculated by SAMRO for the year would be paid pro rata based on your SA Performing Rights royalties.

Q: At what age can I start claiming my retirement benefit? And at what age is it compulsory to exit the scheme and claim the benefit?
A: A member of the fund can retire any time between the ages of 55 and 70. It is compulsory to exit the scheme at age 70.

Q: Is the benefit paid out as a lump sum or as monthly installments, or is there an option for both?
A: The benefit is paid in terms of the SARS and Pension Fund Act requirements. A benefit of less than R75 000 is paid as a lump sum to the retiring member after a tax directive is received from SARS. If the benefit exceeds R75 000, then one-third is paid out to the member as a lump sum and the member is required to purchase a pension with the balance. The lump sum will not be paid out until the member has registered with a pension fund.

Q: What happens if I pass away before being able to claim part or all of my RA benefit?
A: The benefit will be paid out to your dependents at the time of your death. This is why it is important that you complete your beneficiary nomination forms and send them to the fund administrator, so that if you do pass away the trustees are easily able to identify your dependents and allocate the benefit.

Q: What administration and taxation deductions will my payout be subject to? And will the contributions earn interest?
A: Your payout will be subject to tax, which will be determined by SARS when the benefit is paid out and a tax directive is issued. While you are part of the fund, a monthly management fee is charged for administration, and all contributions are invested and earn investment income. The member’s benefit is made up of contributions paid plus a proportional share of the investment income and gains of the fund.

Q: I’m in a spot of financial bother. Can I cash in my RA (or borrow against it) even earlier than the minimum age required for “retirement” from the scheme?
A: Unfortunately not. Since the fund is non-contributory, the member cannot cash in the RA earlier than retirement. The SRAF operates like a pension fund in this respect, except that the only way to exit the fund is to retire or die. Pension benefits cannot be used as security for a loan.

Q: Who can I contact at SAMRO for advice on how to invest my fund payout?
A: SAMRO is not a financial advisor and, as such, cannot provide advice either on how to invest the lump sum or what pension product to purchase. The fund administrator, Robson Savage, can recommend a financial advisor to the member. In addition the fund consultants, Seshego Benefit Consulting, can recommend financial advisors to members on retirement.
This is an edited version of the speech delivered by Dr Reuel Khoza at the Khabi Mngoma Memorial Lecture at Wits University on 11 May 2012. Mngoma was an eminent South African music educator and intellectual.

**Saluting Khabi Mngoma: A giant among men**

On 1 December 1994, I successfully appealed to President Nelson Mandela to pen me a few inspirational words, by way of an autograph in his now legendary autobiography, *Long Walk to Freedom*.

This is what he penned: "Throughout the ages and in all countries, men and women come and go. Some leave nothing behind, not even their name. It is as if they never lived.

"Others do leave something behind: the haunting memory of evil deeds they committed against their fellow men. Every time their names are mentioned, feelings of revulsion well up in our hearts.

"Still others do leave something behind: the good works they do to improve the lives of people."
The man who is the reason why we are meeting in this hallowed venue today not only stands full square in the latter category – the class of those who leave behind the good works that improve the lives of all people – he epitomises this distinguished category.

Khabi Vivian Mngoma achieved a great deal and bequeathed a sterling legacy. Forcefulness of character, gravitas and an incisive mind, soulful dedication and diligence are what distinguished Khabi’s work as teacher, doctor and professor of music, as well as a parent, citizen, neighbour, African humanist and philosopher.

He described himself thus: “….I stem from an African and a Western culture – like all present-day Africans (who have had or have considerable contact with Western culture), whether they are conscious of it or not. The authenticity of present-day Africa does not just derive from the Africa of the past of primeval forests and primitive instruments – although obviously, this should not be ignored. The African of today can play both traditional and contemporary music.”

The duality of our existence as Africans – an eclectic worldview combining Western and African culture – often confuses many. It can lure them into surrendering or trading their identity in the vortex of globalisation.

I was privileged to have a decade’s glimpse into Khabi’s life, and can attest to him as an authentic African, and an unapologetic Pan African. He was Afrocentric to the core in that he used Africa as anchor, launchpad and frame of reference.

Khabi was a member of a serious-minded organic intelligentsia, of the generation that included Es’kia Mphahlele, Henry Nxumalo, Mackay Davashe, JP Mohapeloa and Mzikazi James Khumalo. All were leaders who cared to think and engage in courageous and insightful conversations about the serious challenges of the day.

I am speaking, of course, of the role of intellectuals – not just those who profess to be learned, but all of those who make a thinking contribution to social, political and economic life. Some are so humble they never regard themselves as thought leaders, but in their lives and wisdom they influence us in new directions.

As we look around today, in search of contemporary African intelligentsia, what do we see? I am afraid that more often than not, we observe pseudo-intellectuals given to mouthing platitudes and sterile slogans. We observe, with chagrin and pain, the would-be educators toying-toying at the expense of their pupils. Character, vision and a sense of community should shape our destiny.

What can we say of Khabi Mngoma the teacher and mentor? The citation given to him by the Council for Black Education and Research on the occasion of the conferment of an Honorary Doctorate in Music from Wits University in 1987, conveys his message elegantly:

“We salute you, son of Africa, who has taught us the alphabet of Western music and the meaning, the poetry of African music; for having fought through the many years for our music to be recognised as an imperative dimension of education in particular, and our spiritual wellbeing in general.”

To better appreciate Khabi’s contribution in this regard, we need to delve into the philosophical genesis that informed his approach to educating society. He dedicated himself to character-building.

Sibongile Khumalo, Khabi’s daughter, observes that his approach was to promote and understand the importance of balance between the intellectual and the spiritual – it was not enough to understand music solely for academic study and qualification. He insisted that those learners in the music programmes he ran should also master academic subjects, and that they develop a keen sense of responsibility and citizenship, compassion and empathy, and respect for self and others. In essence, they must become assets to their communities.

As chief adjudicator of the Ford Choirs eisteddfods, he expanded the competition into a comprehensive vehicle for the advancement of music. Among other things, he promoted music clinics and introduced a composers’ contest and a conductors’ competition. He was a true exponent and implemenetor of the principle of holism. It is thanks to Khabi that conducting maestros like George Gobingca Mxadana of Imiloni KaNtu fame and Mzwandile Matthews of the Matthews Singers arose to serenade the choral music scene. Thanks to him, composers like SJ Khosa hit the scene with contemporary classics like Matimba ya Vuyimbeleri.

Khabi persistently pursued excellence. Lessons can be learnt from his insistence on maintaining high standards. In our present-day environment, his legacy of diligence, dedication, pursuit of excellence and insistence on high standards must be given even greater emphasis.

By the time he got to his final post as head of music at the University of Zululand, he had been a leader and innovator in the cultural and educational spheres as artist, teacher, publisher, cultural programmes organiser, choir conductor and adjudicator, historian and administrator. He was described by his late friend, Dr MV Gumede, as a nation-builder and a self-made man who personified a generation that espoused the importance of service and humility.

Khabi founded the Mayibuye School when the Eiselen Report – the ominous harbinger of the bad news that was Bantu Education – was being implemented. As part of his initiative to save and preserve the African soul, he formed the Syndicate of African Artists with Es’kia Mphahlele and Isaac Matlare in 1960. As musicologist and musician, he formed the Ionian Music Society – a milestone in South African choral music. He conceptualised and participated in the launch of Ford Choirs – for which he established an esteemed panel of adjudicators that he headed for a decade. I personally witnessed and marveled at his at-your-service leadership style.

As an integral part of the African intelligentsia of the 1940s through to the 1980s and a Pan Africanism exponent, Khabi envisioned an Africa whose scope for growth is limited only by its imagination. He envisioned an Africa whose intellectuals are nurtured by native founding principles and an insatiable sense of inquiry. He desired an Africa that is matriarch and sculptor of her own destiny.

SJ Khosa, one of Khabi’s erstwhile fellow conductors, captured Khabi’s leadership style in the lyrics of one of his classic songs, Mintirho ya Vulavula (Deeds Speak) as follows:

Deeds speak: They communicate Deeds speak in a language A language that’s understood by everyone. Be still, calm and level-headed Deeds will speak for themselves Good deeds hide not, not at all Commendable deeds inevitably manifest themselves. Be still Deeds themselves shall speak.

Well, Khabi Mngoma’s laudable deeds have spoken. You lived, learned and left a legacy. May your legacy live and linger long. May your character capture the nation’s imagination.
Pfanani Lishivha reports back on the current state of affairs regarding the delayed payment of Needletime Rights royalties

The Performers’ Organisation of South Africa Trust (POSA) recently held a general meeting for members in Johannesburg. The purpose of the gathering was to give feedback to recording artists/musicians who are SAMRO members for Needletime Rights.

POSA’s Chairman, Sibongile Khumalo, indicated at the meeting that Parliament had amended the copyright legislation on the understanding that Needletime Rights royalties would be shared equally between the record company that produced the sound recording and the musician(s) who performed on the track(s).

Parliament’s intentions were, however, not properly reflected when the legislation was amended in 2002 and when the regulations were promulgated in 2006. Both the legislation and regulations have loopholes, which have led to the current dispute involving SAMPRA, POSA and the Department of Trade and Industry (the dti)/Registrar of Copyright.

The dispute has led to Needletime Rights royalties not being distributed to record companies and musicians.

SAMPRA interprets the legislation and the regulations as saying that SAMPRA is obliged to distribute Needletime Rights...
POSA is determined to have the current impasse resolved amicably for the benefit of record companies and performers. Discussions have been taking place between POSA and SAMPRA since February 2012. We, however, continue to call on the Minister and the parliamentary portfolio committee on trade and industry to amend the Copyright Act, the Performers’ Protection Act and the regulations governing the administration of Needletime Rights to ensure that Needletime Rights royalties can be paid to those who have earned them.

Pfanani Lishivha is POSA’s Executive General Manager and Executive Trustee.
Since SAMRO’s earliest days, there has been a strong focus on investing in growing music through scholarships, bursaries and music education programmes.

“The forefathers of SAMRO were very forward-thinking,” says André le Roux, interim Managing Director of the SAMRO Foundation.

“Within a year of forming SAMRO, they decided to start the Overseas Scholarships competition, and some years later they introduced a music bursary programme that carries on to this day. Then they started funding universities, bridging programmes and music education programmes at all levels.

“Through the apartheid years SAMRO was funding all races, colours and creeds for the furtherance of music. It was already socially responsible, long before CSI [corporate social investment] was crucial to big companies.”

SAMRO Endowment for the National Arts (SENA)

Although SAMRO has always been home to some form of arts funding structure, it was in 1996 that the SAMRO Endowment for the National Arts (SENA) was formally established. It was a specialist sub-committee of SAMRO, with its own board of trustees and the stated aim of investing in the value of music through education. Since then it has administered SAMRO’s various educational projects, including the Overseas Scholarships competition, which has benefited 62 artists (between 1962 and 2012), funded 1 500 bursaries (between 1981 and 2011), supported eight tertiary institutions offering music education degrees and commissioned 371 new musical works. Over R50 million has been invested in growing South Africa’s musical heritage.

Many of these endowments have proved to be the soil that nourished the talent that has, in turn, grown into the fully-fledged careers of some of South Africa’s top musical artists.

There is an exciting wind of change sweeping through SAMRO, as the organisation’s policy of nurturing the arts at grassroots level, through music education, has gained new momentum with the recently established SAMRO Foundation.

SAMRO Foundation to leave a dynamic footprint on the arts

The SAMRO Foundation’s Board of Directors | Leon van Wyk: Chairman | Dr Sylvia Bruinders | André le Roux | Motsumi Makhene | Nothando Migogo | Nicholas Motsatsa | Neo Muyanga | Richard Nwamba | Jabulani (“HHP”) Tsambo | Prof Jeanne Zaidel-Rudolph

| Photo courtesy of Emil Wessels
SAMRO Foundation

It was from these strong roots that the newly formed SAMRO Foundation grew, and was launched in SAMRO’s 50th anniversary year. A separate, not-for-profit organisation, the Foundation has replaced SENA. Bringing SENA’s history, projects, staff and programmes with it, the Foundation is ready to forge ahead into the next 50 years, leaving a positive footprint on the arts.

The SAMRO Foundation also brings on board the SAMRO Archive and the SAMRO Stakeholder Hub.

According to Le Roux, this exciting change was prompted by the Board of SENA asking major questions of itself, such as: how does SENA align itself with the new strategic direction SAMRO is taking; how does SENA fit into the changing realm of music, arts and culture in the country; and, most importantly, is what SENA is doing still relevant?

“We had to ask ourselves: do we really make a mark on the cultural landscape and can we measure that mark?” says Le Roux. “SENA was at risk of only making incremental changes and that would not see it forging ahead into the next 50 years.”

Le Roux, who is also SAMRO’s Executive General Manager: Corporate Social Investment, believes that the Foundation is fundamental to taking care of SAMRO’s CSI portfolio.

“You can’t just to throw money into something; you have to see how it relates to the environment you are working in. If you are going to grow new composers or invest in composing new works, you need to consider what it will mean in the cultural landscape.

“These are just some of the things we need to consider. How we mix it all up and throw it into the pot is something the new Board still has explore,” Le Roux says, with a tangible enthusiasm for the new Foundation.

The SAMRO Foundation Board

“Mixing it up” is what the new Board is all about – it is rich in expertise, experience and skill, as well as fresh creativity, passion and a willingness to change.

The SAMRO Foundation Board is currently chaired by Leon van Wyk, with trustees Motsumi Makhene, Nothando Migogo, Professor Jeanne Zaidel-Rudolph, Jabulani Tsambo (HHP), Neo Muyanga, Richard Nwamba, André le Roux, Dr Sylvia Bruinders and Nick Motsatse.

SAMRO Archive

In 2006 the SAMRO Archive – originally known as “Serious Music” – came under the administration of SENA. This extensive archive holds an impressive collection of over 100 000 music scores, as well as recording tapes, compact discs and a photograph collection.

But this is not an archive where “stuff goes to die” – it boasts some very exciting projects. Currently, the biggest of these is updating the archive’s index with the goal of eventually putting it online, making it much more accessible worldwide.

Accessibility, Le Roux admits, has not previously been the archive’s strong point, but the team is now busy spreading the word through social media and publicity.

Other special projects include the administration of commissioned works and the choral book project, with the third edition of the dual-notation South Africa Sings being almost complete.

Something many people don’t know is that the SAMRO Archive also commissions its own works – but works of fine art rather than music. Many of SAMRO’s office walls boast portraits of South Africa’s finest musicians done by some of the country’s premier artists.

The Stakeholder Hub

Still in its infancy, the SAMRO Stakeholder Hub is already starting to work for its members. For the members, which are emerging or established arts organisations, the Stakeholder Hub offers a variety of services depending on the needs of each organisation.

Be it an office with secretarial support, a boardroom for meetings, strategic advice or the planning of a conference – the Stakeholder Hub is there with knowledge, expertise and a variety of resources at its fingertips.

Contact the SAMRO Foundation:

It may be fresh out the box, but the SAMRO Foundation has already started to find its feet and make big strides into the future. It won’t be long before you will see a lot more from these dedicated arts-loving professionals!

For more information on the SAMRO Foundation’s projects and services, visit www.samrofoundation.org.za or /SAMROFoundation on Facebook.
Violinist and trumpeter pocket SAMRO scholarships

Darren English (top) and Avigail Bushakevitz were named the overall winners of the 2012 competition | Photos by Suzy Bernstein
After a hard-fought competition, 24-year-old Avigail Bushakevitz (violin) and 21-year-old Darren English (trumpet) were named the winners of the two R170 000 scholarships for international study in the Western Art Music and Jazz/Popular Music categories, respectively.

On 18 August 2012, the SABC’s M1 studio in Johannesburg was the battleground for a lively music duel between the two finalists in each category. This followed the intermediate live performance round, when six semi-finalists in Western Art and Jazz/Popular Music were whittled down to two contenders in each genre.

In the Western Art Music section, top honours were contested between Bushakevitz, who recently graduated from New York’s Juilliard School of Music, and cellist Jacques-Pierre Malan (24), a University of Pretoria graduate who has also studied at the Peabody Institute of Johns Hopkins University in the USA.

And in the Jazz/Popular Music category, it was two trumpeters from the University of Cape Town who made it through to the finals: Mandla Mlangeni (25) and English.

The trumpeters, accompanied by the dynamic jazz trio of Melvin Peters (piano), Shaun Johannes (bass) and Kesivan Naidoo (drums), played works of their choice plus a new, specially commissioned composition by Concord Nkabinde called Waltz the Talk.

Accompanied by Elna van der Merwe on piano, Malan and Bushakevitz were both required to perform a new work commissioned by the SAMRO Foundation, Péter Louis van Dijk’s Breakpoint, in addition to compositions of their own choosing.

The performances by all four finalists set the venue alight, prompting SAMRO CEO Nick Motsatse to remark that “the standard of the competition keeps getting higher and higher every year”.

Added André le Roux, interim Managing Director of the SAMRO Foundation: “We congratulate the winners on their well-deserved achievement and wish all the candidates well on their future musical journeys. The Foundation is proud that it is continuing to make an important contribution to skills development and music education in this country, 50 years after the scholarships first saw the light of day.”

The winners of the two R170 000 scholarships will now be able to further their music studies at an accredited international tertiary institution or to attend master classes under the tutelage of world-renowned musicians. The runners-up each received R40 000.
In parallel with SAMRO’s repositioning as a copyright asset manager, DALRO, as a subsidiary agency dealing mainly with the copyright of authors and publishers in the literary and visual arts spheres, is also looking to extract more value from the creative assets it manages.

Recently, DALRO launched several new initiatives with a view to realising this progressive vision. Among them is the licensing of media-monitoring agencies on behalf of newspaper and magazine publishers, to ensure these agencies’ activities comply with international copyright standards.

Another revolutionary development is the launch of the DALRO EduPortal, a digital platform that gives school pupils access to up-to-date electronic educational material via an online library. “It’s all about making the information more accessible,” explains DALRO Managing Director Nothando Migogo.

The DALRO EduPortal is a digital platform on which learners and teachers will be able to access digital textbooks, study guides, teaching aids and other educational resources across all grades and subjects. Targeted initially at independent high schools for the 2013 academic year, the subscription-based initiative will also be rolled out to public schools thereafter.

Recently, DALRO also scored a coup by securing the Southern African region’s sole mandate to license Andrew Lloyd Webber’s musicals for use by schools, universities and amateur dramatic societies. This is a massive achievement for the society, and will give local producers easier access to stage high-profile musicals such as The Phantom of the Opera, Cats and Evita on a non-professional basis.

DALRO also plans to expand its services to the visual arts community, helping local artists to maximise the earnings from the copyrighted images of their works.

All in all, the sky’s the limit for DALRO! Visit www.dalro.co.za for more information and updates.
Music professionals strike it rich at Emperors Palace

Since its inception in 1999, Emperors Palace has not only blossomed into one of South Africa’s premier entertainment venues – it has also been setting an example to all other businesses that benefit from various musicians’ works by being a fully-fledged SAMRO licensee.

What aspects of Emperors Palace’s business require a SAMRO music usage licence? “Just about all aspects of our operations, from the general public areas that include the walkways to the casino gaming floor, the restaurants as well as the live music venues and the conferencing facilities,” says Vusi Masombuka, Emperors Palace CEO.

Plus, there are also the shops, cinemas and hotels where music is played, and even “unseen” usage such telephone “hold” music, adds SAMRO Regional Sales Manager Alan Gustafson. He says that SAMRO has 53 tariffs that have been developed to address how different business premises use music, and that a relationship consultant will conduct a full site inspection to determine the licence fee that a client should pay to SAMRO.

As an entertainment and accommodation venue that plays music for its guests, Emperors knows it is important to have a SAMRO licence.

“Besides the negative impact of legal action for non-compliance, it is definitely the correct thing to do as a responsible South African business,” says Masombuka. “Plus, it is reasonable to expect that artists should benefit when their work is broadcast to a general audience, therefore earning them Performance Rights royalties.

“In addition, it feels great to know that we are assisting local and international composers and songwriters to earn a living through their original music works. This also means that they have an incentive to continue making more and exponentially better music, which results in them elevating their creative efforts,” he notes.

People frequent Emperors Palace to be entertained and perhaps to strike it rich, and the CEO firmly believes that background and live music adds value to the business by contributing to the venue’s overall appeal and ambience.

“Music has a huge impact on the business, as it helps to create a pleasant atmosphere. We play appropriate genres of music at fitting times and it enhances the clients’ experience. These are people from all cultures, creeds and age groups of our rainbow nation. Music helps us to consider every single one of our guests and to make them feel appreciated,” explains Masombuka.

Emperors Palace has set the bar high when it comes to the correct licensing of music for venues, and these exemplary actions pay tribute to SAMRO’s ongoing efforts to ensure that composers and authors are properly compensated for the use of their intellectual property.

• Visit www.emperorspalace.co.za to find out more.

Singer-songwriter Nataniël, who stages an annual show at Emperors Palace, is one of the many South African live music acts regularly hosted at the venue. | Photo courtesy of Emperors Palace
They do so for a percentage of the proceeds, usually quite a high one (up to 60% in some cases), and should therefore be very well connected in the industry in order to be useful to the composer.

Composers sometimes sign full publishing agreements, or variants thereof, like “administration agreements”, which deal with the administration side of the business only, and leave out other responsibilities. Let us deal with the full publishing agreement in this article. This agreement is sometimes also called the “exclusive songwriter agreement”.

The most immediate income in the music industry does not, in fact, come from recording – it comes from publishing. Put another way, the Mechanical and Performance Rights royalties that are attached to the copyright in the composition, if you are the songwriter, are far more likely to earn you money early on than the artist royalties that you will receive from the record company (as well as the Needletime Rights royalties if you are a recording artist as well).

For example, the composer will be paid Mechanical Rights royalties from the time that CDs containing his/her compositions leave the warehouse, while the recording artist will only receive sales royalties once sales take place – if at all, because of the costs that the record label recoups.

The first and most important point to understand is that, when a piece of music is written and recorded, two copyrights come into existence. The first is the copyright in the composition (the origination and creation of the music) and the second is the copyright in the recording, an entirely separate and distinct copyright.
These two copyrights can be, and often are, owned by different parties. However, if they have not been contractually assigned to someone else (usually a publisher for the composition and a record label for the recording), it may well be the artist who owns both.

There are companies that seek to acquire assignment of both copyrights from you (especially the major record labels, all of whom have recording and publishing companies), and there are independent firms that are also now seeking to acquire 360-degree deals, which would include both these copyrights. But the fact remains that these are two separate be considered separately.

They therefore give rise to separate earning streams: Mechanical and Performance Rights royalties and synchronisation of the composition; and sales royalties, Needletime Rights royalties and synchronisation of the recording. In the purest sense, the publisher is only interested in, and involved in, administering copyright in the composition.

Relatively speaking, it does not take much capital investment to open a publishing house. Therefore, there are hundreds of small players in publishing in addition to mammoth publishing houses.

After some recent restructuring, there are now three major music publishers in South Africa. They are Sony/ATV Music Publishing (which now includes EMI Publishing), Gallo Music Publishers (which represents Warner/Chappell in South Africa) and Universal Music Publishing (which now includes BMG’s publishing arm). But several independent music publishers such as Sheer Music Publishing and Geoff Paynter Music Publishing have also had great success in South Africa, and are in many cases quite large and influential.

Essentially, the better publishers will exercise three core functions for the composer:

- Marketing the music for exploitation, i.e. opening doors for use of the compositions that the composer him/herself cannot open;
- Administration, i.e. handling the tracking of royalties, both with the major royalty collection societies and others, and ensuring that the correct royalties are timeously paid; and
- Creative input, i.e. guiding the composer, assisting him/her in creating exploitable works, creating songwriter partnerships and so on.

In most full publishing agreements, the split is 50/50, but 60/40 (in either party’s favour) is also quite common.

As a general rule, but not exclusively, the aim of most large publishing companies is to own copyrights outright, and to exploit those copyrights for as long, and for as much money, as they can. Other smaller publishers might have different business models, namely to have a share in a particular writer’s copyrights for a particular time only, and perhaps thereafter to build a business together with that writer.

Publishers appear, today, to have more power in the industry than they have had since the sixties, because of the music world’s attempts to legitimise the internet download business. Publishers enjoy a new power, as the recording industry seeks to shift gears from selling songs on discs meant solely for traditional stereo systems to formats optimised for use on computers and other devices.

This change has profound implications for artists, consumers and everyone in between. Music publishers see this shift as an opportunity to recast contracts with record labels and providers. Recently, an out-of-court settlement was reached to ensure that 7.5% of the sale price of every digital download by a major provider would be paid to the publisher handling that copyright, and the percentage has now been raised to 8%. This South African agreement was reached due to publisher pressure.

The fact that every internet download sold is a copy and therefore requires a mechanical licence is giving the publishers a whole new opportunity to entrench themselves as the power-brokers of the industry. Furthermore, the recent boom in “synchronisation royalties” (royalties paid for use of a musical composition on film or video) has made publishers more powerful, due to the recent success of movies such as *Spud*, *District 9* and *Tsotsi*. This income stream is vitally important to composers.
How, for example, does a publisher’s role differ to that of a record company?

“A music publisher administers the composer’s income, which includes promotion, accounting, statements and the retrieval of royalties from many sources, sometimes even worldwide,” says Ron Brettel from the Composers’ Association of South Africa (CASA). In other words, publishers are meant to ensure that songwriters and composers are paid when their works are used commercially.

“In order for an artist’s work or compositions to be heard by the public and create royalty income, it is important for the artist to find an effective means of placing the songs with record companies and music producers,” Brettel adds. This is achieved through a music publisher.

By contrast, record companies own the rights (and can license the master rights) to an artist’s sound recording, and are responsible for selling those recordings in the form of CDs, downloads and so on.

Recording artists may record (or adapt) a song that they did not compose themselves, in which case the Performing Rights in the music work still belong to the original composer and/or the assigned publisher. Royalties from album sales will still accrue to the artist that performed on the recording, however.

“Basically, the artist could sometimes also be the composer of the original work, but the legal rights in the work are separate from the recording,” explains Brettel.

Jonathan Shaw from Ilibion Music, who is the facilitator of the SAMRO-linked Business Principles of Songwriting and Music Publishing night course at the
University of the Witwatersrand, adds that finances are the main driving force in the world of publishing.

“Music publishing is all about getting a song to make money,” he states simply.

“This means that if an artist publishes their music, they would like it to be exposed in as many places as possible and be remunerated for all those different places.”

Typical ways in which music publishers – and savvy songwriters – make money is through getting their songs broadcast on radio and television; having them performed by a number of different artists in establishments such as clubs; getting them recorded by record companies for release on CD or the internet; as well as placing them in films and adverts. “Depending on their negotiation skills, because there is no standard fee, their returns can be quite substantial,” Shaw adds.

“There are many publishers active in South Africa,” points out Brettel. “They include the majors who represent international publishers such as EMI, Sony and Universal, and who all operate separately from their respective record companies. There are also very effective and active South African publishing companies, many of which are specialised and connected internationally through sub-publishers in different territories worldwide.”

Lack of knowledge seems to be the recurring theme when it comes to publishing in South Africa. What can artists do to improve this, and therefore stand to benefit from music publishing?

“Artists should try as much as possible to understand their rights very carefully and to know their value,” Shaw advises. Songwriters have been known to sign away their songs with very little return, he cautions, adding that they should find out what kind of deals there are, and play on their strengths. “They should take deals that will help them in the long run, and should avoid giving up their songs for very little.”

He says that choosing a publisher is extremely important and should be based on reputation and how much time and effort they will be able to devote to promoting your music. Many publishers sign up as many songs as possible, but end up doing very little to get the artists’ music to generate an income.

Publishing remains a perplexing part of music, but just as essential as the recording and selling of it. SAMRO’s part-time music publishing course, run through WitsPlus, is aimed at broadening music industry practitioners’ knowledge and understanding of this area, and increasing the number of independent music publishers in South Africa. More information may be obtained by visiting www.witsplus.wits.ac.za

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Did you know?

- Artists can publish their own music, if they wish to do so. Some of the steps include forming a music publishing company and registering the works with a music rights administration society such as SAMRO. It is, however, advisable to first obtain specialist advice from a copyright/intellectual property lawyer.

- A number of industry bodies in South Africa assist composers with publishing. Log on to the National Organisation for Reproduction Rights in Music in Southern Africa’s website, www.norm.co.za, or read more about the Composers’ Association of South Africa at www.composers.co.za
SAMRO’s business systems (r)evolution

It’s not science fiction, it’s fact: soon SAMRO’s operations will be completely transformed by an exciting new project called Apollo 12S

By the beginning of 2013, SAMRO will have a brand-new set of business systems in place to make it far simpler for members, licensees and the public to interact with the organisation.
The ambitious Apollo 12S project – Apollo being the Greek god of music, as well as the name of the pioneering US space programme – is, says Ian Napier, SAMRO’s General Manager: Information Management and Services, “one of the most significant undertakings that SAMRO has ever attempted since its founding”.

This is no understatement, because this “massive project” entails the replacement of most of SAMRO’s existing information technology and business administration systems with a more modern equivalent equipped to cater for the changing needs of the organisation.

Napier explains that the last time SAMRO upgraded its internal systems, in the 1980s, it only administered Performing Rights. Since then, it has expanded its service offering to include Mechanical and Needletime Rights, rendering the existing system still functional but a bit cumbersome.

He uses the analogy of a motorcycle to illustrate this point: “When a motorbike needs to carry an extra passenger, you can add a sidecar. We’ve added a couple of sidecars by now. While it still works and is stable, after a while it becomes a bit unwieldy. It’ll get you there, but it’s not fast around corners anymore.”

Still reliable, more flexible
The current solution comprises one mainframe system and several smaller ones, which together run SAMRO’s operations. While very reliable, it’s a complex and inflexible “ecosystem”. This will be replaced by one single system that can administer most aspects of the business, from financial management to invoicing and distributions.

In addition, Napier points out, the old-fashioned system was designed before the internet revolution. The rapid pace of technological advancement and the public’s increased usage of digital platforms to interact on a personal and business level means that SAMRO has had to sit up and take notice. As such, the new system will include a web portal that will provide members and licensees with convenient online access to a variety of functions.

The web portal will make it possible to notify and view works, view royalty statements, submit usage returns, obtain licence quotations, apply for a licence and so on — all via the internet.

Internationally, very few music creators physically make their way to their copyright administration society’s office for queries – most interaction is done electronically. While there remains a culture among SAMRO members of approaching the organisation directly — and those channels will still be available — the new web portal will be a boon for web-savvy SAMRO stakeholders who will be able to do all their business directly online.

It will also tie in with the SAMRO 24/7 Communication Hub, which facilitates communication with the organisation via a number of traditional and new-media channels, including social media. The new portal will be secure, and members and licensees can rest assured that their confidential information will remain private.

Responding to a need
“Members have been demanding this, and SAMRO recognised the need to do something about it,” explains Napier. “The new system has everything we need to run the business optimally and delight our customers. It also has the capacity to deal with the increased workload expected in the future.”

It was certainly no easy task assessing various potential systems, but SAMRO eventually settled on a customised package that is already in use by a leading European copyright management society and has proved its effectiveness. SAMRO has licensed the intellectual property from the society and will be implementing the solution locally with a few tweaks and adjustments and, ultimately, will be enhancing its functionalities and adding new features.

Work on delivery started in earnest in February, and timeframes are short. It has already required a lot of commitment from the various SAMRO departments and consultants involved in the project, with more being needed to ensure successful delivery on time.

Migration from the old system to the new system should be complete by year-end, and it is envisaged that the new system will be up and running from January 2013. The preparation work will include data transfer, the training of staff to work on the new system and testing. Successive enhancement phases will follow. The first launch will be great, the later launches even better, says Napier.

The installation of the new system, he adds, fits hand in glove with SAMRO’s repositioning as a copyright asset management business, because “we need a system that can support us to function at that level. Such a system must be agile, adaptable and flexible enough and meet our changing needs, in order for us to be as customer-focused as possible.”

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<th>SAMRO members can soon go online to:</th>
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<tr>
<td>• Submit notifications of works</td>
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<td>• View and amend contact data</td>
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<td>• View key correspondence</td>
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<td>• Access distribution and royalty information</td>
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<td>• Search user notifications and works</td>
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<td>• Submit sets for live performances</td>
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<th>SAMRO licensees can soon go online to:</th>
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<tr>
<td>• Obtain quotations for music usage licences</td>
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<td>• Apply for a music usage licence</td>
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<td>• View key correspondence</td>
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<td>• Submit usage returns</td>
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<th>How the new system will benefit SAMRO:</th>
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<td>• The system and web portal is modern, in line with SAMRO’s own evolution</td>
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<td>• The new technology will not require old-fashioned specialist upkeep</td>
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<td>• It is a more flexible and configurable system that can respond to the needs of the customer and the changing business environment</td>
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<td>• It will improve SAMRO’s service and the quality of its business offering</td>
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<td>• All rights can be administered through one system, whereas at the moment several systems are cobbled together and not as streamlined as they could be</td>
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<td>• It offers enhanced productivity and efficiency – turnaround times should be faster, with less manual intervention, which can free up staff for more valuable work</td>
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<td>• It will create new opportunities that are impossible with the current system, ultimately benefiting members, licensees and other stakeholders</td>
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ramps up into top gear

SAMRO members, applicants, licensees and members of the public are finding it easier to interact with the organisation since the launch of SAMRO 24/7, a recent Facebook survey has found.

SAMRO 24/7 is SAMRO’s recently introduced 24-hour Communication Hub, offering assistance via telephone, email, SMS, fax and social media. It helps SAMRO staff attend to queries and provide feedback in a jiffy, in a bid to enhance the SAMRO user experience.

Overall, more than 70% of the people surveyed rated the service they had received from the SAMRO 24/7 Communication Hub extremely positively. The majority of those questioned in the sample had interacted with SAMRO via Facebook, email and telephone.

Exciting news is that a SAMRO 24/7 Facebook application has also been launched.

Now, you no longer need to post your query on SAMRO’s Facebook wall to get in touch – the app provides direct access to the 24/7 consultants online.

Simply visit SAMRO’s Facebook page – at any time, even over weekends – and fill in an online form detailing your concerns or queries, and a consultant will get back to you within 24 hours.

These innovations form part of SAMRO’s ongoing initiatives to make communication with its members, publishers and licensees even easier.

**SAMRO – at your service 24/7!**
When we set about developing this new online presence, the objective was simple: to create an interactive website that is visually stunning as well as user-friendly for existing and future SAMRO music creators (members) and music users (licensees).

We knew it was critical to organise the new website in such a way to help users access information that is relevant to them, efficiently and effectively. Not only was easy navigation of importance, but the aim was also to ensure that the content on the website was simplified and suitable for SAMRO’s core target audience without losing the integrity of key information.

The new website is not only going to make your user experience more enjoyable – it will be more interactive than ever. It has a number of value-added functionalities, like the new events page, where we invite music creators to let us know about their upcoming gigs and live performances in a given month.

What we are most excited about is the use of cutting-edge technology to make the website user-friendly. This technology is called “responsive design”, and it renders applications such as a mobisite (a separate mobile website that is usually accessed via your cellphone) obsolete. This means that SAMRO’s new website is fully accessible to you, no matter what device you view it from. For example, if you are viewing the website on a smartphone, it will automatically recalibrate the site for maximum visibility and functionality. The same will apply to tablets and any other computer devices.

This is just a sneak peek at what our new website can do. To find out more, please visit www.samro.org.za – and feel free to play around with the various functionalities and let us know what you think.

Email online@samro.org.za with any comments.
New technologies have not only made certain old business models redundant, they have also changed consumer behaviour dramatically. Traditional methods of earning a living are starting to fail musicians, composers and performing artists and many have to ensure they have multiple streams of income to support themselves, their families and their music.

South African music creators have not been immune to this global phenomenon, but some are being resourceful instead of despairing. Whether it is exploring new technologies, building a brand that can be sold, finding new markets or getting a day job, musicians are not only embracing the opportunities these changes are offering, but are also creating opportunities for themselves.

This also has the spin-off effect of enriching their music and building new audiences. Hip-hop artist ProVerb has found that presenting on *Idols, All...*
“Access and 94.7 has exposed him to a multitude of music genres and this has directly influenced his style of music. “It has broadened my scope and you can see the influence on my music,” he says. “On the latest album, there is guitar and trumpet work — you don’t traditionally find either of them much in hip-hop.”

The members of Lonehill Estate all have day jobs and, according to vocalist Nathan Ro, while this has hampered their touring efforts, it has also taken the pressure off having to create a hit in order to survive. The stress of paying bills can dampen creativity, he believes.

Lonehill Estate, which recently took time out from their work commitments to perform at the Viper Room in Hollywood and at the Montreux Jazz Festival in Switzerland, have had a number of hit singles on radio and recently launched their self-titled debut album.

New technology is opening the doors of opportunity in ways we are yet to fathom. More artists are publishing their work as digital singles rather than facing the time, cost and uncertainty of producing a full-length album. An artist or band can have any number of hit singles and an international following before they ever release an album — of which Lonehill Estate is a case in point.

Nor are music creators and performers waiting around for radio and television play. In recent years the global music industry has seen a number of “YouTube sensations” — artists who have launched their musical careers using the YouTube video-sharing platform. Justin Bieber probably remains the most famous, but Ukrainian-born pianist Valentina Lisitsa went from YouTube to the Royal Albert Hall, after she posted a video of herself playing the Rachmaninov etude popularly known as Little Red Riding Hood. In South Africa, rock act Jax Panik and zef-rapper Jack Parow have both used YouTube as a launch tool.

It is the arrival of the digital market and the popularity of the musical download that is destined to be the game changer in the music industry. According to a Nielson report on the music industry by David Bakula, there has been a steadily growing shift from physical market sales to digital market sales. The report shows that while CD sales are dropping worldwide, online downloads, mobile streaming and digital catalogue purchases are rapidly increasing.

Currently, South Africa is lagging behind the rest of the world in the digital market, primarily due to the lack of broadband internet access, but the growing use of smartphones and mobile devices is changing this. Although this is a revenue stream that has yet to be fully explored by many South African musicians, according to digital pioneer, consultant and entrepreneur Antos Stella, urban and gospel musicians are already selling huge quantities of downloads via the cellular networks.

DJ Cleo, for example, who has won the category for best-selling ringtone download in the MTN South African Music Awards for the past four years, is making more revenue from downloads and live performances than he is from CD sales.

In a world where marketing is the difference between a rat and a squirrel, it is foolish to dismiss the importance of branding. A well-built brand can become an important revenue stream to an artist, with many using their brand to sell their services as event MCs or for radio voice-overs. Brand partnerships can also be beneficial to both the brand and the artist. While some may consider this selling out, an insightful partnership entered into with strategic care can go a long way towards exposing an artist to a greater audience.

“You have to be selective of who you align yourself with. I am very careful of the work I choose to take. You have to look at what the brand stands for and the messaging used. You can’t alienate your audiences for the sake of a brand,” said ProVerb, whose own brand has become closely aligned with those of Idols and M-Net.

While the bigger, more glamorous brands are deemed the most desirable, there are many smaller brands that need the services of a composer for jingles and the like. The onus is on the artist to be proactive in seeking out these opportunities, as jingle writing and composing scores for film and television productions can be a lucrative revenue stream.

Alternate revenue stream options can be as wide as the artist is creative, but finding them requires the proactive investment of time and research. So put those thinking caps on and get cracking on exploring new horizons!
Find out if you qualify for an ASCAP payout

If you, as a writer, earn less than $25 000 in annual Performance Rights royalties from the American Society for Composers, Authors and Publishers (ASCAP), then read on.

Have you travelled to the United States to stage shows or festivals or have knowledge of your works being performed there? If so, then you are a participant in the ASCAP Awards and have the opportunity to receive royalties for performances of your works in the USA.

SAMRO, being an ASCAP affiliate, receives royalties from ASCAP on behalf of its members. If your works have been surveyed in the USA, you will receive royalties from SAMRO via a distribution.

So, what is an ASCAP Award? It’s an annual programme that was introduced by ASCAP to compensate members of affiliated societies for the public performance of their works in American establishments that are licensed by ASCAP but not included in the society’s usual distribution surveys.

ASCAP recognises that there are affiliated writers with works that are licensed by ASCAP in the United States, and are substantially performed by media in areas not surveyed by the society. The society’s International Awards Programme addresses the needs of such writers by giving them the opportunity to apply for annual cash awards.

Although ASCAP funds this programme, all determinations are made solely by distinguished independent members of the music community who are neither members nor employees of ASCAP, and whose decisions are final.

The programme is not a competition in which specific work is critically evaluated. Rather, it refers to the actual performance of works licensed by ASCAP in the United States and this serves as the primary basis for the panel’s determinations. Awards are made annually.

How to claim your annual cash award:

You need to do is provide the International Affairs Department at SAMRO with the following information about your performances and they will do the rest.

1. Date/s of your performances
2. Titles of the works (songs) performed
3. Name/s of the performer/s
4. Location of the performance (venue where the performance took place)
5. Important: Please submit supporting documentation (such as printed advertisements, newspaper clippings, reviews, letters of confirmation and any additional information to support your application). These will be reviewed by the panel.
6. All information reported should reflect activities that have taken place over ASCAP’s current fiscal year, i.e. 1 October 2011 to 30 September 2012.
7. Please do not send scores or recordings, as these items will not be reviewed and cannot be returned.

The closing date for all submissions is 15 January 2013. Your award will be sent to SAMRO, together with ASCAP’s distribution to SAMRO, in August 2013. When SAMRO receives the distribution, it will make payment directly into your account. The awards will not form part of SAMRO’s foreign distribution – the ASCAP royalties awarded to members will be paid immediately upon receipt.

For further information, please contact the International Affairs Department at SAMRO on international.affairs@samro.org.za or 011 712 8272/8299.
Back in the late 1980s, it was an international world-music phenomenon, with the album selling 14 million copies, spawning hit singles such as *Diamonds on the Soles of Her Shoes* and *You Can Call Me Al*, and winning Grammy Awards for best album and record of the year.

But it also sparked controversy, as Simon was accused of setting back the anti-apartheid movement by breaking the cultural boycott and recording with South African musicians such as Ladysmith Black Mambazo, Ray Phiri, Bakithi Khumalo and Isaac Mtshali. And among those who joined him on his world tour were none other than exiled superstars Hugh Masekela and the late Miriam Makeba.

But, as Simon recently told *USA Today* on the occasion of releasing a 25th anniversary *Graceland* box set and the *Under African Skies* documentary, and prior to embarking on a commemorative European concert tour, the aim of the collaboration was purely to expose the richness of South African music to the world.

He said: “The statement I’m making is, of course whites and blacks are absolutely equal. There’s no justification for apartheid. Here’s the proof of it. Listen to how gifted this culture is, and look how we get along.”

Simon’s eight-date *Graceland* revival tour in July took in venues such as Hyde Park in London, and again featured the cream of South African music talent, such as Phiri (guitar), Barney Rachabane (saxophone), Masekela (trumpet), Ladysmith Black Mambazo (*isicathamiya* vocal harmonies) and Tony Cedras (keyboards), as well as the great Jimmy Cliff.

The tour also marked a wonderful opportunity for songbird Thandiswa Mazwai, who was only 10 years old when *Graceland* was released. The former Bongo Maffin star, who has since turned successful solo artist, symbolises the new generation of local talent that has risen since Simon’s original boundary-breaking foray into African musical traditions.

Prior to accompanying Simon on the tour, Phiri told *SAMRO Notes* that he owed much to the local and international friendships he had forged throughout the years, which, he says, have shaped him and his musical legacy.

Phiri was awarded the Order of Ikhamanga in Silver by President Jacob Zuma last year for his musical achievements and his contribution to the struggle against apartheid, and he also received a lifetime achievement award at the South African Music Awards in 2012. He is currently seeking funding to establish the Ray Phiri Institute of Arts and Culture on the communal farm near Nelspruit where he was raised and educated.

**GRACELAND:**

SA artists charm the world again, 25 years on

It’s hard to believe that it’s a quarter of a century since Paul Simon’s historic *Graceland* album and tour, which brought the sounds and rhythms of South African music to a global audience.
Composers’ tragic windfall after Whitney’s death

The golden-voiced diva’s estate will earn royalties from increased album sales, but the writers of her hits stand to benefit even more

The comments started flooding social-media networks in the wake of Whitney Houston’s death: “Watch her album sales soar now!” and “Poor Whitney – she’s going to be a lot richer now than she ever was alive,” and so they continued. Aside from being insensitive, the comments point to a common misconception about how royalties are earned.

Houston’s most famous songs weren’t written by the diva herself. From Didn’t We Almost Have It All, written by Will Jennings and Michael Masser, to The Greatest Love of All by composer Masser and lyricist Linda Creed, to So Emotional by Tom Kelly and Billy Steinberg and Exhale (Shoop Shoop) by Babyface, the Grammy-winning star had a team of prolific and accomplished songwriters who worked with her to create the hits that she gave voice to.

Looking at a list of her greatest hits, the only song she helped compose was The Bodyguard anthem Queen of the Night.

Following her death, Houston’s music spun back into the charts, with all the albums in her catalogue placing in the top 20. Posthumously, she broke a record by having three albums in the Billboard top 10 at the same time. By March, her record company Sony/RCA estimated that it had shipped “just north of” 2.5 million CDs to stores since Houston’s death. There is also still unreleased material as well as live albums in the pipeline.

However, most of the earnings from the increased radio and television airplay of her songs will go to the composers and publishers of the songs. Indeed, I Will Always Love You, written and originally recorded by Dolly Parton in 1973, has earned the country star a fortune since Houston covered it.

Because Houston performed on the track in question, her estate and record company will benefit from increased record sales and Mechanical Rights royalties (for the reproduction of music onto a medium such as a CD for public distribution). But Parton, as the songwriter of I Will Always Love You, stands to make a lot more in Performing Rights royalties based on the increased airplay the hit song received in the weeks following Houston’s death.

Houston’s royalties will therefore be nowhere near the amount of money that estates like Michael Jackson’s (who wrote and published the majority of his hit songs) receive from his music.
Lebo Mathosa: Trailblazer for artists’ rights

Whitney Houston’s case study stands in stark contrast to that of another late, great diva – South Africa’s very own R&B and kwaito superstar Lebo Mathosa.

Mathosa tragically died in a car accident in 2006, aged 29. But even though she was so young, the former Boom Shaka singer turned solo artist had already made unprecedented pioneering strides to ensure she controlled and profited from her own creative output.

In fact, after her early bubblegum-pop and sex-symbol days, she matured into an astute businesswoman who was a trailblazer in the copyright field. In a move virtually unheard of in the local music industry at that stage, Mathosa negotiated and secured full publishing rights to, and ownership of, her own songs.

And what makes her premature passing all the more poignant is the fact that she had planned to start her own label.

She wrote much of her own material and, at the time of her death, had been putting the finishing touches on her fourth solo album.

In addition to her legacy of being a South African Music Award-winning icon who performed with the likes of P Diddy, recorded with Keith Sweat and was nominated for the UK’s Music of Black Origin (MOBO) Award, Mathosa will also be remembered as an important torchbearer for retaining control over one’s own copyright.

In a South African context, SAMRO represents more than 12 000 composers, lyricists and publishers – the creators and custodians of music. Through SAMRO’s subsidiary, the Performers’ Organisation of South Africa Trust (POSA), it also administers Needletime Rights royalties, which are due to musicians/recording artists (such as Houston) and record companies whose recordings are broadcast or performed in public – for example, on radio stations.

In Houston’s case, there’s another aspect to consider. The late singer took a number of advances and loans from her 2001 $100 million deal with Arista Records, leaving Sony with much to recoup. It’s reported that she would have to sell five million albums posthumously for those costs to be covered, putting a further dent in the deceased star’s earnings for her estate.
In the international arena, interesting developments are afoot to curtail the illegal use of digital music.

Playing music pirates at their own game.
A certain topic comes up frequently in discussions wherever those involved in the music industry are gathered, and did so once again at this year’s South by Southwest Music Festival and Conference in Austin, Texas. The issue of the future of music – and how it will be consumed – was at the forefront of talks and discussions at the event, where some of the music world’s biggest players gathered for a week in March.

At the heart of the matter is music piracy, and how in the digital age it has become easier than ever to obtain and share music illegally – effectively robbing the creators of original works.

Digital piracy has been a thorn in the side of the global music industry for several years. Before it was shut down two years after it was created, Napster changed the rules of the game entirely, launching in 1999 as a peer-to-peer file-sharing service that saw fans swap music files without paying for them.

Copyright infringement cases, including a highly publicised one launched by Metallica, and lawsuits against users who downloaded content illegally ensued. Napster may not have survived, having been bought out by streaming service Rhapsody, but it completely shifted the way the industry works.

To appease music users who wanted to buy only certain singles as opposed to all the songs on an album, Apple’s iTunes, with its 99-cents-a-song formula, has taken off.

The industry also saw the rise of streaming services like Rhapsody, which lets users download as many songs as they like for a monthly subscription fee. Founded in 2001, Rhapsody now has around 800 000 subscribers.

A new revolution in music usage?

But that number pales in comparison to Spotify, a Swedish-based rival with a similar business model. It launched in the US this year, and there are plans to launch in Africa soon too.

Launched in 2008, this digital music streaming service has created a music discovery and sharing platform that has resonated with both artists and fans. According to Spotify’s Chief Content Officer, Ken Parks, we’re only just getting a glimpse now of how those two elements fit together and can be mutually beneficial.

The service operates with a free trial period whereby a user can listen to an unlimited amount of music, supported by advertising. But if music lovers want no time limits applied to their music listening and no advertising, they can subscribe for a fee.

Parks says there are 10 million active users on Spotify and, having launched in Germany in March, the company is expecting that number to increase further. The model that Spotify has created, he maintains, has given much back to the music industry.

According to Parks, a huge percentage of music users worldwide are “pirates” – and Spotify’s model has given them a good reason not to pirate. He explains that they want to “cannibalise piracy” in a big way. “We think it’s a scandal that the industry has shrunk to the size that it has,” he says.

He says Spotify returns 65% to 70% of its profits back to the rights holders, and operates with small margins. It has generated a quarter of a billion dollars this year so far.

The frontman for the metal group Disturbed, David Draiman, believes that any band not using Spotify is missing out on an extremely important avenue for reaching fans and exposing them to new music.

“Just being able to drive the car before you buy it is a beautiful thing. Most people like to listen to music before they buy it. The people who are going to buy it will buy it, and those who are going to steal will steal, but if you give them another option – this whole catalogue and the ability to share it with friends – you fatten the kitty and it becomes very inviting for them to switch over,” says Draiman.

Anti-piracy laws stopped in their tracks

Two acronyms making headlines in the media kept piracy in the spotlight earlier this year – SOPA and PIPA, which are essentially two sides of the same coin, brought together by the two parts of the US government, the House and Senate, respectively.

The fear was that the Stop Online Piracy Act and Protect Intellectual Property Act would effectively establish a censorship regime and set a bad precedent, stifling innovation and investment on the internet. But they were supported by a number of media companies and major music publishers in an effort to protect copyrighted content. The bills have since been shelved for being too broadly written, but their concerns were legitimate and the debate is still brewing.

The question of ownership itself is also being explored. An analyst with Forrester Research in the US, James McQuivey, believes the shift will be more pronounced.

“To thrive, media product strategists must shift to a model in which paid content is more virtual than physical – and more rented than owned,” McQuivey wrote in the report titled People Pay For Content; They Just Don’t Own It, published in March.

As always, the subject remains contentious, as major players continue to work with new models to see what will please both the music producers and music consumers. Rapper Nas has an optimistic take on the matter that he expressed during an interview at South by Southwest: “I’m not worried about the future. It’s just a matter of time before people figure it all out and jump back into the flow of things, so I’m not worried.”
A tribute to SAMRO women

SAMRO continues to fly the flag high for women’s empowerment in the workplace and in all spheres of society.

SAMRO is proud to have a high percentage of dynamic women excelling in management positions, some of whom are pictured here, from left: Kgomotso Mosenogi, Anneke Senekal, Anriette Chorn, Christine Reddy, Melissa Moore, Keitumetsi Setshed, Joey Carlse, Jodi Goldstein, Grace Khambane, Vanessa Gibb and Lucelle Southon.

Photo courtesy of SAMRO
SAMRO pays tribute to the following SAMRO members who passed away. SAMRO’s condolences go out to their families and loved ones, and may they find comfort in knowing that the creative legacy of each and every one will live on.

In memoriam

Bopape, Rupert
Bechard, Ariane Anne Marie Odette
Botes, Jacolise
Janse van Rensburg, Louis Wilfred
Johnson, Milton Edward
Khuzwayo, Philemon Sizathu
Madondo, Vusumuzi Patrick
Majola, Mnikazi Mshiuyen
Mankonya, Mongamedi Tobile
Mazibuko, Debbie Nomvula
Mbatha, Mphumeleli Lucky
Mogatusi, Joyce
Molekwa, Rachael Mmakosha
Monegi, Nnaku Jacob
Mosebi, Sello Wilfred
Motong, Assaf Komane
Msane, Sifiso Richard
Mthembu, Owen Bonginkosi
Nemafohon, Ntavhanyeni Thomas
Nxusa, Sizanempi
Serobe, Doctor Mathata
Steyn, Christina Maria
Temmingh, Roelof Willem
Tshantshani, Joseph Nkosana
Xhosa, Vusi Jackson
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