

Composers Association of South Africa - AGM 2007

CASA held its 2007 Annual General Meeting on 28 March at SAMRO House. The meeting was well-attended and very informative.

Address by SAMRO CEO

SAMRO has provided valuable support to CASA and must be thanked for their ongoing efforts to protect the rights and interests of all SA composers. SAMRO CEO, Nick Motsatse, delivered the opening address and said he was impressed at how CASA had grown and evolved.

In his summary of recent years, he noted how SAMRO had embarked on changing the organisation to change its capacity to meet an ever-changing market. Global trends and technological advances such as the iPod and Internet downloads had changed the music industry. SAMRO is a global player and a respected member of the CISAC board. (CISAC is the international confederation of collection societies).

SAMRO has made a concerted effort to improve on customer relations to offer better service by implementing a 24hr call centre and a dedicated team to sort out queries and provide continuous service to members and users.

SAMRO is far advanced in setting up to collect and administer mechanical royalties and has signed reciprocal agreements with over 25 sister societies worldwide, including the UK, Germany, France, Italy and many others. SAMRO is now well-positioned to be a "one-stop-shop" for all music royalties.

Mr Motsatse was sincerely thanked for his ongoing support for CASA.

Chairman's address

CASA's Chairman, Colin Shapiro, stressed that CASA exists to help composers. The Executive Committee (Exco) is a group of professionals with knowledge and varied experience of the industry, who take no salaries or benefits but offer their time and energy to inform and uplift all SA composers.

CASA is a national body via its website which provides news, information and downloads to assist members. Mr Shapiro gave a short Powerpoint presentation which illustrated various aspects of the website, as well as how to register and post at the CASA forums.

At this time, the cost of travelling to other centres was prohibitive, but CASA hopes to assist composers in centres outside Gauteng to form branches.

It was noted that there had been a technical hitch with the registration of CASA as a company. As a result, it was suggested that the existing Exco be retained for a further year. The members voted unanimously in favour of this proposal. No financial statements were required at this stage - in any case,

CASA has had no income and its minimal expenditure had been carried by the Exco themselves.

CASA was invited to Moshito 2006 and Mr Shapiro sat on 2 panel discussions and there had been much interest in CASA.

Mr Shapiro told the meeting about MUCCI – Music User Copyright Compliance Initiative. This is a proposal for a common code of compliance among users of music such as production houses and broadcasters, which could assist in the proper documentation of the use of composers' works, something which currently presents an ongoing problem.

CASA needs all SA composers to be members in order for CASA to be a truly representative body. It was decided that a nominal membership fee should be paid of R50 a year for the services that CASA provides. This will be implemented after the formal (re-)registration at the Registrar of Companies.

Sweden Address by Tebogo Sithathu (Vice-Chairman)

Mr Sithathu attended the Midem conference in January and noted that composers are at the forefront of the industry. There is currently much interest in Africa.

CASA has been approached by a similar composer society in Sweden (SKAP) to participate in a cultural exchange program. 10 South African composers and 10 Swedish composers will meet in Sweden and collaborate to create new musical works. At a later stage, 10 Swedish composers will visit SA and we will host a similar event. Programs such as these will hopefully extend to other countries as CASA broadens its scope. This project will be open to CASA members - more details on the CASA website as they become available.

Address by Oupa Lebogo of CWUSA (Creative Workers' Union of SA)

Mr Lebogo gave the attendees a brief history of CWUSA, which was formed by the merge of PAWE (Actors' union) and MUSA (Musicians' union) and is affiliated to COSATU. CWUSA aims to embrace all sectors of arts, crafts and entertainment, with plans for social security, funeral scheme and medical aid for members.

CASA and CWUSA had met to discuss how composers could benefit if CASA joined CWUSA. Each sector has its own autonomy and CASA could contribute to projects to uplift the musical community. In turn, through CWUSA, CASA could have more direct contact with broadcasters and government.

Address by Marc Friedman (attorney and music specialist)

Mr Friedman gave an informative address and useful tips and information for composers.

Simply put, there are 2 rights in music - the musical work (composition) and the sound recording. The composition belongs to the person who wrote it - there is no requirement for registration, there is automatic ownership. However, in the event of a dispute, proof of ownership becomes essential.

Marc's bottom line: Prevention is better than cure.

Steps towards helping yourself as a composer:

- 1) as soon as a song is written, reduce it to a material form (eg manuscript/written music) or record it onto some medium eg CD.
- 2) Take the composition in its written form or mechanical form and post it to yourself by registered post and do not open the envelope. This provides some evidence of ownership in the event of a dispute.
- 3) Notify the composition with SAMRO or other society, because doing so also ensures a dated proof of ownership.
- 4) When working with groups of composers or in a band, make sure registrations of songs don't contradict each other.
- 5) Make agreements between co-composers as soon as the song has been written to determine which parties receive their fair percentage of royalties. Under SA Copyright Law, all agreements must be in writing.
- 6) The ongoing debate and issue of Music and Lyrics having equal rights should be decided by the contracting parties as this is not always a 50/50 deal.

CASA will look into creating example documents for these typical requirements.

It was suggested that CASA organise a workshop with various legal and music specialists regarding matters of copyright within the music industry. This could possibly take place at Moshito 2007.

Closing

The Chairman thanked all of the guest speakers for their time and valuable input. He also thanked all those who attended the AGM and urged everyone to visit the CASA website and forums.

Note:

- CASA welcomes any ideas and input. We need feedback, suggestions, ideas - we need to hear about your problems and hassles that you encounter in the industry. Please join CASA so that we can all be stronger.