



## **JOINT MEDIA STATEMENT**

### **MACP, PPM & RPM COMMENDS GOVERNMENT ON COPYRIGHT (AMENDMENT) BILL 2021 BUT VOICES NEED FOR MORE AMENDMENTS TO BE MADE**

31 December 2021, Kuala Lumpur - The Copyright (Amendment) Bill 2021 ("2021 Bill"), an amendment to the Copyright Act 1987 that was presented by YB Dato Sri Alexander Nanta Linggi, Minister of Domestic Trade and Consumer Affairs was passed by the Dewan Rakyat on 15 December 2021. We commend the Dewan Rakyat's decision and congratulate the Ministry of Domestic Trade and Consumer Affairs through the Malaysian Intellectual Property Corporation (MyIPO) for taking the effort to seek stakeholder input via the consultation paper prior to the introduction of the 2021 Bill.

As key stakeholders that will be impacted by the Copyright amendments, we have provided feedback to the Ministry's earlier proposals during the consultation process, in particular those that concern collective management organisations by showing global best practices in the context that suits the special circumstances in Malaysia.

We have also made some recommendations in response to concerns that have arisen in recent years. Although we appreciate the amendments made in general, several of our recommendations which, in our view are crucial to the well-being and further development of the Malaysian music industry were not included in the 2021 Bill.

Among the recommendations that were made to MyIPO include the need of removing the proposed introduction for a renewal of the CMO declaration after two years which is superfluous, a clearer and more detailed definition and scope of activities for collective management organisations (CMOs), guidelines for CMOs through a self-regulating regime, harmonising the definition and scope of streaming services with the regulations issued by the Ministry of Communications and Multimedia Malaysia, the extension of the copyright protection period for copyright-holders, regulating the operations of "copyright-free music" service providers and implementing the requirement of obtaining valid music licences as a condition for obtaining a business licence from SSM and an entertainment licence at the Local Authority (PBT) level.

We urge for the adoption of our recommendations in the near future to foster the development of the local music industry and to safeguard the interests of all copyright-holders.


Following the passing of the 2021 Bill, we request that the Ministry of Domestic Trade and Consumer Affairs further engage with us in regards to the new Section 27M that allows the Copyright Controller to issue guidelines relating to any matter concerning the declaration and operation of collective management organisations. We continue to



believe that the self-regulation method, as practised in many developed countries is best.

We believe that based on our long experience in the industry and expertise gained over the years, we will be able to give relevant input and insights into the formulation of any new guidelines. All relevant current issues need to be addressed so that the operations of collective management organisations are not jeopardised and the CMO's can deliver the best possible service to their respective copyright-holder members.

### Licensing Bodies:

	<p><b>Music Authors' Copyright Protection (MACP) Berhad</b></p> <p><i>A company limited by guarantee registered on 7 September 1989 as a not-for-profit collective management organization to administer the public performance and broadcast rights of our members, comprising of songwriters, composers and music publishers, with 4800 members to date.</i></p> <p><a href="http://www.macp.com.my">www.macp.com.my</a></p>
	<p><b>Public Performance Malaysia (PPM) Berhad</b></p> <p><i>A not-for-profit collective management organization, limited by guarantee, which represents all eligible Malaysian recording companies and International recording companies who have exclusively licenced PPM's members to control their rights in Malaysia for issuing licences to and collecting royalties from commercial users of sound, music videos and karaoke recordings for the copyright protected activities e.g. public performance, communication to the public, reproduction for the purpose of public performance and communication to the public and commercial rental.</i></p> <p><a href="http://www.ppm.my">www.ppm.my</a></p>
	<p><b>Recording Performers Malaysia Berhad</b></p> <p><i>A company limited by guarantee registered on 18 October 2011 as the licensing body representing recording performers in collective licensing matters and distribution of royalties granted to performers in respect of the public performance and broadcast of their performances embodied in sound recordings.</i></p> <p><a href="http://www.rpm.my">www.rpm.my</a></p>

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