



Wes-Kaapse Provinsiale Parlement
Western Cape Provincial Parliament
IPalamente yePhondo leNtshona Koloni

Media Release

Promoting tolerance, equity,
diversity, integrity, dignity,
equality, respect and justice



16 JANUARY 2023

MEDIA RELEASE: STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES AND TOURISM TO CONSIDER THE COPYRIGHT AMENDMENT BILL AND PERFORMERS' PROTECTION AMENDMENT BILL

The Standing Committee on Finance, Economic Opportunities and Tourism (the Committee) of the Western Cape Provincial Parliament will consider the Copyright Amendment Bill [B 13D–2017] and Performers' Protection Amendment Bill [B 24D–2016] as part of its constitutional responsibilities.

Hon Cayla Murray explains the purpose of the Copyright Amendment Bill: "The purpose of the Bill is to amend the Copyright Act, 1978 (Act 98 of 1978), so as to define certain words and expressions; to allow for further limitations and exceptions regarding the reproduction of copyright works; to provide for the sharing of royalties in copyright works; to provide for the payment of royalties in respect of literary, musical, artistic and audiovisual works; to provide for resale royalty rights; to provide for recordal and reporting of certain acts; to provide for the accreditation of collecting societies; to provide for a mechanism for settlement of disputes; to provide for access to copyright works by persons with a disability; to provide for the licensing of orphan works; to strengthen the powers and functions of the Copyright Tribunal; to provide for prohibited conduct in respect of technological protection measures; to provide for prohibited conduct in respect of copyright management information; to provide for protection of digital rights; to provide for certain new offences; and to provide for matters connected therewith."

"The purpose of the Performers' Protection Bill," she adds, "is to amend the Performers' Protection Act, 1967 (Act 11 of 1967), so as to insert, delete or substitute certain definitions; to provide for performers' economic rights; to extend moral rights to performers in audiovisual fixations; to provide for the transfer of rights where a performer consents to fixation of a performance; to provide for the protection of rights of producers of sound recordings; to broaden the restrictions on the use of performances; to extend the application of restrictions on the use of performances to audiovisual fixations; to provide for royalties or equitable remuneration to be payable when a performance is sold or rented out; to provide for recordal and reporting of certain acts and to provide for an offence in relation thereto; to extend exceptions from prohibitions to audiovisual fixation and sound recordings and include exceptions provided for in the Copyright Act, 1978; to provide for the Minister to prescribe compulsory and standard contractual terms as well as guidelines for a performer to grant consent under this Act; to provide for prohibited conduct and exceptions in respect of technological protection measures and copyright management information respectively; to provide for further offences and penalties; to substitute certain expressions; to provide for transitional provisions; and to provide for matters connected therewith."

To provide opportunities for maximum public participation, there are a number of ways that interested persons or organisations can submit written or oral comments, including by:

- sending an email to zadams@wcpp.gov.za; or
- sending voice notes or messages on WhatsApp to +27 (0) 72 993 4631; or
- completing the online submission form [here](#).

The deadline for written submissions is Friday, 10 March 2023.

"Apart from the electronic options to submit comments, the committee will also host a number of public hearings in the province, allowing for verbal presentations. Requests to make verbal presentations at the public hearings must be submitted to the Procedural Officer, Ms Zaheedah Adams, Email: zadadams@wcpp.gov.za, at least one day before the scheduled public hearing," says Hon Murray.

The public hearings are arranged as follows:

Date	Venue	Time
Tuesday 31 January 2023	Oudtshoorn Banquet Hall, 69 Voortrekker Road, Oudtshoorn	17:00 to 19:00
Tuesday 21 February 2023	Stellenbosch Town Hall, corner of Andringa and Plein streets, Stellenbosch	17:00 to 19:00
Wednesday 1 March 2023	Darling Community Hall, 17th Avenue, Darling	17:00 to 19:00
Monday 6 March 2023	Overstrand Municipality Banquet Hall and Auditorium, Harmony Lane, Hermanus	17:00 to 19:00
Tuesday 7 March 2023	Chamber (6th floor), Provincial Legislature Building, 7 Wale Street, Cape Town	17:00 to 19:00

Copies of the bills can be downloaded here:

[Copyright Amendment Bill \[B 13D–2017\]](#)

[Performers' Protection Amendment Bill \[B 24D–2016\]](#)

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Issued by: Stakeholder Management and Communication Services, Western Cape Provincial Parliament

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