



Malta-EU Steering & Action Committee



COMMERCE DIVISION

Protection of copyright and related rights: Changes being proposed to extend the term

Briefing session for stakeholders
Musicians, singers, broadcasters, record companies and others in the
field

2nd December 2008

Dear Sir/Madam,

The thousands of performers (in this case musicians and singers) who in the next decade are about to lose the copyright protection afforded to them by law has exposed lacunae within the current legal framework. An increase in life expectancy levels and varying laws in different Member States for musical compositions and co-written works shall result in losses of income from contractual royalties and statutory remuneration for individuals who could be facing their more vulnerable period in life.

The European Commission has earlier this year proposed an amending Directive that would extend the term of protection for performers and phonogram producers from 50 to 95 years. Other legislative measures include the introduction of “use it or lose it” clauses in contracts between performers and phonogram producers and a “clean slate” for contracts in the extended period beyond the initial 50 years. It is also seeking to reach a good balance between the interests of record companies and featured artists with those of session musicians by proposing a fund for session musicians. On the latter, phonogram producers will contribute to the fund while collecting societies have to administer the revenues.

In view of these changes, MEUSAC and the Commerce Division of the Ministry for Finance, the Economy and Investment shall be organising a consultation session for stakeholders, providing further details on the proposals as well as gathering views from those involved.

The session is being held as follows:

19 December 2008

Time: 1515 – 1700 hrs

Registration: 1500 hrs

Venue: Trade Winds Hall – Malta Enterprise, San Ġwann



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This meeting will also offer stakeholders the opportunity to establish a direct channel with the Commerce Division, being the competent authority in this field, and the possibility of discussing developments taking place as well as possibly look into any eventual implementation, if this becomes the case.

The discussion should be of particular interest to all operators in this sector:

- Musicians and singers
- Broadcasters
- Music producers
- Record companies
- Collective rights societies
- Others involved in the field.

The main speakers will be Ms Michelle Bonello, Director Industrial Property Registrations and Mr Godwin Warr, Director General Commerce and Comptroller of Industrial Property. The presentation will cover the proposed legislative changes and other developments expected. Importantly there will also be time for discussion and questions from participants. To this effect, the relevant documentation may be accessed through the following link: http://ec.europa.eu/internal_market/copyright/term-protection/term-protection_en.htm.

Participation is free of charge. Registration is however highly recommended in view of seating restrictions. This should reach MEUSAC offices by not later than noon of Thursday 18th December 2008 on email address consult.meusac@gov.mt. For further details and assistance on this event, kindly contact Brian Pace on telephone 25909101.

Best regards,

Julian Micallef
A/Head (Consult.)
MEUSAC

Godwin Warr
Comptroller IR
Commerce Division

Michelle Bonello
Director (IPR)
Commerce Division