



The ASSOCIATION of the **F64** SOUTH AFRICAN MUSIC INDUSTRY [64]

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The Technical Committee
Independent Media Commission and Independent Telecommunication
Authority
Multi Party Negotiating Process

Fax No: 397-2211

Dear Sirs

FIFTH REPORT OF THE TECHNICAL COMMITTEE ON THE INDEPENDENT MEDIA COMMISSION

We refer to section 50.

The playing of records on radio stations is an intrinsic part of the process of recording, producing and listening to music. Unfortunately, in South Africa, there is a distressing trend for South African radio stations to play less music by South African artists and more "international" music. Broadcasters justify this by saying that local audiences prefer international music to South African music. South Africans have proved this to be incorrect, as demonstrated by their continued support for live concerts by South African artists and furthermore, South Africans continue to buy millions of copies of records by South African artists.

Unfortunately as a result of the years of apartheid, South Africans have developed a deep sense of "cultural inferiority", being easily persuaded that any non South African music (and especially American music) is qualitatively better than South African music.

Some of the consequences of the trend towards the playing of "international" music are:

1. Radio stations influence both the listening and buying patterns of their listeners;
2. Decreased air time for South African music means decreased sales of local music. South African musicians are therefore increasingly losing their potential to earn a living both through record sales and through live shows. (Decreased airtime in record sales has a depressing effect on the ability of musicians to attract large enough audiences to live performances.);

3. Reduced sales of South African music leads to a decline in the spending by record companies on local talent. It does not make good business sense to spend large sums of money recording South African musicians if it is known in advance that potential airtime for the playing of such music is severely limited. This leads to a spiralling effect, as radio stations then continue to claim that they are playing international music because, inter alia, South Africa music has become less innovative;
4. All over the world South African music is growing in popularity. However, a decline in sales, in South Africa, of South African music will greatly reduce the potential for South African music to continue to grow in international markets. Very few artists have attained international success without first achieving greatness in their own country.

A solution is to ensure, before it is too late, that South African music receives stated minimum airtime. This does not, under any circumstances, mean that airtime should no longer be based on merit. There is certainly sufficient South African music of good quality for a meaningful quota of total airtime.

Local music quota systems exist in France, Australia and Canada. New broadcasting legislation in Poland will incorporate a minimum quota for Polish programming.

In Australia the basic rule is that 25% of the music time of any commercial radio station must be Australian content. The Australian content rules only apply to commercial stations and do not apply to government or public broadcasters. However the situation is currently being revised and it is generally believed that the Australian music content quota will be revised to ensure that government and public broadcasting stations will also have to comply with the same rules.

There is total consensus in Australia that the local content rules have been a great success and have caused increased investment in local repertoire by local record companies. Australians proudly point out that (as a result of the progress brought about by the local content system) most pop music orientated stations now play between 25-30 % Australian music of their own volition, rather than simply complying strictly with the broadcasting regulations.

The Canadian Content regulation (as it is known in Canada) has existed for 20 years. The rule stipulates that 30% of music played on radio stations fits into the guidelines for "Canadian Content".

In France, although there is no legislated quota system, there are different agreements with different radio stations bringing

about the same result. A recent agreement between the French Record Association (SNEP) and the Association of Private Radio Stations stipulated that the stations would allocate 40% of air time to French repertoire. The agreement further stipulated, (interestingly) that one fifth of the 40% would be devoted to emerging talent. In commenting on the agreements, the Public Affairs Director of the French Performing Rights Society, SACEM, stated:

"It is vital for the preservation of French repertoire that more airtime be allocated to national music. SACEM welcomes these agreements, for without them it is difficult to see how French record companies could continue to invest so substantially in French recordings and French artists . . . with record sales sluggish in France, record companies are facing the need to safeguard sales levels by generating more export business, but an artist has to secure a national following before he or she can achieve international success . . . and for this, radio play is indispensable."

South African music is at a crucial juncture. Whilst, overseas South African music now enjoys a degree of credibility greater than it ever has experienced in the past; in South Africa, local music still occupies an inferior position on South African Radio Stations. South African music, is, without exaggeration, under serious threat from two powerful forces - piracy and international music. However there are compelling cultural, and business reasons for the active protection and support of music in South Africa. A healthy, vibrant and developing music scene is essential if South Africans of all races are to develop into a cohesive and proud unified nation.

For all of the above reasons this organisation strongly supports the inclusion of a provision as is contained in section 50. However we feel that the reference to a "prescribed percentage" in subsection (3) of section 50 is somewhat vague. We feel that a percentage should be stipulated either in the Act or in a guideline ie. that the proposed independent broadcasting authority should have a particular guideline to impose a prescribed percentage of 50% of South African contemporary music.

If no guideline is established for the IBA then each applicant will be able to justify, for its own narrow short term interests, that it should not be subject to any South African music percentage.

Yours faithfully



FRED WITHERS
VICE CHAIRMAN