

About SAMRO

SAMRO, the Southern African Music Rights Organisation, is a copyright asset management society that deals mainly with the administration of music composers' and authors' performing rights.

It was established in 1961 to protect the intellectual property of composers and lyricists and to ensure that they are compensated when their works are used globally.

SAMRO represents **12 000** composers, authors, lyricists and publishers. Besides administering music **performing rights**, the organisation also administers **mechanical rights** and **needletime rights**.

SAMRO's primary business involves licensing music users throughout Southern Africa (*such as television and radio broadcasters, live music venues and establishments that play music, including retailers, restaurants and shopping centres*), collecting licence fees and distributing **royalties** to members who are composers, authors and publishers during annual distribution cycles.

The licensing and royalty distribution cycle

SAMRO collects licence fees from users of musical works, which it distributes in the form of royalty payments to the rights holders in those works.

Licence fees are collected from commercial, public and community radio and television stations, as well as from restaurants, live performance venues and any licensed business, venue or person that plays music in public or makes a copy of a musical work. The licences are calculated according to tariffs, based on the size and nature of the business.

Licensees are required to submit usage returns, detailing the musical works that have been played, how often they have been played, and so on. Fees received are recorded and analysed, and royalty amounts are calculated in each category. Once the total royalty has been determined for each musical work, it is divided up based on the share each rights holder – composers, lyricists, publishers and foreign collection societies – has in the ownership of the work.

After administration costs have been deducted, royalty payments are credited to each rights holder's royalty account, and royalty statements are sent to them. Distributions take the form of primary distributions (made once a year per distribution) and supplementary distributions (such as when local members' works are used in foreign countries and royalties are remitted to SAMRO by overseas societies).

There are three primary royalty distributions: Television (TV), Radio and General (R&G) and Film. There is also an annual distribution of income derived from interest earned pending the distribution of revenue, called non-royalty revenue.

History

The South African Music Rights Organisation (renamed the Southern African Music Rights Organisation in 1974) was formed in December 1961 under the chairmanship of Dr Gideon Roos Senior, a former director-general of the South African Broadcasting Corporation (SABC).

SAMRO began operations in January 1962 with 40 South African composers and 13 music publishers taken over from PRS in the United Kingdom. In June 1962, SAMRO was accepted as a member of the International Confederation of Societies of Authors and Composers (CISAC). In the same year, Strike Vilakazi, the composer of the anti-apartheid song *Meadowlands*, became the first black member of SAMRO.

In 2011-2012, SAMRO commemorated its 50th anniversary with a series of events, including the Builders' Awards, which recognised musicians, staff members and others who had contributed to the organisation over the years.

Areas of activity

SAMRO was originally formed to administer the **performing rights** of music composers, authors, lyricists and publishers, but has expanded its scope to include the oversight of **mechanical rights** and **needletime rights**.

- **Performing rights** royalties are earned by **music composers, lyricists and publishers** when their musical works are performed in public – for example, on radio or television, in a business environment or at a concert.
- **Mechanical rights** royalties are earned by **composers, lyricists and publishers** when their musical works are physically reproduced on a CD, DVD, tape, video, MP3 or computer hard drive, or as cellphone ringtones.
- **Needletime rights royalties** are earned by **recording artists** (such as musicians, singers or backing vocalists, and studio producers, who do not necessarily have to be the authors of the work) when one of their recorded performances is played or performed in public, for example, on a radio station.

Subsidiary organisations

SAMRO has three subsidiary business units: the **SAMRO Foundation** (formerly the SAMRO Endowment for the National Arts), the **Dramatic, Artistic and Literary Rights Organisation (DALRO)** and the **Performers' Organisation of South Africa Trust (POSA Trust)**.

- The **SAMRO Foundation** is SAMRO's non-profit music education and corporate social investment arm. It administers a music archive, hosts seminars and workshops for music practitioners and supports industry events such as the annual MOSHITO Music Conference & Exhibition in Johannesburg. The SAMRO Foundation contributes to arts education by funding its overseas scholarships competition, annual music study bursaries, the Gauteng and Cape Town big band festivals, and the SAMRO Hubert van der Spuy music competition.
- **DALRO**, established as a wholly-owned subsidiary of SAMRO in 1967, administers various aspects of copyright on behalf of authors, artists and publishers. It manages **reprographic reproduction rights** (photocopying from published editions), **public performance rights** (including stage rights for book musicals and dramas) and **reproduction rights** (granted for purposes of publishing or copying) in works of visual art. In 2012, DALRO launched its EduPortal, a digital platform via which school pupils and teachers are able to access textbooks, study guides, teaching aids and other educational resources.
- Following amendments to the South African Copyright Act and the Performers' Protection Act in 2002, SAMRO was accredited as a Needletime Rights society. The **POSA Trust** was established in 2009 to administer needletime rights on behalf of recording artists who assign these rights to SAMRO. Needletime rights royalties are payable to performers/recording artists and producers when their recorded performances and sound recordings are performed publicly – for example, on a radio station.

[edit] Global affiliations

SAMRO serves over 3 million music composers, authors and publishers worldwide through its reciprocal agreements with 225 collecting societies in 150 countries. The organisation collects and distributes music royalties earned by its members in territories around the world, and administers a database of local as well as international music repertoire in Southern Africa.

SAMRO is a member of the **International Confederation of Societies of Authors and Composers (CISAC)**. SAMRO's CEO, *Nicholas Motsatse*, has served as a *vice-chairman of the CISAC board of directors since 2007*, and is a member of the CISAC African committee's executive. *Former SAMRO CEO Rob Hooijer is CISAC's director of African affairs* and SAMRO chaired CISAC's African committee from 2000 to 2005.

SAMRO is involved in CISAC initiatives in Africa, including projects affiliated to the **World Intellectual Property Organisation (WIPO)** and the **United Nations Educational, Scientific and Cultural Organisation (UNESCO)**. SAMRO is also accredited with **BIEM**, which represents mechanical rights societies worldwide.

SAMRO is associated with industry trade fairs and music showcases such as **MIDEM** in France and the **World Music Expo (WOMEX)**, as well as with bodies such as the **South African Music Export Council (SAMEX)**.