

Sir,

The proposal to extend the term of copyright protection on sound recordings from 50 years to 95 years may have some justification where the performers are still living, but it would have a massive counter-effect on some areas of activity that interest me. These include the reissue on CD of recordings of early singers and of Music Hall artistes.

There was a time when EMI had an extended programme of reissuing historical recordings of early singers (Caruso and the like) and thereby unearthed some voices which had been only names until then, but now they have left it to others (Naxos, Nimbus, Pearl etc).

In the case of Music Hall, the neglect by the major companies has been almost total. The original companies who recorded Marie Lloyd and the rest have long since passed into the ownership of EMI and Polygram who could have reissued them if they had wished. Total silence! To confirm their lack of interest, they have even destroyed original masters and pressings.

Nowadays Music Hall is no longer regarded as a few funny songs that may have a passing interest, but have become important historical/cultural items in tracing the history of the period since 1900.

If record companies are granted a 95-year term, they will have the ability to lock away a huge amount of material that is of no use to them but which is of enormous importance to others. These others include those enthusiasts who have devoted much time/energy/expertise to searching out very rare records, and then arranging for them to be made available to a larger public. This also has the effect of converting a record from being on the edge of extinction (in the case of a very rare item) to having a guaranteed future through multiple CDs.

These enthusiasts have done us a great service in making available a large number of songs we never knew existed, with little hope of making a profit. I am thinking of labels such as Cylidisc, Music Hall Masters and Windyridge who, if control of these recordings reverts to EMI, Polygram etc, will disappear without any gain to the new owners.

One can understand the large companies wanting to retain control of the recordings of The Beatles, Presley, Sinatra etc and thereby maintain a source of revenue for many more years, but at what a cost to the rest of us.

There must be some means of preventing the demise of the enthusiast-labels. This might be done by a system of licensing (FREE – not the exorbitant fees currently demanded where the original master exists), or perhaps by putting all 50-year-old recordings in the public domain and letting the owners apply for exceptions (Sinatra etc)

My collection of Music Hall songs on CD amounts to about 2,000 tracks. Under the 95-year rule, there would be none!

Please ensure that a new rule provides for the free dissemination of historical material, especially that which has been rejected by the big record companies.

Yours faithfully,

Bernard Smith