

Dear Sir or Madam,

Further to my last letter to you I have had a number of conversations with others following on from Sir Cliff Richard being interviewed on Radio with regard to the suggestion that recordings copyright be extended from the current 50 years to 95 years.

Although I have considerable sympathy with much of what Sir Cliff argues, I doubt that he realises a nasty and unforeseen side-effect such a change would have on many hundreds of small "cottage industry" sized individuals who reproduce very short run remasterings of old 78rpm's for a couple of hundred members of their own specific music interest societies.

There are numerous such societies catering for people with an interest in, for example, Music Hall artists, Tea Dance and Small Salon Orchestra music, early Jazz by minor artists, early brass band and military music recordings, Great War era comedy and songs, sea shanties, country dance music, early folk music, etc. etc. There are many hundreds of these type of societies the length and breadth of these islands, the total of which in each individual case is not more than a few hundred. However, together they have a following of many thousands.

Thousands who will, under the 95 year proposal, have their innocent leisure enjoyment and interest wiped-out. This is because the major recording companies, whilst finding it uneconomic to re-issue these recordings for a couple of hundred people, will nevertheless likely charge a copyright license fee, which even if minimal in commercial business thinking terms, would be prohibitive for these small "cottage industry" suppliers. These small scale enterprises, at best make a few hundred pounds if they are lucky, supplying newly re-discovered old 78rpm discs remastered onto CD, often to only a few hundred fellow members of the specific music society to which they belong.

Out of love for their particular interest some have invested their small life savings in minimal equipment to be able to do this - and would effectively be financially ruined by such a change. A change which would protect for the most part large the powerful recordings companies and well-known better-off performers. Some balance of interest must be struck in any new legislation between the powerful lobby groups and ordinary citizens who enjoy early recordings of little or no commercial value.

As far as I can see there are two possible ways around this if it is decided to extend copyright to 95 years.

Option 1. A clause in the Bill to fix the level of copyright permission from major recordings companies on any track by statute at a "peppercorn" level, provided what these small scale suppliers of minority interest music wish to re-master and re-issue would deprive no-one (artist or song write) eligible for a royalty.

Option 2. That these cottage industry producers are themselves automatically licensed by a nominal fee (say £100 per annum) provided they issue no more than 500 copies of any one track/ and or /only supply to other members of their particular musical interest society.

Unless some such provision is made, a change from 50 to 95 years will effectively wipe-out many dozens of minority music listening societies to which in total many thousands of people belong. In addition, a number of their members who have invested quite legally in equipment to supply their fellow members at reasonable cost may be financially disadvantaged, or in some cases, ruined.

I urge caution in this area, Sir Cliff's argument is seemingly fair, but flawed in this crucial respect; that it would seriously diminish the freedom to enjoy specific types of music to large numbers of people. Music that the major companies would not wish to re-issue under any circumstances on sound commercial grounds.

Any legislation should strike a fair balance between the interests and freedom of the individual and the protection of copyright. A flat 95 years, unqualified, would destroy the pleasure of thousands - and on these type of recordings to no-one's protection or advantage.

Yours faithfully,

Tony Dean

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Dear Sir or Madam,

I understand there is a proposal to extend recordings copyright from 50 to 95 years. I write to oppose this in the interests of those of us who have an interest in minority interest music which has almost no commercial value and thus would never be reissued by the major owning successor companies.

I understand that they wish to protect their artists and their royalties which is perfectly proper, but 95 years is just too long - might I suggest a compromise at 75 years? This would mean that currently all post 1926 recordings, when electronic rather than acoustic recordings came in, would be covered by the new legislation.

This would allow those of us interested in primitive acoustic only recordings to reproduce them for our small interest group societies without impossibly high license fees, which would in reality result in these recordings never being available to be heard again. This would damage genuine historical research etc. - a most unfortunate outcome which I am sure is not the purpose or intent of the proposed changes.

Yours faithfully,

Tony Dean