

PRESS RELEASE

Parliamentary Initiative a Threat for Artists and Consumers

No private copying of CDs, DVDs or MP3 files, no deferred TV viewing. This is the scenario threatening Swiss consumers as a result of the parliamentary initiative to abolish the levy on blank media carriers such as CDs, DVDs, MP3 players and video recorders with built-in hard drives. Pursuant to the Copyright Law, the private copying of protected works is permitted subject to payment of a fee to the authors. If this were abolished, Swiss artists and creators would suffer a huge loss of earnings, to the tune of more than CHF 13 million. For this reason, approximately 3,200 artists and creators and 70 cultural organisations from all over Switzerland are combating the initiative and appealing to members of parliament to reject it.

Bern/Lausanne/Zurich, 7.4.2014 – Heavy mail for MPs: at the beginning of April, a letter and a petition signed by approximately 3,200 artists and creators and 70 cultural organisations representing Swiss film, television, theatre, photography, literature and music was delivered to Parliament. In the letter, the signatory artists, creators and organisations recommend the rejection of the FDP parliamentary initiative to abolish the levy on blank media carriers such as CDs, DVDs and other storage media such as MP3 players, video recorders with built-in hard drives, mobile phones and tablets. For the right-holders of all the repertoires, the consequences of the initiative would be devastating: over CHF 12 million in lost earnings each year and CHF 1.3 million a year less for social insurance and cultural promotion.

No More Private Copying for Consumers

The abolition of the blank media levy would have heavy consequences for Swiss consumers too: private copying of CDs, MP3 files, films, books and photographs would be prohibited or subordinated to prior consent based on individual contracts. In practice, this would be extremely time-consuming and expensive. Today, Copyright Law authorises consumers to copy works protected by copyright for their own use and that of a close circle of friends and family members. The Law links this licence to the payment of a fee to the authors and performers. Since 1992, a fee has been levied on the producers and importers of blank media carriers; as a rule, the levy is a low one-digit percentage of the sales price of the device. Those who benefit the most from this system are the consumers who buy the blank carriers and make copies for their private use.

In the digital age, this practice as relevant as ever for artists and creators as well as for the consumer. This was confirmed in November 2013 by the Working Group set up by Simonetta Sommaruga to optimise the collective administration of copyrights and neighbouring rights (AGUR12). The representatives of users, producers, consumers, rights management organisations, artists and creators participated in this Working Group.

A Liberal and Tried and Tested System in Jeopardy

The Committee for economic affairs and taxes (WAK) of the National Council will be debating the abolition of the blank media levy on April 7th and 8th. In their letter, the Swiss artists and creators and cultural organisations ask the National Council to reject the parliamentary initiative.

«The levy on blank media carriers was an important compromise», says Hans Läubli, CEO of Suisseculture, «consumers and users are allowed to copy protected works for private use and the authors receive a fee in

exchange. The initiative would do away with this liberal, tried and tested practice without providing an alternative solution.»

The technology firms stand to profit most from the abolition of the blank media levy. A major portion of their devices and data carriers are sold and used for the storing, recording and playing of works protected by copyright. The huge economic success of these devices relies heavily on the works of authors, artists, musicians, filmmakers, etc. If the blank media levy were abolished, technology firms and importers would improve their margins at the cost of the artists.

The letter and a list of the signing artists is published under www.suisseculture.ch/de/urheberrecht.html. Moreover, video statements by a cross section of Swiss artists can be viewed at www.suisablog.ch and www.swisscopyright.ch.

Further information:

for German-language media:

Poto Wegener

Director of SWISSPERFORM

Phone: +41 44 269 70 55

e-mail: wegener@swissperform.ch

Andreas Wegelin

CEO SUISA

Phone +41 44 485 65 02

e-mail: andreas.wegelin@suisa.ch

for French-language media:

Vincent Salvadé

Executive Vice President SUISA

Phone +41 21 614 32 01

e-mail: vincent.salvade@suisa.ch

About the Swiss Collective Administration Societies

The Swiss collective administration societies SUISA, ProLitteris, SUISSIMAGE and SSA and SWISSPERFORM, the Society for neighbouring rights, represent the rights to artistic works and performances. The Societies belong to authors (composers, writers, film directors, etc.), performing artists (musicians, actors, etc.), producers of sound and sound and video carriers and broadcasting companies. They licence performance, broadcasting and mechanical rights for works and performances protected by copyright; they collect the corresponding royalties and licence fees in accordance with the applicable tariffs and distribute them to the right-holders whose works have been used.