

NEWSLETTER JANUARY 2017

IFPI LATIN AMERICA

Ecuadorian government legislation puts music producers' rights in jeopardy



Legislation brought in by the Ecuadorian government has put the rights of music producers in jeopardy. On November 29, 2016, Ecuador's National Assembly approved a veto, submitted by President Rafael Correa, against the Organic Code of the Social Economy of Knowledge, Creativity and Innovation, known as Código Ingenios. This veto involves a myriad of exceptions and limitations that will affect the intellectual property rights of those who make music possible through their talent, effort and investment. The new legislation could make Ecuadorian musicians the most vulnerable in the region

by curtailing their chances of being properly compensated for their work in their local market. Of particular concern is an extremely broad exception on the use of music in premises open to the public that was introduced into the veto without any prior discussions with the affected industries.

IFPI shares its code of good practice with copyright offices in the region

IFPI contributed to a consultation meeting in El Salvador on improving the transparency, efficiency and good governance of collective management organizations. IFPI shared its contribution to the Transparency, Accountability and Governance (TAG) initiative during the regional meeting of copyright offices in San Salvador in November. The World Intellectual Property Organization (WIPO) initiated the TAG project in order to offer a guide on best practice for MLCs for the benefit of members as well as clients and third-party stakeholders. It brings together a collection of recommendations from international federations representing various groups of copyright holders around the world. Whilst there, IFPI also took the opportunity to sign a collaboration agreement with the government of El Salvador, permitting IFPI to support its affiliated organization in



the country, ASAP, to engage with a proposed bill that may be detrimental to the development of the local music market.

Tax system reform in Guatemala leads to positive growth



The music licensing business in Guatemala has experienced rapid growth between 2015 and 2016. We expect this upward trend to continue, aided by the outstanding performance of AGINPRO, IFPI's MLC in the country. One important result from AGINPRO's ongoing work has been the creation of a tax category suitable for the association's members and more beneficial for copyright holders. We are also proud to announce the rapid growth in

collections and the robust fulfillment of the obligations imposed on MLCs by legislation. The audits conducted by the Guatemalan government in its capacity as oversight authority are a clear example of the latter accomplishment.

PRO-MUSICA BRASIL, a new name for IFPI's national group in Brazil

IFPI's national group in Brazil has changed its name to PRO-MUSICA BRASIL PRODUCTORES FONOGRAFICOS ASOCIADOS (PRO-MUSICA). The new name reflects the multiple business models currently available in the country's music market.

According to PRO-MUSICA President Paulo Rosa, "the recorded music market is starting to reinvent itself, responding to the need to find alternative revenue streams through digital formats. We realized, as a result, that our association's previous name only represented record producers instead of the full spectrum of the industry. We made the decision to modify it to better reflect the current multifaceted nature of the music sector."



A new agreement with Paraguay's Advertisers' Chamber

IFPI's affiliated organization in Paraguay, SGP, has taken steps to make public premises compliant with music performance legislation. SGP has signed a new agreement with the country's Advertisers' Chamber (CAP), an organization that brings together the largest local companies. This arrangement will enable SGP to rally the necessary support from CAP's member firms to make premises open to the public compliant with legislation. This achievement will undoubtedly help SGP to add new users that respect the rights of music producers and performers. The partnership with CAP is one example of the commitment of Paraguay's corporate sector to the country's cultural products. It also serves as evidence of the outstanding performance of SGP during 2016, which has brought about dramatic growth in collections resulting from public performance.



CAPIF launches its *Libro blanco del mercado de la música en Argentina 2016* (White Paper on Argentina's Music Market, 2016)

Last month the Argentine Chamber of Phonogram and Videogram Producers (CAPIF), IFPI's affiliated organization in Argentina, launched its *White Paper on Argentina's Music Market 2016*. The publication, based on market data from 2015, offers clear, accurate and up-to-date information on the recorded music market in Argentina, with a particular focus on marketing and licensing processes. The report is part of CAPIF's ongoing work in the publishing of industry data, aiming to help educate policy makers and the public on the workings of the music sector.

