



Soapbox

The laws of music

Are the ever-tighter copyright regulations on music constricting creativity? Or is no one obeying the rules anyway? Asks **Guy Noble**.



There is a wonderful music resource on the net called the IMSLP Library. It is a collection of more than 90,000 scores all in the public domain. If you fancy having a look at Beethoven's Ninth Symphony to see what the oboes are doing in bar 345, then this is the place to be. Except that it went offline recently when the UK's Music Publishers Association had it temporarily shut down because of an apparent breach of copyright in a score of *The Bells* by Rachmaninov. On the forum of the website there was a major discussion about whether in fact this piece was out of copyright at all, and in which world territory. Rachmaninov (well and truly deceased) would have been chuffed that this electronic stoush was happening over a piece that he published in 1920. Indeed, the world of music publishing is so strange, and so full of restrictive rules, that one label executive recently told me: "Music publishing will be the death of music".

In Australia the Australasian Performing Right Association (APRA) takes care of the interests of composers and holders of copyright. Anyone who runs a school, a hairdressing salon, a church or a community group knows that they have to buy a licence to play recordings of copyright music on the premises. Fair enough. I'm a recently-joined member of APRA myself,

WORDS
GUY NOBLE
CARTOON
MIKE SPARROW

and look forward to \$23.55 flooding into my bank account as a result of a performance of a particular piece or arrangement. What is nuts is the print music side of the industry, governed by sister organisation AMCOS, where there is more red tape and regulation to using a score than if you decided to open a nuclear power plant in your backyard.

For any piece of music that is published and not covered by AMCOS, here are a few things you cannot do, reprinted from their own booklet:

Am I allowed to write out a piece of music by memory or by ear – listening to a recording? No. *Am I allowed to produce my own compilation/collection by photocopying and putting the photocopied music in a folder or scrapbook?* No. *Can I make an enlargement of a piece of music that I own if I have impaired vision?* No. *If a work for two pianos is published as a single two-piano score, can I make a photocopy of it for the other players?* No. *Can I make a photocopy of a page if there is a difficult page turn?* No. *Can I copy and print out the stupid rules above and publish them in Limelight?* No.

In further madness, if you make a video of your wedding and decide to edit in a recording of Pachelbel's *Canon* and then give it to your new mother-in-law, you are also breaking the law. You need to purchase the nifty AMCOS/ARIA Domestic Use Video Licence for

the bargain sum of \$54.80. Even the humble mix-tape is an illegal activity. Filling a CD with love songs copied from your own collection and handing it to your new wife is a criminal act of the highest order.

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It's a wonder our prisons aren't full of piano duos, vision-impaired violinists and newlyweds. Sure, it's the law, but clearly the law is an ass, and no one is taking any notice unless vast sums of money are at stake (see court cases involving Men at Work and Andrew Lloyd Webber.) I myself have arranged and photocopied music illegally countless times and am now waiting, like a Soviet dissident, for the jackbooted APRA officers to come and take me away in the dead of the night.

For more of Guy Noble's wit and wisdom, check out his Soapbox blog on www.limelightmagazine.com.au