

My principals further advise as follows:—

“In reply to your request that we should write you fully on this matter, we can only say that so far as broadcasting in this country is concerned, we had no difficulty in getting the British Broadcasting Company, Limited to recognize the rights of our members in their copyright musical works as represented by this society. When broadcasting was commenced in this country, the British Broadcasting Company did not contest the rights of copyright owners, and they voluntarily agreed to make payment for the use of copyright musical works by wireless, not only for the rights represented by this Society, but also by other bodies, including the society representing literary and dramatic authors.

As indicated in our cablegram of the 14th inst., the Australian Federal Government in its Statutory Rules in regard to Broadcasting, which came into force on the 17th July, 1924, included a regulation to the following effect:—

‘It shall be a condition of the granting of any broadcasting license that the license shall not—(a) Transmit any work or part of a work in which copyright subsists except with the consent of the owner of the copyright.’

Some months ago we entered into agreements with the various broadcasting companies in Australia, under which payment is made by those companies for the broadcasting of copyright musical works.

We have also just received news from our controller, who is at present in South Africa, that the broadcasters there fully recognize the legal rights of copyright owners in regard to the broadcasting of copyright music; they have no intention of contesting them, and negotiations are now on foot as to the terms on which the necessary license or permission is to be granted, so far as this Society’s repertoire is concerned.

With regard to the United States of America, you are no doubt aware that an attempt was made last year to amend the Copyright Act 1909, by providing that the Act

‘shall not extend to public performances, whether for profit or without profit, of musical compositions, whether such performances be made from printed or written sheets, or by reproducing devices issued under the authority of the owners of the copyright, or by the use of the radio or telephone or both.’

This bill was strongly contested by the American Society of Composers, Authors and Publishers, and others, and as a result we understand that the bill has not been proceeded with. A full Report of the Hearings before a Sub-Committee of the Committee on Patents of the U.S. Senate on the Bill (No. S. 2600) on April 9th, 17th and 18th, 1924, has been printed, and we believe can be obtained from the Government Printing Office, Washington.

We believe that a new bill is now before Congress for amendment of the Copyright Act, 1909. The effect of this new bill, however, is to strengthen the position of the author, and to bring the copyright law of the United States into line with that of other countries which have adhered to the Berne Convention, and the bill, as it at present stands, specifically reserves to the author the right of broadcasting.”

I trust this information will be useful to the Committee.

Faithfully yours,

H. T. JAMIESON.