

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
PERFORMERS' PROTECTION
AMENDMENT BILL**

[B 74—2001]

*(As agreed to by the Portfolio Committee on Trade and Industry
(National Assembly))*

[B 74A—2001]

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AMENDMENTS AGREED TO

PERFORMERS' PROTECTION AMENDMENT BILL
[B 74—2001]

NEW CLAUSE

1. That the following be a new Clause:

Substitution of section 4 of Act 11 of 1967

2. The following section is hereby substituted for section 4 of the principal Act:

“Extension of protection of performers’ rights to performances in certain countries

4. The protection granted to performers by this Act shall be extended automatically [**to performers**] in respect of [**their**] performances—

- (a) taking place;
- (b) broadcast without a fixation; or
- (c) first fixed,

in a country which is a member of the World Trade Organization: Provided that the right conferred on performers in section 5(1)(b) shall, in the case of performances in the Republic, but emanating from a country which is a member of the World Trade Organization, only be granted to them to the extent that performances emanating from the Republic enjoy corresponding protection in that country, and such performances of foreign origin shall not enjoy any wider protection in the Republic than is enjoyed in that country by performances emanating from the Republic.”.

CLAUSE 2

1. On page 3, in line 41 and 42, to omit “broadcasts or transmits, or causes communication of, the performance” and to substitute “arranges for such fixation”.