



### **CISAC-MACP Malaysian Music Fund Award for *Outstanding Contributions in the Development of MACP***

On the occasion of the 20<sup>th</sup> anniversary MACP celebrations held on 4 December 2009, CISAC launched a bi-annual CISAC-MACP Music Malaysian Award for Outstanding Contributions in the Development of MACP.

CISAC's involvement in MACP can be traced back to 1986 when it commenced discussions with interested parties to form a collective management organization in Malaysia for musical works against the backdrop of the impending 1987 Malaysian copyright law.

Despite a promising start, the situation soon became challenging. By early 1988, the music publishers had decided to form their own organization called Malaysian Performing Rights Services Berhad (MPRS) while the writers had founded the Malaysian Authors, Composers and Publishers Berhad (MASRAC).

CISAC was requested to step in to attempt the formation of a united collective management organization of both composers and publishers. Meetings were held throughout 1988 and it was agreed that a totally new entity would be incorporated to bring the two organizations together.

In late 1988, CISAC organized an interest free loan of RM100,000 which was matched dollar-for-dollar by the local music publishers. In accordance with the Loan Agreement with CISAC, MACP established a RM15,000 Malaysian Music Fund, which represented the equivalent of interest on the loan calculated at 5% per annum over 3 years.

MACP was officially incorporated as a public company limited by guarantee and not having a share capital on 7 September 1989. The formation of MACP also involved a relatively unique arrangement. APRA, Australia sent its Documentation Manager to MACP for almost three weeks to help set up its documentation system. CASH, Hong Kong also provided assistance in the distribution of royalties due on international repertory in its early years. In 1994, MACP undertook for the first time, the entire distribution of both local and foreign royalties.

The licensing activities of MACP in their initial months naturally attracted protest from users. Numerous queries and complaints were made to the government regarding its authenticity, authority and representativeness. These issues were finally laid to rest when the Domestic Trade and Consumer Affairs Minister, attended a copyright symposium organized jointly by MACP and CISAC on 17 January 1990 where the Minister took the occasion to officially announced Malaysia's accession to the Berne Convention that year.

MACP's growth in its initial years under its dynamic, chair and vice-chair could be described as truly inspiring. By the end of 1990, its first year of operations, its royalty collections had exceeded its expenditure.

When MACP was first created, its board comprised equal numbers of four writer- and four publisher-directors, and two CISAC appointed directors. The first Chairman and Vice Chairman of MACP were Frederick John Fernandez, a composer and Mrs Beh Suat Pheng, then managing director of Pustaka Muzik EMI (Malaysia) Sendiran Berhad respectively. Both volunteered their time and services on the Staffing and Licensing Committees that appointed the first employees of MACP and decided on the initial licensing tariffs applied in Malaysia for the first time. Mrs Beh also led efforts to bring MASRAC members into MACP.

MACP benefited greatly from the combined steady hands and decisive actions of Freddie and Pheng.

Freddie took a deep and personal interest in the welfare of MACP's staff and the development of the society. On one occasion, he had had to meet a news reporter late at night in order to disabuse the reporter of various misconceptions regarding MACP's activities, which had resulted in a stream of very negative reporting in the local press.

Mrs Beh offered EMI offices for the initial use by MACP's first two staff as the new office was not yet ready when they reported for work. Pheng had in fact driven all over Kuala Lumpur with the CISAC Regional Director in search for an appropriate office for MACP. The CISAC Regional Director also used EMI offices for various meetings and interviews and EMI staff members assisted him in the formation of MACP.

Although the original agreement was for the chairmanship to be rotated regularly between a composer and a publisher, Mrs Beh deferred to Freddie's chairmanship, a testimony to the trust and confidence that Freddie had built during his many years as Chairman of MACP.

Both the first chairperson and vice-chairperson performed their duties selflessly, without any financial rewards and set in place the very deep and stable foundation that is MACP today.

Freddie and Pheng voluntarily relinquished their respective positions when they felt that the time had come for others to assume the positions.

In this inaugural presentation, CISAC and MACP have unanimously agreed that two awards should be presented to commemorate their outstanding contributions in the development of MACP. And the two recipients of the CISAC-MACP Malaysian Music Award for Outstanding Contributions in the Development of MACP are ***Dato' Freddie Fernandez*** and ***Mrs Beh Suat Pheng***.