

NEW COPYRIGHT LAW DEVELOPMENT

The new Copyright Law enacted on 16 October 2014 mandated the formation of a Collective Management Institution (CMI) (Lembaga Manajemen Kolektif) to collect and distribute royalties due to the rightful creators or holders of related rights. Specifically for the creation of a song and/or music, the Law mandates the formation of two National CMIs, ie a Creator's CMI and a Related Rights' CMI.

Following the issuance of Regulation of the Minister of Law and Human Rights of the Republic of Indonesia (MOLHR) No. 29 of 2014 on 17 October 2014, the names of the first commissioners of both National CMIs were announced recently. The candidates were selected by an independent selection committee formed by the MOLHR.

Both National CMI committees must have an odd number of members, totaling up to 5 persons (which names have been announced), comprising one CMI for songs and/or music creations, one for creators or a holder of Related Rights (as applicable), an academic person/scholar and an expert in Copyright Law. Each National CMI has a President (Ketua) and Vice President (Wakil Ketua) who will also have their own roles as members of the National CMI.

It has been reported that the next tasks of the National CMIs are, among others, to draw up the codes of ethics of the CMI for songs and/or music creations, to supervise those codes, to provide recommendations to the MOLHR on permits or sanctions to be issued/imposed on non-national CMIs and also to set up the royalty calculation system and the scheme for royalty distribution