

A new approach to public service content in the digital media age: The potential role of the Public Service Publisher.

British Music Rights (BMR) was established in 1996 to speak on behalf of the UK's songwriting, composing and music publishing community. BMR comprises four member organisations: the British Academy of Composers & Songwriters, the Mechanical-Copyright Protection Society (MCPS), the Music Publishers Association (MPA) and the Performing Right Society (PRS). BMR acts as a single consensus voice for more than 50,000 composers, songwriters, music publishers, and their UK collecting societies.

Comments on the concept of a Public Service Publisher:

1. BMR can see the potential gain of a PSP to the community we represent, in that it proposes additional resources for the creation of new content. In short, it could mean more commissioned work for the UK's music composers and songwriters.
2. That said, it is clear from the discussion paper that the idea of a Public Service Publisher is still very embryonic at this stage. The fundamental question remains: what would be the role of a PSP in the value chain as content producer or communicator?
3. Until we know more about the PSP, in particular, its relation to public sector broadcasters such as the BBC, and its impact on the already developing commercial digital media market, we are unable to judge whether the overall effect of a PSP would be positive or negative on the community we represent.

Comments on the approach to copyright:

4. We have serious concerns on the suggested approach on rights management and remain at the disposal of OFCOM for further and more detailed discussion to enable an efficient rights management system in the digital age. To radically alter the copyright regime for the purpose of "supporting" a public service has never been necessary in the past in relation to existing public services and we certainly see no justification for such approach. Whilst we acknowledge the 'return path' concept underlying the ideas for a PSP, we stress that it is perfectly possible to develop a type of rights management that deals with this under copyright law. We urge OFCOM to appreciate the importance of the legal protection for music creators and publishers provided by copyright, and look forward to further more detailed discussions with OFCOM.
5. Our main concern relates to the likely impact on creators' ability to manage and to positively exploit the asset inherent in the creative work they produce. The proposed seemingly simple, bottom of the line approach effectively proposes that creators give up any rights afforded to them as creators and hence undermines the basis upon which they are remunerated for their work.

We are looking forward to more detailed discussions on an efficient rights management system which duly remunerates the original creator once OFCOM has progressed their thinking on the remit and concept of a Public Service Publisher.