higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MARKING GUIDELINE

NATIONAL CERTIFICATE

MUSIC BUSINESS AND STYLES N4

24 May 2021

This marking guideline consists of 6 pages.

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SECTION A

QUESTION 1

1.1 D
1.2 A
1.3 D
1.4 C
1.5 B
1.6 C
1.7 D
1.8 A
1.9 B
1.10 C
1.11 C
1.12 B
1.13 C
1.14 A
1.15 D
1.16 D
1.17 A
1.18 C
1.19 C
1.20 B
1.21 C
1.22 C
1.23 B
1.24 D
1.25 D

(25 × 2) **[50]**

QUESTION 2

2.1 False
2.2 False
2.3 False
2.4 False
2.5 True
2.6 True
2.7 False
2.8 False
2.9 False
2.10 True
2.11 True
2.12 True
2.13 True
2.14 True
2.15 True

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2.16 True
2.17 False
2.18 True
2.19 True
2.20 False
2.21 True
2.22 True
2.23 True
2.24 True
2.25 False

(25 × 2) **[50]**

TOTAL SECTION A: 100

SECTION B

QUESTION 3

3.1 E
3.2 H
3.3 K
3.4 A
3.5 O
3.6 M
3.7 D
3.8 B
3.9 N
3.10 F
3.11 C
3.12 G
3.13 I
3.14 L
3.15 J

(15 × 2) **[30]**

QUESTION 4

4.1 Deal
4.2 Deal
4.3 Sales
4.4 Royalties
4.5 Retailers
4.6 Deals
4.7 New
4.8 Demo
4.9 Recorded
4.10 Much
4.11 Companies
4.12 Producer
4.13 One-stops
4.14 Webcasting
4.15 Restricts

(15 × 2) **[30]**

QUESTION 5

5.1 Tethered downloads,✓✓ permanent downloads,✓✓ non-interactive webcasting,✓✓ streaming-on-demand,✓✓ ringtones,✓✓ ring backs,✓✓ lockers,✓✓ bundled services,✓✓ satellite radio,✓✓ apps✓✓ and podcasting.✓✓ (10)

5.2 Technically satisfactory,✓✓ commercially satisfactory,✓✓ studio recordings,✓✓ recorded during the term,✓✓ songs not previously recorded by an artist,✓✓ recordings that feature only the artist's performance,✓✓ not wholly instrumental selections✓✓ and material that does not cause the company any legal problems.✓✓ (10)

5.3 Help with major business decisions.✓✓ Help with the creative process.✓✓ Promote the artist's career.✓✓ Assembling and heading the artist's professional team.✓✓ Coordinating concert tours.✓✓ Pounding the record company to increase marketing of records.✓✓ Being a buffer between the artist and the outside world.✓✓ (10)

5.4 The performance must be a true background performance.✓✓ The exclusive company must receive a courtesy credit.✓✓ An artist may not violate a re-recording restriction for any selection.✓✓ If the artists are a group, no more than two may perform together on any particular showing.✓✓ Some companies require artists to get the other artist's label to give up a sideman clearance in exchange for letting the artist go.✓✓ (10)
[40]

TOTAL SECTION B: 100

SECTION C

QUESTION 6

6.1 The exclusivity clause means that during the term of the agreement, the artist cannot make records for anybody else.✓✓ All contracts say that the artist may not record any songs recorded during the term of a deal for a certain period of time.✓✓ This is known as a re-recording restriction.✓✓ Exclusivity clauses apply to all records made during the term which includes motion picture and television soundtracks.✓✓ Thus, the companies can stop artists from recording for motion pictures.✓✓ Some record companies will not allow artists to make soundtrack records.✓✓ Some companies do allow artists to do soundtrack recordings.✓✓ The artist cannot perform on more than one selection for inclusion in the album.✓✓ The artist must not be late in delivery of the product.✓✓ Companies often ignore artist's fees for performing the music in films, thus the artist is allowed to keep it all.✓✓ (20)

6.2 One of the most important points to negotiate is what the manager gets after the end of the management term.✓✓ Even though the term may end after a few years, virtually every management contract indicate that the manager gets paid on earnings after the term.✓✓ As to records were made during the term of the management deal, the manager gets a commission from sales of these records after the term has ended.✓✓ The manager is also paid on records made after the term of the management deal, if the records are recorded under a contract signed during the term.✓✓ Sunset clauses end on the day for commissions.✓✓ The manager is paid full commission only on records recorded and released during the term.✓✓ The manager gets paid half a commission on records recorded during the term but released afterwards.✓✓ The theory is that the manager only does half the work.✓✓ The manager is paid a full commission on songs recorded and released during the term.✓✓ The manager gets a half commission on songs recorded during the term and released thereafter✓✓. The manager gets a half commission on songs written during the term but recorded afterwards.✓✓ Try to have some date after which all commissions will end.✓✓ Try three to five years after the term.✓✓ Do not settle for more than seven years.✓✓ Sometimes commissions can be reduced over time.✓✓ (30)

[50]

QUESTION 7

Major record companies are the major players in the music industry.✓✓ They sign on artists and produce records.✓✓ The records are given to a distributor who is a wholesaler that sells records to stores.✓✓ The major record company sets up advertising and marketing to make an artist a star.✓✓ The major record company has the following divisions:✓✓

- A&R✓✓ – The people who discover and nurture talent.✓✓
- Sales✓✓ – This division is in charge of selling records to stores.✓✓
- Marketing✓✓ – This division is in charge of advertising, publicity and promotional videos.✓✓
- Promotion✓✓ – This division is in charge of promoting the records on radio.✓✓
- Product management✓✓ – Product managers are in charge of managing and supervising all other divisions.✓✓
- New media✓✓ – This division is in charge of all things technological and digital.✓✓
- Production✓✓ – This division is in charge of manufacturing and shipping physical records.✓✓
- Finance✓✓ – This division is in charge of all the finances of the company.✓✓
- Business affairs✓✓ – This division is in charge of all the legal matters of the company.✓✓
- International✓✓ – This division coordinates the international release of records.✓✓ **[50]**

TOTAL SECTION C: 100
GRAND TOTAL: 300

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