higher education & training

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REPUBLIC OF SOUTH AFRICA

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NATIONAL CERTIFICATE

MUSIC BUSINESS AND STYLES N5

(3030605)

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This question paper consists of 10 pages.

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DEPARTMENT OF HIGHER EDUCATION AND TRAINING
REPUBLIC OF SOUTH AFRICA

NATIONAL CERTIFICATE
MUSIC BUSINESS AND STYLES N5
TIME: 3 HOURS
MARKS: 300

INSTRUCTIONS AND INFORMATION

1. Answer ALL the questions.
2. Read ALL the questions carefully.
3. Number the answers according to the numbering system used in this question paper.
4. Write neatly and legibly.

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SECTION A

QUESTION 1

1.1 Choose a description in COLUMN B that matches an item in COLUMN A. Write only the letter (A–O) next to the question number (1.1.1–1.1.15) in the ANSWER BOOK.

COLUMN A		COLUMN B	
1.1.1	Record royalties	A	the use of one's work without permission
1.1.2	The judge	B	is paid an expensive fee for designing goods for major artists
1.1.3	Matching folio	C	is the process of recovering costs and an advance
1.1.4	Sheet music	D	is a contractual provision whereby the publisher gives back the artist's songs
1.1.5	Publisher	E	a court order that enjoins the infringing work
1.1.6	Printers	F	can increase the amount of a fine on intentional infringement
1.1.7	Injunction	G	receives goods to sell at the venue and returns goods not sold and money to the merchandiser
1.1.8	Copyright	H	gets a commission based on the artist's earnings from the performance
1.1.9	Infringement	I	money paid to artists, composers and producers
1.1.10	A designer	J	are difficult to compute
1.1.11	Hall personnel	K	administers copyright on behalf of the composer
1.1.12	The agent who negotiates hall fees	L	limited duration monopoly
1.1.13	Royalties	M	of a single song
1.1.14	Recoupment	N	this stakeholder supplies folios and sheets of music
1.1.15	Reversion of copyright	O	it matches the album

(15 × 2) (30)

1.2 Indicate whether the following statements are TRUE or FALSE. Choose the answer and write only 'True' or 'False' next to the question number (1.2.1–1.2.25) in the ANSWER BOOK.

1.2.1 A wilful infringement is a criminal offence.

1.2.2 The court is not allowed to order the seizure of infringing copies.

1.2.3 Reversion of copyright is a contractual provision.

1.2.4 The right to display work is applicable to music display.

1.2.5 Stockpiling is when the printer manufactures tons of units at the end of the term.

1.2.6 A personality folio has the picture of the performing artist attached on it.

1.2.7 At the end of the term printers can manufacture inventory according to their own decision.

1.2.8 Computation of merchandising royalty is easier than that of recording royalties.

1.2.9 VAT reduces the price for customers.

1.2.10 Designer goods for artists are free.

1.2.11 Master license fees vary directly according to the importance of the song, how it is used in a film and the stature of the artist.

1.2.12 Printers can sell your inventory six to twelve months after the term has expired.

1.2.13 Artists who reached celebrity status get higher deals with regard to their royalties.

1.2.14 For a personality folio, 85% more is charged on a marked retail price.

1.2.15 The stage manager organises the tours.

1.2.16 All artists can compose music.

1.2.17 When a group split up, anyone can use the name of the group.

1.2.18 The personal manager has the final say on everything that goes on during the tour.

1.2.19 A business manager should be able to project the loss.

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1.2.20 The business manager handles the money while the artist is on tour.

1.2.21 Commercial infringement is legal.

1.2.22 The court lacks the mandate to prohibit the infringer from using the infringed work.

1.2.23 When contesting an infringement lawsuit, the composer can get back the lawyer's fees.

1.2.24 A songwriter agreement is different from a record deal agreement.

1.2.25 There is a set requirement that an album must have a certain number of songs.

(25 × 2) (50)

1.3 Various options are given as possible answers to the following statements. Choose the answer and write only the letter (A–D) next to the question number (1.3.1–1.3.25) in the ANSWER BOOK.

1.3.1 A digital … is capable of taking a guitar sound and make a digital copy.

A computer
B sampler
C mixer
D camera

1.3.2 Artists can sell … at concerts and festivals.

A music boxes
B music scores
C merchandise
D MP3 players

1.3.3 When the court enjoins the … work, it is called an injunction.

A infringing
B case
C legal
D fraud

1.3.4 A/an ... is musical work written by the composer.

A composition
B performance
C gig
D advert

1.3.5 When your work has been infringed, you are entitled to a fair … value of what the infringer made.

A market
B profit
C sales
D gross

1.3.6 The court can prohibit the … from using the infringing work.

A buyer
B audience
C promoter
D infringer

1.3.7 The court gives the composer whose work has been infringed upon between $250 and $10 000 for a … infringement if the profit is hidden.

A double
B single
C permanent
D faulty

1.3.8 The lawyer's fees can be paid back to the composer if he/she wins the …

A performance.
B money.
C lawsuit.
D copyright.

1.3.9 The composer can recover … damages which is a real copyright original.

A financial
B recording
C statutory
D infringement

1.3.10 Automatic reversion of copyrights is tied to …

A recoupment.
B advance.
C publishers.
D studios.

1.3.11 The right to … the work includes playing the music at nightclubs.

A write
B listen to
C translate
D perform

1.3.12 The composer has the right to … the music if the DJ wants to play it.

A compose
B control
C remix
D change

1.3.13 A/an … is a collection of songs such as the greatest hit.

A album
B folio
C vinyl record
D folklore

1.3.14 A collection of songs by different artists and … is called mixed folios.

A writers
B pianists
C publishers
D singers

1.3.15 … for printed music are given for a limited period of time.

A Permission
B Documents
C Licences
D Scores

1.3.16 A personality folio is also called a … folio.

A mixed
B royalty
C collection
D matching

1.3.17 A/an … right allows someone else to sell your material at the same time.

A non-exclusive
B all-inclusive
C common
D copy-

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1.3.18 At … not a lot of the individual artist's merchandise is sold.

A concerts
B festivals
C gigs
D competitions

1.3.19 The personal manager manages the professional team during …

A rehearsals.
B recordings.
C sales.
D tours.

1.3.20 Financial management includes forecasting what the likely … and expenses are going to be.

A savings
B bills
C profit
D income

1.3.21 The … manager makes sure that the travelling expenses, hotels and food are paid for.

A personal
B project
C road
D stage

1.3.22 ... cannot be released until they are cleared.

A Samples
B Rights
C Beats
D Rhythms

1.3.23 A/an … payment is a flat amount based on a certain number of sales.

A rolling
B negotiated
C account
D advance

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1.3.24 When the … artist in a band leaves, the record company has the option to retain his/her services.

A main
B single
C solo
D soprano

1.3.25 A recording artist's advances may be tied to how many of his/her … are taken up in an album.

A agreements
B hit songs
C records
D compositions

(25 × 2) (50)

1.4 What are the FIVE rights gained from copyright ownership? (5 × 4) (20)
[150]

TOTAL SECTION A: 150

SECTION B

QUESTION 2

2.1 Discuss reversion of copyright and its conditions including the conditions of automatic reversion. (40)

2.2 The copyright act protects the work of the copyright holder against infringements.

How can the court do justice to the copyright holder if someone infringed upon his/her copyright? (40)
[80]

QUESTION 3

3.1 A record company signs a contract with a band.

State THREE things that the record company can do when some of the members of the band decide to leave the band during the term of the band's recording contract. (14)

3.2 Define each of the following terms:

3.2.1 A personality folio

3.2.2 Stockpiling

3.2.3 Dumping sales

(3 × 2) (6)
[20]

QUESTION 4

Briefly discuss the role of the following personnel when a band is on tour:

4.1 Personal manager (30)

4.2 Business manager (20)
[50]

TOTAL SECTION B: 150
GRAND TOTAL: 300

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