

## 中断'14 声明书

中断'14 是由 GAFIM, The Federation of Screen Guild Malaysia 与其旗下协会共同发起的运动:

1. 马来西亚导演协会 (FDAM)
2. 马来西亚影片工作人员工会 (PROFIMA)
3. 马来西亚广告制作公司协会 (PPFIM)
4. 马来西亚电视制作公司协会 (PTVM)
5. 马来西亚后期及动画制作公司协会 (POSTAM)
6. 马来西亚演艺人员协会 (SENIMAN)
7. 马来西亚音乐家及歌手协会 (PAPITA)
8. 马来西亚广播协会 (PENYIAR)
9. 马来西亚印裔艺人协会 (MIEWA)
10. 马来西亚创作作家协会 (CGM)

在过去的 20 年, 马来西亚电影、电视、影视内容制作行业一直都在本区域中扮演着重要的角色, 同业内敬业乐业的精神, 高素质的人才和优秀创意作品一直都被关注及尊重, 也造就了马来西亚在本区域中不曾被忽略的竞争地位。

然而, 在这期间, 行业内需被改善的问题还未来得及被正视时, 新元素又不断涌现, 马来西亚电影、电视、影视行业正面临更巨大内外冲击。

在 2013 年, 根据美国电影协会的报导, 马来西亚影视界该为国家带来约马币 56 亿的生产总值。不幸的是, 这个数据根本就不符合目前实际情况。

为了各自的利润或纯粹为了生存, 新的竞争代的出现, 同侪间的排拆更促现了许多不公平的做法与待遇。在此情况下, 持续恶化的问题造成中, 基层很大的收入损失。

随着全球及本地媒体的变化及需求, 现行的立法与政策再也无法保障到本地行业, 也促使一些没完全根据正规行使的手法在运作, 在大家都不必太害怕会遭受到有关于部门处罚的同时, 本地的制作标准继而下降, 也导致邻国同业轻易地从本地手中夺得更大的竞争机会。

多年来, 我们行业出现的一系列问题或投诉都被置若罔闻。许多进行多年的会谈都没下落。无人看管或到底是哪个部门看管的现状更造成更多问题的出现。

今天, 各个领域和协会一致发动此声明, 来确定此行业未来的存亡。希望政府和重点行业机构的支持会带来变化, 也可有效地改善此行业各方面的利益。

因此, 我们与所有的协会, 单位, 公司, 工作人员联合通过中断'14 来发表我们的声明, 懇切希望大家聆听我们的心声。

我们目标如下:

- 通过一致的声音, 希望政府能深入瞭解此行业过去 20 年来的真实状况与趋势。

- 加强、改善与各政府机构及部门的合作关系，改善未来。

中断’14 需求如下：

1. 提议一个创意内容产业法

— 现行的 1988 年广播法案和通讯与多媒体法案并不保全到整个行业。

2. 公平和公正地执行知识产权与特许权

— 在本地，知识产权与特许权大多数都被滥用。

3. 提高及简化价目表

— 制作公司报价价目表在过去 20 年内未曾提升。

4. 公平及公正地保护 80% 内容由本地制作真正符合到现存的政策。

5. 执行马来西亚制作及 Paducitra 政策。

6. 成立单一政府部门，统一管理本地任何与电影、电视、影视、广告制作的事项及其管理策略。这也意味着目前的国家电影发展局可能被取代。

7. 从本行业不同层面或领域遴选出有丰富经验及有名声的代表，以商讨日后对此行业任何方面的行政决策。

8. 制定制作内容应配合马来西亚多元种族背景，丰富的文化及历史，鼓吹爱国精神。

9. 对外国投资公司实行免税。对于新摄影师器材或仪器，后期制作硬件及软件采取零税率以改善目前国内一般上已落伍的设备。

10. 采取能配合本行业具体的保险方案。

11. 适当地分配由政府部门分发于本行业的补助基金及福利，以保障各工人。

此方案将于十一月十一日呈现于通讯、多媒体及电讯部。

至关重要的是，希望政府将能采取积极行动，以确保中断’14 的各项要求都经过妥善处理。我们也希望政府和本行业同仁能在最短的时间内解决这些困扰我们已久的问题。

这是中断’14 新闻稿，是由 (GAFIM) 与以下协会及成员联合发表。

**STATEMENT BY SWITCH OFF 14, a movement sanctioned by The Federation of Screen Guild Malaysia (GAFIM) in collaboration with the organizations below:**

1. Film Directors Association of Malaysia (FDAM)
2. Professional Film Workers Association of Malaysia (PROFIMA)
3. Malaysian Accredited Association of Commercial Film Makers (PPFIM)
4. Malaysian Television Producers Association (PTVM)
5. Post Production and Animation Association of Malaysia (POSTAM)
6. Actors Guild of Malaysia (SENIMAN)
7. Malaysian Musician and Singers Association (PAPITA)
8. Broadcasters Association of Malaysia (PENYIAR)
9. Malaysian Indian Entertainers Association (MIEWA)
10. Creative Writers Guild of Malaysia (CGM)

16 October 2014

For than 20 years ago the Malaysian film, TV and content industry enjoyed a significant standing within the region, and was well regarded for the high degree of professionalism, quality talent and outstanding creative work it delivered. Malaysia demonstrated to the region that it was a player to be reckoned with.

However, in that duration, the industry has seen itself plagued with issues, which has caused the Malaysian Film, TV and Content industry to deteriorate.

In 2013 the Malaysian film and television industry supposedly generated some RM 5,600 million of GDP for the country. Unfortunately, this figure is not reflective of the current situation.

Whilst it has become more and more competitive with more and more new players entering the industry, there has also been much experience and complaints of unfair practices and outright mal practice. There has been more a loss of revenue, which allowed this decline to continue. This meant a significant erosion of our work that negatively impacted the rich legacy of our Malaysian value system.

Present legislations and regulations in place have not served the community and unethical practices have been allowed to take place without fear of penalty. This has contributed to a decline in standards allowing our neighbours to capitalize and gain from the huge demand in the region and globally.

Through the years, our industry has seen a string of issues and complains left on deaf ears. Numerous talks have taken place through the years but to no avail. The status quo has been left unattended causing more problems to arise.

Today it has become necessary for a concerted Call for Action across a range of areas in order to ensure the industry's survival. Support from the government and key industry bodies is vital in creating the change, and securing the industry's long-term interests.

As a result the industry has taken a collective call to stand united through all its affiliates in one voice through Switch Off 14.

Its aims are as follows:

- To share with the Government current conditions of this industry for the last 20 years through one voice.
- foster better working relationships with the government and to bring forth improvements for the future.

The demands of Switch off 14 are as below:

1. Creation of a Creative Content Industry Act.  
- The present laws of the Broadcasting Act 1988 and Communications and Multimedia Act 1998 do not protect the industry as a whole.
2. Enforcement of Intellectual and Property Rights and Royalties that is fair and just.  
- At present, there is a constant abuse on IP rights in Malaysia.
3. To increase and streamline rate cards and content rates across the board in the industry.  
- Rates have not changed in the last 20 years and purchasers have significantly taken advantage of the situation.
4. A truly fair and just allocation of media slots for local content that reflects the 80% local content policy. Content monopolisation should also be abolished.  
  
Fairer allocated media slots for local contents and emphasis on the 80% local content rule. The restriction of content monopolization is also demanded.
5. Enforcement of the Made in Malaysia Ruling and “Paducitra” policy.
6. Establishment of a One Stop Centre that supervises the entire industry as a replacement to the current National Film Development Board.
7. Electing representatives from the industry with the right credentials – relevant skills and experience - to make executive decisions regarding the industry.
8. Customizing content slots across the board to suit the Malaysian consumption.
9. Tax exemptions on foreign direct investments in the industry. Zero-rate tax exemptions on new equipment for filming and software for post production to improve our current facilities.
10. Specific Insurance schemes for the entire Industry.
11. Proper allocation of funds and grants for the industry and welfare fund to safeguard the interest of the workers within the industry.

On the 11th of November, these demands will be presented to the Ministry of Communication, Multimedia and Telecommunication.

It is imperative that the government takes immediate action to ensure that Switch Off 14’s

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demands are dealt with the utmost stringency, across the board in the country today and it is with hoped that solutions will transpire between the government and the industry to resolve these plaguing issues in the hope that it will be addressed in the soonest possible timeframe.

This is a joint press release for Switch Off 14; a movement sanctioned by The Federation of Screen Guild Malaysia (GAFIM) in collaboration with the organizations below:

## 影视业 11 诉求冀获正视

国内 2014 年 10 月 20 日

(吉隆坡 20 日讯) 马来西亚电影、电视、影视内容製作行业协会发表「中断' 14」(SwitchOff 14') 声明, 向政府提出 11 项诉求, 希望政府能深入瞭解行业内过去 20 年来的真实状况与趋势, 加强、改善与各政府机构及部门未来的合作关係。

「中断' 14」运动是由马来西亚电影製作联盟 (GAFIM) 与其旗下协会, 包括马来西亚导演协会(FDAM)、马来西亚影片工作人员工会 (PROFIMA)、马来西亚广告製作公司协会 (PPFIM)、马来西亚电视製作公司协会(PTVM)、马来西亚后期及动画製作公司协会 (POSTAM)、马来西亚演艺人员协会(SENIMAN)、马来西亚音乐家及歌手协会(PAPITA)、马来西亚广播协会(PENYIAR)、马来西亚印裔演艺人协会(MIEWA)、马来西亚创作作家协会(CGM), 共同发起的运动。

有关声明文告表示, 过去 20 年, 马来西亚电影, 电视影视内容製作行业一直都在本区域中扮演著重要的角色, 同业内敬业乐业的精神, 高素质的人才和优秀创意作品一直都被关注及尊重, 也造就了马来西亚在本区域中不曾被忽略的竞爭地位。

「然而在这期间, 行业内需被改善的问题, 还未来得及被正视时新元素又不断涌现, 马来西亚电影、电视、影视行业正面临更巨大内外衝击。」

文告说, 在 2013 年, 根据美国电影协会的报导, 马来西亚影视界该为国家带来约 56 亿令吉的生產总值, 但这个数据根本就不符合目前实际情况。

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「隨著全球及本地媒体的变化及需求, 现行的立法与政策再也无法保障到本地行业, 也促使一些没完全根据正规行使的手法在运作, 在大家都不必太害怕会遭受到有关于部门处罚的同时, 本地的製作标准继而下降, 也导致邻国同业轻易地从本地手中夺得更大的竞爭机会。」

「多年来, 我们行业出现的一系列问题或投诉都被置若罔闻。许多进行多年的会谈都没下落。」

声明说, 各个领域和协会一致发动此声明, 来确定此行业未来的存亡。希望政府和重点行业机构的支持会带来变化, 也可有效地改善此行业各方面的利益。

声明也说, 所有诉求方案將於 11 月 11 日给大马通讯及多媒体部, 希望政府將能采取积极行动, 以確保的各项要求都经过妥善处理, 也希望政府和本行业同仁能在最短的时间内解决这些困扰业者已久的问题。

Source:

[http://www.orientaldaily.com.my/index.php?option=com\\_k2&view=item&id=144054%3A11&Itemid=113](http://www.orientaldaily.com.my/index.php?option=com_k2&view=item&id=144054%3A11&Itemid=113)

# Local entertainment industry workers call for better protection, remuneration

BY JENNIFER GOMEZ  
Published: 16 October 2014

*Plagued with issues of deteriorating production standards, the Malaysian film and television industry are banding together to demand for better regulations that will protect the interests of its players.*

Federation of Screen Guild Malaysia (GAFIM) president Jurey Latiff Rosli said a revamp was necessary to ensure the survival of the entertainment industry in the country.

For this purpose, some 10 organisations have united under a campaign called Switch Off 14, where among the demands included the establishing of a Creative Content Industry Act.

Jurey told The Malaysian Insider today that the present laws – the Broadcasting Act 1988 and Communications and Multimedia Act 1998 – do not protect the industry as a whole.

"We want a fairer eco-system for everybody in the industry, right from the production crews.

"Currently, after 20 years, many are still stuck with the same income, and the crew are always complaining that we need to increase their payment," he said.

He said that the industry needed to be better rewarded so that they could create better products and compete in the international arena.

"But we can't pay better salaries because the TV stations are still paying us the same old amount. We need a new Act that can govern the industry and standardise a new payment scheme," Jurey, a television producer said.

Switch Off 14 was also demanding for a fair allocation of media slots for local content that reflects the 70% local and 30% foreign content policy as stipulated under the Multimedia Act.

"Right now, we don't know how the stations calculate their contents, we don't know their formula, but there should be more local content," he said.

Apart from that, he said the group also felt there was a need to increase the rate cards and content rates and for it to be streamlined across the board.

This, he said, was because the rates have not changed in the last 20 years and that purchasers have taken advantage of this.

Other demands included the customisation of content slots across the board to suit the Malaysian consumption, tax exemptions on foreign direct investments in the industry and a welfare fund to safeguard the interest of workers in the industry.

Jurey said that the government should listen to issues faced by the industry and failure to do so could mean that many could leave the industry for good.

He said Switch Off 14's demands would be handed to the Communications and Multimedia Ministry on November 11.

Switch Off 14 comprises Film Directors Association of Malaysia, Professional Film Workers Association of Malaysia, Malaysian Accredited Association of Commercial Film Makers, Malaysian Television Producers Association, Post Production and Animation Association of Malaysia, Actors Guild of Malaysia, Malaysian Musician and Singers Association, Broadcasters Association of Malaysia, Malaysian Indian Entertainers Association and the Creative Writers Guild of Malaysia (CGM). – October 16, 2014.

Source:

<http://www.themalaysianinsider.com/malaysia/article/local-entertainment-industry-workers-call-for-better-protection-remuneratio>

# ‘Switch Off 14’ campaign a cheap publicity stunt? – Freddie Fernandez

Published: 17 October 2014

*I refer to the report by Jennifer Gomez of The Malaysian Insider October 16, 2014, which highlighted a campaign organised by certain individuals and associations in the industry under the heading “[Local entertainment industry workers call for better protection, remuneration](#)”.*

The campaign, named “Switch Off 14”, proposes changes in the remuneration and protection of rights of workers and producers and various other demands on the government.

As president of Karyawan, which represents artistes and creative people in the industry, we are not participating in this campaign for various reasons.

Firstly the very nature of the campaign and the name used has a negative connotation to it.

Trying to get people to switch off their television sets in support of better working conditions for film workers is not going to work as most people are unaware or unconcerned with such matters.

Secondly, we don’t feel that the organisers have exhausted all avenues to seek redress for their issues before undertaking such a campaign. We have heard little recently in the media about the problems faced by film industry workers, and the association representing the Professional Film Workers (Profima) has been very quiet about it in the past.

The correct thing to do would be for the film workers and the producers to sit down and discuss ways of improving the lot of the workers.

This is something that the government cannot help with. It has to be a purely private sector initiative. The workers have got to set down their requirements and the producers could then discuss among themselves before implementing things like minimum payments for workers, mandatory insurance schemes and proper working conditions for workers.

Sadly, none of these exercises have been undertaken, so it seems as if the people behind “Switch Off 14” are doing it for the sake of getting some cheap publicity for themselves and are not genuinely concerned about the plight of the people in the industry.

Sadly, it has been this way in the industry for a while now, and until we take a more professional approach of consultation and negotiation between producers and workers these problems will continue to afflict the industry.

Karyawan, on our part, has taken some proactive steps to address these problems. We have had talks with the Film Producers’ Association (who are also not supporting the

campaign) and have come up with a draft for a standard contract for actors and workers which should help alleviate some of the problems faced.

In addition we have set up a portal called [artistexchange.com.my](http://artistexchange.com.my) which will act as a means for assisting artistes and workers in finding work while at the same time allowing producers to view the portfolios of people they might need for upcoming productions.

The television industry is going through some challenging times. The diversity of digital media and social networking sites, blogs and so forth is diluting viewership, and the television stations have problems of their own in maintaining and increasing profitability.

What is needed for a close working relationship between the stations, the artistes, workers and the government in charting a course together for a more professional industry that can provide the needs of viewers, not only in Malaysia but also the rest of the world as the media explosion we are currently experiencing is a worldwide phenomenon and the demand for good content has never been greater, especially in developing nations which are starting to build their own broadcast industries. – October 17, 2014.

*\* Freddie Fernandez is president, Malaysian Association of Creative Artistes (Karyawan).*

*\* This is the personal opinion of the writer or publication and does not necessarily represent the views of The Malaysian Insider.*

Source:

<http://www.themalaysianinsider.com/sideviews/article/switch-off-14-campaign-a-cheap-publicity-stunt-freddie-fernandez>

You are here: [Home](#) | [National](#) »

## PPFIM defends 'Switch Off 14' campaign

**T K Letchumy Tamboo**, Astro Awani | **Updated:** October 18, 2014  
(**First published on:** October 18, 2014 10:15 MYT)

**KUALA LUMPUR:** The Malaysian Association of Commercial Film Producers (PPFIM) has called for more support from related associations to better the film, television and content industry.

Concerned about the industry's deteriorating standards, its president Khoo Kay Lye said the advertising fraternity itself has experienced a drastic reduction expenditure from RM200 million in the year 1999 to a mere RM30 million in 2012.

"If this is not a cause for concern, then what is? The question is, why has this taken place and what can be done to renew this very bleak situation?" he asked in a statement.

Khoo's comments came following criticism by some quarters on the 'Switch Off 14' campaign, an initiative by 10 organisations including PPFIM, to demand for better regulations that will protect the interests of its members.

Khoo said the movement was also accused of being "shallow".

"With people not being paid on time, forced to work long and inhuman hours without compensation; on some instances, not being paid at all with creative and professional standards clearly deteriorating...the association begs to ask, who in fact is being shallow here?"

"Having being in the industry for over 20 years, I've seen the heydays when our country's film, television and content industry enjoyed significant standing in the region and was well regarded for the high degree of professionalism, quality talent and outstanding creative work.

"Sadly, I wouldn't even encourage any young, hopeful filmmakers to join our industry now," he lamented.

He said the industry today is faced with harsh realities and it needed to initiate immediate action to ensure survival.

"It is imperative to have the support of the government and key industry bodies in making changes and to secure the industry's long-term interest.

"If not, we'll definitely see more decline in this industry, more outflow of local talents to robust neighbouring countries such as Indonesia, China and Vietnam," he added.

Previously, Malaysian Association of Creative Artistes (Karyawan) president Datuk Freddie Fernandez had said instead of the campaign, the correct thing for film workers and producers to do is to sit down and discuss ways of improving the lot of the workers.

"This is something that the government cannot help with. It has to be a purely private sector initiative. The workers have got to set down their requirements and the producers then discuss among themselves before implementing things like minimum payments, insurance schemes

and proper working conditions for the workers.

"Sadly, none of these exercises are being done, so it seems as if the people behind 'Switch Off 14' are doing it for the sake of getting some cheap publicity for themselves and are not genuinely concerned about the plight of the people in the industry," Fernandez had said.

On Nov 11, the 'Switch Off 14' campaign, led by the Federation of Screen Guild Malaysia (GAFIM), will present a memorandum highlighting 11 issues, to the Communication and Multimedia Ministry.

Source:

<http://english.astroawani.com/news/show/ppfim-defends-switch-off-14-campaign-46420>

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## Why we need to Switch Off '14?

Daily Seni | Updated: October 21, 2014  
(First published on: October 21, 2014 23:18 MYT)

**KUALA LUMPUR:** The Switch Off 2014 campaign has garnered attention from all directions. Some are in support, some oppose to the idea while others are oblivious as to the definition of the campaign.

All's good and well, as far as some art practitioners are concerned.

Daily Seni has interviewed the two key figures behind this campaign, Jurey Latiff and Gibran Agi to address the issues surrounding the campaign.

In explaining why the workforce of the industry needs Switch Off, Jurey explained that basically the campaign is to unite everybody. Normally, each association fights for their own rights as individuals.

Gibran added that Switch Off will consolidate everybody in the creative industry to have a collective voice loud enough to be heard. He added that Switch Off is doing what the industry needs.

Daily Seni asked how the 11 demands were decided and Jurey explained that discussions with the committee have been done twice, concerning all the parties and stakeholders from the industry as 'Switch Off' is for everybody.

However, if the campaign was for every person involved within the creative industry, why have Switch Off experienced negative response from KARYAWAN and PFM? Jurey said that both associations have made a press statement against the campaign before the official press conference from Switch Off which took place Tuesday.

Without sufficient knowledge of what the campaign is fighting for, they have created a misleading and negative image.

Jurey and Gibran clarified that Switch Off is not a movement to undermine the government. The campaign is trying to get the government to understand the plight of the industry.

Gibran further added that the government have tried to assist the industry by establishing FINAS and MCMC but he said that there is not one act that governs the industry coherently.

He elaborated that the present legislations and regulations are scattered and governing matters are isolated. It is a typical case of separating the chaff from the wheat.

"We should have one act that administers the creative content industry in an integrated form," said Gibran.

He also said that the long-term goal of Switch Off is to have a better ecosystem and blueprint for the industry as a whole.

Regarding the Creative Content Industry Act, one pertinent question arises: who would decide

on the content of the act; the people of the industry or the government?

Jurey answered the most important thing is for the government to realise the need to have an act. Once the government gives its thumbs up to have an act, the next step is to have a blueprint.

“To prepare the blueprint, the government and industry have to work together.” This would involve a few round of discussions, town-hall meetings, or dialogues from all the stakeholders, including the TV stations.

There were numerous mentions of “ecosystem” to which Daily Seni asked for further explanation. The ecosystem can be explained with the problem with the Intellectual Property (IP) Rights and Royalty in Malaysia. Jurey said that by right, IP belongs to three stakeholders: the producer, actor, and scriptwriter. Therefore, they should be getting royalty for their hard work.

However, when they sell their product to the TV station, they have to surrender all the rights to them. In terms of monetising the IP, the stakeholders do not own the rights anymore to receive royalty.

“We would like to suggest a formula to share the IP for the mutual benefit of the industry.” This is to have a win-win situation where profit can be shared to the ones who deserved it rather than one party taking everything. When this happens, there is no income after the product have been made and sold.

For example, Othman Hafsham, 75, has dabbled in the industry for the last four decades and he has been responsible in creating more than 1000 hours of TV productions.

However, programmes such as *Pi Mai Pi Mai Tang Tuand2+1* sitcom, the IP belong to TV3. “You can watch it on TV3, TV9, Astro, but he did not get any royalty because the IP doesn’t belong to him,” Jurey explained.

The first thing that comes to mind is for an individual of Hafsham's stature should rest his laurels and enjoy his retirement age and royalties that translate into a pension. Allow the younger generation to contribute to the industry.

This is what makes a good ecosystem. However, until now, veteran filmmakers are still working in order for their survival.

Gibran added a final point that Switch Off understands that an act to be implemented would take time. But there are some of the eleven demands that can be immediately addressed with follow-up actions. It is now a matter of discussing what proper actions could be taken to make Switch Off a success.

Source:

<http://english.astroawani.com/news/show/why-we-need-switch-14-46695>