

# **COPYRIGHT LAW ENFORCEMENT IN ACEH'S SONG OR MUSIC INDUSTRY**

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## **ABSTRACT**

Law Number 28 of 2014, which pertains to Copyright, governs the legal aspects of intellectual property rights within the domain of music and songs—a form of creative output highly valuable to society. This encompasses the copyright protection afforded to Acehese musical compositions and performances. Music, being an indispensable part of human existence, serves as a significant catalyst propelling the contemporary music industry. Hence, the primary objective of this article is to scrutinize and evaluate the effective implementation of copyright law in the Aceh music sector. This is imperative due to the continued prevalence of unauthorized usage of copyrighted materials, including the rendition of songs or music covers and the utilization of segments or the entirety of copyrighted songs or music without obtaining prior consent from the rightful copyright proprietors. This study adopts a qualitative legal research approach employing a normative framework, augmented by empirical evidence derived from both primary and secondary sources. The findings of this investigation illuminate various determinants impacting the enforcement of copyright law in the Aceh industry. These include the inadequacy of public awareness campaigns concerning the Copyright Law, the vulnerability of copyright owners or holders stemming from their limited understanding of copyright law, and the influence of amendments in the existing Copyright Law that exclusively entertain offenses necessitating formal complaints for legal redress. Consequently, copyright infringements can only be pursued upon receipt of complaints from aggrieved parties or victims. Furthermore, there exists a deficiency in comprehending the legal provisions of copyright law, particularly those designed to safeguard moral and economic rights. Additionally, there is a general absence of consciousness and adherence to legal norms within a substantial segment of the populace, especially in relation to copyright-related matters.

**Keywords: Enforcement, Law, Copyright, Aceh Song or Music**

## **1. INTRODUCTION**

Achieving effective law enforcement serves as a crucial gauge of the rule of law's efficacy. This effectiveness hinges on the faithful execution and adherence to the laws that have been duly established within the prescribed timeframe. When there is a deficiency or a failure to achieve optimal law enforcement, it can carry repercussions that extend to the credibility of the individuals responsible for formulating the laws, those entrusted with their enforcement, and the individuals directly impacted by these legal provisions. The repercussions are far-reaching, affecting all segments of society. Consequently, it becomes imperative to gain a comprehensive understanding of the concept of law enforcement and the myriad factors that exert influence over it within the realm of legal practice.

Law enforcement constitutes the concerted effort aimed at upholding and actualizing the existing legal norms, which have been established as guidelines governing behavior in various

spheres, including traffic and legal interactions within human life, society, and the state.<sup>1</sup> Consequently, the regulations governing law enforcement are not static, stagnant rules; instead, they persist and evolve under the auspices of official and recognized state institutions responsible for their oversight. In a broader context, the process of law enforcement encompasses all participants in legal relationships. Those who conform to normative regulations or engage in actions, whether compliant or non-compliant with the norms prescribed by applicable legal statutes, are essentially implementing or enforcing the rule of law.<sup>2</sup>

Likewise, the enforcement of copyright law, given its reputation as one of the legal domains frequently plagued by challenges and perceived weaknesses in implementation, warrants special attention. This is evident in Indonesia's inclusion in the Priority Watch List (PWL) released by the United States Trade Representative (USTR) or the Office of the United States Chamber of Commerce. The PWL comprises countries identified by the USTR as having a relatively high incidence of intellectual property (IP) violations. Indonesia's standing in the PWL carries significant ramifications both domestically and internationally. On the national front, Indonesia may encounter difficulties attracting investors, while on the global stage, the country could continue to be stigmatized as a hub for counterfeit goods.

Indonesia has undergone a series of legislative changes in the realm of copyright law, driven by a dual imperative: aligning with the preferences of its own citizens and meeting the expectations of the international community. These changes have also sought to refine and enhance the application of copyright law to realize its intended objectives. Initially, copyright in Indonesia was governed by Law Number 6 of 1982. However, after a relatively short period, just five years following its enactment, various factors necessitated its prompt revision. These factors included not only the demands of the Indonesian populace but also international pressures, notably from the United States, which advocated for the protection of copyrights belonging to foreign nationals. Consequently, Law Number 7 of 1987 emerged as a revised legal framework.

Recognizing the continued misalignment with societal needs, this law underwent further updates and was eventually superseded by Law Number 12 of 1997. Subsequently, this legal framework was repealed, substituted, and further refined through the enactment of Law Number 19 of 2002.<sup>3</sup> Finally, in response to the evolving legal landscape and shifting societal requirements,<sup>4</sup> Indonesia passed Law Number 28 of 2014 concerning Copyright (referred to as UUHC). This

legislation was officially recorded in the State Gazette of the Republic of Indonesia under Number 266 of 2014.

As previously mentioned, the evolution of legal regulations within the copyright domain is closely intertwined with both the demands articulated by the Indonesian populace and the expectations set forth by the international community, with a particular emphasis on the United States, which has urged Indonesia to safeguard the copyrights of foreign nationals. The government, in response, has undertaken substantial endeavors to rigorously enforce copyright law, thereby safeguarding the rights of copyright holders and mitigating the economic repercussions associated with copyright violations.

Soerjono Soekanto contends that the efficacy of law enforcement is subject to several influencing factors, and their interplay can yield both positive and negative outcomes, contingent on the inherent characteristics of these factors. In essence, disruptions to law enforcement materialize when there is a misalignment among values, regulations, and behavioral patterns—what he terms the "trinity." He asserts that the primary challenge in law enforcement resides in the multifaceted nature of these influential factors, encompassing legal, law enforcement-related, infrastructural, community-related, and cultural dimensions.<sup>5</sup> In light of this framework, it becomes intriguing to delve deeper into a comprehensive examination of the factors exerting influence over the enforcement of copyright law, particularly within the context of copyrights pertaining to songs or music in Aceh.

One of the most profoundly impactful creations by humans, with substantial benefits for society, is the realm of creative output within the field of music and songwriting. The necessity and significance of music and songs in human existence have positioned them as key catalysts for the contemporary growth of the music industry. Advancements in science and technology have further elevated the value of musical works, rendering them valuable commodities in both aesthetic and economic terms. The evolution of the music industry has transcended geographical boundaries, extending its reach to diverse regions across Indonesia, including Aceh.

## **2. LITERATURE REVIEW**

### ***Copyright Protection in Indonesia***

The objective of the law is to optimize the well-being of the populace, and the assessment of its effectiveness is contingent upon the outcomes resulting from its application. Within this framework, the legal framework is designed to encompass provisions that regulate the advancement of the nation's welfare.<sup>6</sup> Concurrently, the legal tools and mechanisms required must be tailored to

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meet the evolving needs of the Indonesian populace in the global era. These instruments should also align with the nation's legal aspirations, facilitating the attainment of domestic objectives, notably the pursuit of collective welfare while simultaneously competing with other nations.

In essence, it is vital to recognize that the fundamental purpose of the law is rooted in the provision of societal well-being, as encapsulated in Bentham's maxim of "the greatest happiness for the greatest number." The notions of justice and prosperity must be comprehended in the context of the spiritual and physical requirements of the Indonesian people. From a legal standpoint, this naturally prompts an inquiry into the extent to which our legal framework has the capacity to benefit society effectively. In other words, the law is a consciously crafted instrument by the state, strategically aimed at specific objectives, and its efficacy is measured by the extent to which it can successfully accomplish the desired outcomes.<sup>7</sup>

The legal theory outlined above, when applied to the context and analysis of this research issue, centers on the primary purpose of Intellectual Property Rights law, hereafter referred to as IPR<sup>8</sup> itself. This purpose revolves around the endeavor to safeguard the interests of copyright owners and those holding copyrights for their intellectual creations. In pursuit of the comprehensive goals delineated earlier, the government deems it imperative to accord greater attention to the protection of IPR, particularly in the domain of Copyright. This emphasis is essential for fostering a conducive environment conducive to the cultivation and advancement of creative endeavors in the realms of science, art, and literature. Such creative efforts are indispensable in the realization of national development, aimed at creating a just, prosperous, developed, and independent Indonesian society, as enshrined in the 1945 Constitution.<sup>9</sup> To fulfill this aspiration, a new copyright law was enacted, specifically Law Number 28 of 2014 concerning Copyright (abbreviated as UUHC), which replaced the previous copyright legislation and remains in force today. In conjunction with the implementation of UUHC, it is incumbent upon the public to understand the how, why, and when of adhering to the rights associated with copyrighted works. This comprehension entails acknowledging, respecting, and adhering to the rights vested in protected works created by others, both as a matter of moral obligation and as a means of providing economically equitable compensation. This compensation serves as a means of safeguarding and incentivizing human creativity.

Copyright is one of the types of IPR, which in *Anglo Saxon* literature IPR is known as *Intellectual Property Right*, while according to WIPO, the *legal rights which result from intellectual activity in the industrial scientific, literary or artistic fields*.<sup>10</sup> In some legal literature, various

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definitions of IPR are known, such as *Black's Law Dictionary*<sup>11</sup> which defines *Intellectual Property Rights* as follows:

*A category of intangible rights protecting commercially valuable products of the human intellect, the category comprises primarily trademark, copyright, and patent rights but also includes trade secret right, publicity rights, moral rights, and rights against unfair competition; a commercially valuable product of human intellect, in a concrete or abstract form, such as copyrightable work a protectable trademark, a patentable invention, or trade secret.*

Another more general definition is put forward by Jill McKeough and Andrew Stewart who define IPR as a set of rights granted by law to protect economic investment from creative endeavors.<sup>12</sup> While the Directorate General of IPR defines IPR as a right that arises for the results of brain thought that produces a product or process that is useful for humans.<sup>13</sup> Thus, IPR provides monopoly rights to rights owners while still upholding restrictions that may be imposed based on applicable laws and regulations. But copyright is conspicuously different from other intellectual property rights, because copyright is not a monopoly right to do something, but rather a right to prevent others from doing it.

To establish and enhance copyright protection in accordance with evolving developments, there were multiple attempts to introduce new copyright bills in Indonesia, notably in 1958, 1966, and 1971, although none of these initiatives successfully materialized into law. It wasn't until 1982 that Indonesia enacted its own copyright legislation, specifically Law Number 6 of 1982 concerning Copyright. This law superseded the Auterswet 1912, which was originally designed to stimulate and safeguard creative endeavors, disseminate cultural achievements across the realms of science, art, and literature, and expedite the growth of national intellect.

Subsequently, under international pressure demanding more robust copyright protection and Indonesia's involvement in the TRIPs agreement, Law Number 19 of 2002 was enacted in 2002, replacing the prior copyright law. Recognizing that this legislation no longer aligned with evolving legal trends and societal needs, Indonesia introduced Law Number 28 of 2014, marking the fifth legal iteration within the domain of Copyright since Auterswet 1912. This legislation, known as UUHC, incorporates adaptations to align with TRIPs requirements and introduces enhancements to various aspects essential for the protection of intellectual works within the sphere of Copyright. It also underscores the endeavor to foster the development of intellectual creations stemming from the diverse landscape of traditional Indonesian arts and culture. Additionally, it accommodates

adjustments related to the advancements in information and communication technology within the digital era.

The shift from the 2002 UUHC to the 2014 UUHC was carried out with a predominant emphasis on national interests, all the while upholding a delicate balance between the entitlements of creators, copyright holders, or those with related rights, and the welfare of the broader community. This transition was also conscientiously guided by the stipulations articulated in international agreements that govern Copyright and Related Rights.

The 2014 UUHC introduced a significant and foundational alteration in contrast to the previous UUHC. This alteration pertains to the shift from categorizing copyright violations as ordinary offenses to classifying them as complaint-based offenses. Furthermore, several crucial sections within the 2014 UUHC underwent substantial amendments, including:<sup>14</sup>

1. Copyright protection extends over an extended duration, particularly in specific domains, spanning the Creator's lifetime plus an additional 70 years following their demise.
2. Enhanced safeguards are established to protect the economic rights of creators and/or related rights owners, including imposing limitations on the transfer of economic rights in the form of outright sales.
3. The resolution of disputes is made more effective through various means such as mediation, arbitration, or court proceedings. Additionally, complaint-based offenses are applied to criminal prosecutions, streamlining legal processes.
4. The manager of commercial venues assumes responsibility for instances of copyright and/or related rights infringement occurring within the shopping center under their management.
5. Copyright, considered as an intangible movable asset, can now serve as collateral for fiduciary guarantees.
6. The Minister is granted authority to remove recorded works if they contravene religious norms, moral standards, public order, state defense and security, or any provisions stipulated in laws and regulations.
7. Creators, copyright holders, and related rights owners are eligible for membership in the Institution.
8. Collective Management mechanisms are established to facilitate the collection of remuneration or royalties.

9. Creators and/or owners of related rights are entitled to receive royalty remunerations for works or products associated with related rights generated within official relationships and subsequently utilized for commercial purposes.
10. The Collective Management Institute, responsible for collecting and administering the economic rights of creators and related rights owners, must apply for an operational permit from the Minister.
11. Copyright and related rights in multimedia facilities are adapted to align with the evolution of information and communication technology, effectively addressing contemporary developments.

### **3. RESEARCH METHODS**

This research is a qualitative legal research with a normative approach and is supported by descriptive data on the problems posed, including in the form of written, oral words from people who are involved and are directly or indirectly involved in the purpose of this research. In this study, the data generated descriptively will be processed to answer the problems raised, namely related to copyright law enforcement in the Aceh song or music industry.

### **4. RESULT AND DISCUSSION**

#### ***License and Transfer of Copyright***

As previously elucidated, copyright constitutes an intangible movable asset and is considered an integral component of an individual's wealth. Consequently, copyright can be conveyed or transferred, either in its entirety or in part. Given that copyright represents intellectual property capable of yielding economic rights and other assets, there arises a legal prerogative to transfer interest in copyright. This transfer may occur through means such as the assignment of copyright or the issuance of a license for copyright utilization based on a licensing agreement. Such licenses authorize individuals to engage in legal actions within the specified licensing period and are valid throughout the entirety of the Republic of Indonesia.

A license, in this context, signifies a written authorization issued by a Copyright Holder or a Related Rights Owner to a third party. This authorization grants the third party the privilege to exercise economic rights pertaining to the Holder's work or Related Rights product, subject to specified conditions.<sup>15</sup> In accordance with the provided definition, it becomes evident that the scope

of a license encompasses not only copyright itself but also rights associated with copyright. These rights pertain to various domains, such as in the realm of songs or music. In this context, musical

compositions linked to sound, which are recordable, can give rise to rights within the domain of recording. Additionally, when a work is publicly broadcasted, broadcasting rights also come into play. Both recording rights and broadcasting rights fall within the purview of the objects covered by the license.

The license is not merely a grant of permission, but the act gives rise to reciprocal and binding rights and obligations between the parties.<sup>16</sup> Such agreements in legal science are usually called *obligatoire* agreements or mutually binding agreements. In terms of business, granting this license is something that is done to be able to expand the business of a producer and at the same time to increase profits. There are several considerations for choosing this license as an effort to develop its business, including:<sup>17</sup>

1. The licensee expands the market of the product to reach markets that are all outside the licensor's market share;
2. The license accelerates the business development process for industries on capital by handing over part of the production process through licensed technology;
3. Through licensing, product deployment is also easier and market-focused;
4. The license provides benefits in the form of big name and *good will* from the licensor;
5. The granting of licenses allows the licensor to some extent exercise control over the management of the course of the business activities licensed without having to incur large costs.

The UUHC (Copyright Law) has established comprehensive protection for creators, encompassing both economic rights and moral rights. This legal framework confers upon creators, including those in the domain of songs or music, exclusive civil rights. These rights empower creators to grant permission to parties and users seeking to utilize their copyrighted works for commercial purposes. When a copyright holder transfers their copyright through an assignment, this entails the transfer of all exploitable economic rights of the work to the assignee or new copyright holder for an agreed-upon period. Conversely, when copyright is transferred through a license, the creator retains specific economic rights under certain conditions. In cases of copyright transfer, it is crucial to define and limit the geographical area and time frame in which the work may be distributed and reproduced, potentially restricting its circulation to within Indonesia and prohibiting international distribution.

Regarding the stipulations pertaining to copyright transfers, the UUHC mandates that such transfers must be formalized through a legal document, be it an authentic deed or an underhand



deed, to ensure legal certainty. As a result, oral agreements for the transfer of copyright are expressly prohibited.

As previously explained in the context of copyright transfer, individuals other than the creator can, under certain circumstances and for a defined period, enjoy or utilize the property rights of others through a licensing agreement. Such agreements can be established between the licensor (copyright holder) and the licensee (the party granted the license). In this arrangement, the licensee is granted the privilege to benefit from the economic aspects of another person's property rights, as licensed by the original holder. The term "license" concerning the transfer of copyright to licensees in Indonesia first appeared in copyright legislation in 1997, specifically in the 1997 UUHC and the 2002 UUHC, aligning with the provisions outlined in Article 6 bis (1) of the Berne Convention. This provision was subsequently retained and further refined in the 2014 UUHC, encompassing licenses and compulsory licenses as recognized legal instruments. Article 80 of the UUHC states that:

1. Unless otherwise agreed, the Copyright holder or Related Rights owner has the right to grant a License to another party based on a written agreement;
2. The License Agreement is valid for a specified period of time and does not exceed the validity period of Copyright and Related Rights;
3. Unless otherwise agreed, the performance of granting the License to another party based on a written agreement, accompanied by the obligation of the Licensee to provide Royalties to the Copyright Holder or Related Rights owner during the term of the License;
4. The determination of the amount of Royalties and the procedure for granting Royalties is carried out based on the License agreement between the Copyright Holder or Related Rights owner and the Licensee;
5. The amount of Royalties in the License agreement must be determined based on the prevailing practice and meet the elements of fairness.

Furthermore, Article 81 of the UUHC also confirms that unless otherwise agreed, the Copyright Holder or Related Rights owner may execute himself or grant a License to a third party. While Article 82 of the UUHC provides an explanation of the provisions of the license agreement, namely:

1. The License Agreement is prohibited from containing provisions that result in losses to the Indonesian economy;
2. The content of the License agreement is prohibited from contradicting the provisions of laws and regulations;
3. The License Agreement is prohibited from being a means to eliminate or take over all of the Creator's rights to his Work.

Then it is also stipulated in Article 83 that:

1. The License Agreement shall be recorded by the Minister in the general register of Copyright License agreements for a fee;
2. License Agreements that do not meet the conditions referred to in Article 82 cannot be recorded

3. in the general register of License agreements;
4. If the License agreement is not recorded in the general register as referred to in paragraph (1), the License agreement has no legal effect on third parties;
5. Further provisions regarding procedures for recording License agreements as referred to in paragraph (1) are regulated by Government Regulations.

Based on Article 80 of the UUHC, it can be seen that copyright clearance is carried out with or based on a license agreement letter which explains that copyright holders give special rights to others to enjoy the economic benefits of a work protected by copyright as stated in a deed of agreement (letter of agreement). Because the form is in the form of an agreement, it is certain that the legal conditions must meet the conditions as determined by Article 1320 of the Civil Code. This license agreement is only in the nature of granting permission or rights for a certain period of time with certain conditions to enjoy the economic benefits of a work protected by copyright throughout the territory of Indonesia.

### ***Copyright Law Enforcement in Aceh's Song or Music Industry***

One particular manifestation of human ingenuity, recognized as a copyrighted work, which offers substantial societal advantages, is the creative output within the sphere of song or music. The essential role of songs and music in human existence underscores their pivotal contribution as catalysts for the contemporary expansion of the music industry. Facilitated by advancements in science and technology, musical works have evolved into highly valuable commodities, encompassing both aesthetic and economic dimensions. Furthermore, the growth of the music industry has permeated diverse regions across Indonesia, including the province of Aceh.<sup>18</sup>

The recent substantial progress observed in Aceh's music and song industry represents a commendable achievement for local artists. However, the practical landscape reveals persistent challenges in the enforcement of copyright laws, particularly in cases involving the unauthorized utilization of copyrighted works owned by others, often facilitated through digital platforms<sup>19</sup> in today's digital era, facilitated by platforms such as social media and other online outlets, it has become effortless to encounter instances where individuals utilize the creative works of others. This utilization takes various forms, including performing songs or music covers and incorporating portions or the entirety of someone else's songs or music. While the law does permit such use if it aligns with the provisions of the UUHC (Copyright Law), the reality is that many of these uses occur without

obtaining prior consent from the original work's owner. This scenario is especially prevalent within Aceh's music and song industry.

The repercussions of such unauthorized use are detrimental to the development of Aceh's music and song industry. There is a genuine concern that these practices could impede the creative output of artists, particularly if their works are subject to piracy or appropriation without their understanding of the potential infringement of their copyright. This issue becomes especially critical when considering their moral rights and economic rights, which they are entitled to under copyright law. In the UUHC has regulated the procedures for using or using the copyright of others. Because copyright is intellectual property that is exploited by economic rights and other properties, the right arises to transfer interest in copyright, such as by way of *assignment* of the copyright.<sup>20</sup> The copyright holder can also grant a license for the use of the copyright work based on a license agreement letter to carry out legal acts during the license period and is valid for the entire territory of the Republic of Indonesia. If the copyright holder surrenders the copyright, this means that there is a transfer of all exploitable economic rights of a work that is transferred to the recipient of the right / copyright holder within a mutually agreed period. It's different if the transfer of copyright is done by license.

This licensing concept is intertwined with the fundamental principles underpinning Indonesian copyright law, specifically the principle of national economic interest. The paramount concern is the welfare of the national economy, placing it at the forefront of considerations. Works copyrighted by Indonesian citizen creators should be accessible to the Indonesian populace, with the potential to catalyze economic progress within Indonesia, enhancing the standard of living and overall quality of life for its citizens. Consequently, licenses issued to third parties are prohibited from including clauses that could, either directly or indirectly, have detrimental effects on the Indonesian economy.<sup>21</sup> If we subscribe to Mochtar Kusumaatmadja's perspective, which posits that one of the functions of the law is to facilitate avenues for the development – encompassing political, economic, legal, and socio-cultural dimensions – of the community, then it becomes imperative to devise strategies and methodologies. These approaches aim to progressively steer the Indonesian nation toward the realization of an ideal state, encompassing not only economic facets but also the broader domains of national legal and socio-political structures. Such endeavors are undertaken with the objective of aligning with the aspirations articulated in the 1945 Constitution.

From the perspective of the sociology of law, particularly in the realm of Intellectual Property Rights (IPR), art, as an integral subsystem within the IPR user society, comprises three

fundamental components organized in a triangular relationship. These components are interconnected and mutually influential. The first component involves laws and regulations, including the legal enforcement system, established to cater to the requirements of IPR. The second component pertains to artists who serve as legal subjects with rights and responsibilities concerning IPR. The third component encompasses the community as appreciators of artists' works. As a cultural product, the copyright of songs or music is intricately linked to a nation's legal culture. Consequently, any discourse on copyright inherently involves the context of IPR as a positive legal framework applicable in Indonesia.

In the province of Aceh, the existing reality presents various issues and obstacles within these three components that demand immediate resolution. A fundamental challenge within the realm of regulation and law enforcement of copyright, grounded in the Copyright Law (UUHC), is the need to effectively disseminate and socialize the applicable legislation. In essence, the efforts to enforce copyright law in Aceh extend beyond the mere legal protection of copyright owners or reliance solely on the established legal system. Instead, they necessitate non-legal measures, such as providing information regarding copyright ownership by rights holders, conducting field surveys, issuing warnings to violators, and similar initiatives. While it may be assumed that the public is acquainted with legal provisions, the reality is that the regulation of IPR, particularly copyright, especially within the domain of songs or music in Aceh, remains relatively obscure. This is especially true among artists themselves, with many lacking a comprehensive understanding of their rights and obligations in relation to copyright. Additionally, artists may be powerless in defending their rights even if they become aware of their work being used by others, largely due to their limited knowledge of copyright law. This challenge is further compounded by the recent shift in UUHC violations, which now rely on a complaint-based system, implying that copyright infringements can only be pursued if a complaint is lodged by an aggrieved party or victim. Another obstacle arises from within the community itself. A significant number of individuals, including artists, have a limited understanding of, or even disregard for, the rule of law and the significance of copyright, especially as it pertains to moral rights. There is a general lack of awareness regarding measures aimed at safeguarding the moral rights of songwriters. Even among those who possess some level of comprehension, the overall legal consciousness and compliance of the majority of the Indonesian population remain relatively low.

In the realm of positive law in Indonesia, there exists a legal presumption that the public is aware of the existence of laws. Consequently, individuals who commit legal infractions, including violations of copyright law, are liable to face legal consequences, even if they claim ignorance regarding the prohibition of their actions by law. Consequently, what frequently occurs is that

individuals who oversee the song or music industry, encompassing the broader recording industry, in Aceh, often find themselves falling victim to copyright infringement. This implies that they also incur economic losses owing to the lack of awareness among the public and the shortcomings in law enforcement.

## 6. CONCLUSION

The enforcement of copyright law in Aceh, particularly within the song or music industry, has, in reality, fallen short of achieving the intended objectives outlined in the UUHC (Copyright Law) itself. Evident examples of this deficiency include instances where individuals perform songs or music (covers) or employ segments or the entirety of another person's songs or music without obtaining consent from the copyright holder. Several contributing factors can be identified, including the insufficient dissemination of information about the UUHC, the inability of copyright owners or holders to safeguard their rights due to a lack of familiarity with copyright law, and the impact of amendments to offenses under the current UUHC. The shift toward a complaint-based offense system implies that a violation of copyright law can only be pursued if a complaint is lodged by individuals who believe they have been wronged or victimized. Another hindrance stems from the general public itself, characterized by a lack of understanding or awareness regarding the intricacies of copyright law designed to protect their copyrights. This pertains especially to moral rights, where individuals may not grasp the measures in place to safeguard the moral rights of songwriters. Additionally, there exists a deficiency in the overall awareness and adherence to legal principles among the majority of individuals, particularly concerning copyright matters.

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### **Laws and Regulations**

Constitution of 1945.

Civil Code.

Law Number 28 of 2014 concerning Copyright.