

**THE STUDY ON THE INADEQUACY OF PUSPAL GUIDELINE
AND WAYS TO IMPROVE IT**

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ABSTRACT

PUSPAL Guideline provides the rules that must be followed by the foreign artists, crews, and organizer who wants to make any performance in this country. PUSPAL Guideline plays a very important role in the entertainment industry. However, the Guideline is not adequate in terms of the definition of certain terms such as ‘concert’ and etc., in terms of its enforcement which is uncertain, and also in terms of the sanction imposed to the party who breach the Guideline.

This study is to determine the effectiveness of PUSPAL Guideline as well as the scattered laws applicable in this country. The researchers had conducted an interview with personnel from the Law Department of Majlis Perbandaran Subang Jaya (MPSJ) in gaining more information regarding the research topic. The researcher had also used online articles to support the arguments as there were not many cases available for this research topic.

While doing this research, the researchers have found laws that are not applicable to each and every state in Malaysia. It is important for a single Act to govern all concert related laws. This is because entertainment industry in this country is growing rapidly. This would also affect the wealth and growth of the economy. Thus, the purpose of this study is to revise the Guideline and put all related law regarding entertainment industry, in one Act.

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CHAPTER ONE: INTRODUCTION

1.0 INTRODUCTION

Since June 30th, 2012, Malaysia was listed in the list of Asia Top Internet Countries¹ as the 10th countries with highest number of internet users. Through the internet, Malaysians, especially young adult, with the range of age between 18 to 35 years old², is able to listen to various genre of music from websites such as YouTube. Realizing that there is a high demand on certain artist or band to perform in Malaysia, many organizers try to fulfil this demand. Concert is defined as a performance given by one or more singers or instrumentalist or both.³

Thus, we can see that many concerts and world tour including Malaysia as one of the venue alongside with another country such as Singapore and Australia. Some of the major award shows also was taken place here in our country such as the 27th Golden Disk Award. Golden Disk Award is an award show founded in 1986 that is presented annually by the Music Industry Association of Korea for outstanding achievements in the music industry in South Korea.⁴ Before the year of 2012, this event only took place in South Korea. Year of 2012 marked the first time where this event took place outside Korea. It was held in Osaka Dome in Japan. In 2013, Kuala Lumpur had been chosen as the host of this annual event. The 27th Golden Disk Award that took place in Sepang International Circuit was supported by the Ministry of Tourism Malaysia. Minister of Tourism Malaysia, Dato' Seri Ng Yen Yen even presented an award during the event.⁵

¹ Asia Top Internet Countries. Retrieved October 21, 2013, from <http://www.internetworldstats.com/stats3.htm#asia>

² What is Young Adult?. Retrieved October 21, 2013, from <http://nazarene.org/files/docs/young%20adult-2.pdf>

³ Concert. Retrieved October 21, 2013, from <http://www.thefreedictionary.com/concert>

⁴ Golden Disk Award. Retrieved October 21, 2013, from <http://kpopwave.joins.com/awards/27goldendisk/kr/>

⁵ Highlights of Samsung Galaxy 27th Golden Disk Awards 2013. Retrieved October 21, 2013, from <http://www.lipstiq.com/2013/01/18/highlights-of-samsung-galaxy-27th-golden-disk-awards-2013/>