

Pakistan

The position of the artist in the society

Almost all artists in the field of performing arts are free lancers and earn their bread and butter from Radio, TV, Feature films, Stage Programmes advertising agencies and audio/video production Companies. Most of the Private Schools have given jobs of Music Teachers to practicing Musicians. Radio Pakistan has also provided jobs to a small number of Musicians on regular and contractual basis.

Pakistan National Council of Arts provided jobs on contractual basis in its following divisions: Puppet Theatre (puppeteers, designers, craft masters and script winters), national performing arts groups (male/female dancers, choreographer, and traditional musicians), repertory theatre (actors, playwright and director of stage plays). Except for the limited number of those performing artists who are employed in cultural organizations of government and private sector, the rest of the artist community does not enjoy social security.

However, artists in the field of visual arts enjoy a far better status as compared to the artists in the field of performing arts as most of the painters, sculptors, designers and graphic artists are employed as teachers or professors in schools, colleges & universities and private sector advertising agencies. Every year, government of Pakistan confers National / Presidential Awards in recognition of their services in their respective fields to boost their status in society. There is no special quota for the performing or visual artists/artists in governmental jobs. However, a quota of 2 % does exist for disabled persons respective of their field/ profession.

INSTITUTIONAL AND LEGAL FRAMEWORK

Pakistan National Council of the Arts, being a member state of UNESCO and its component organization IMC, has always honoured all the decisions of the under reference organizations.

Governmental bodies in charge of:

a) Cultural affairs

Ministry of Culture Sports and Tourism, Government of Islamic Republic of Pakistan and its component organization, "Pakistan National Council of the Arts (PNCA)".

b) Cultural research

There is a Government of Pakistan's National Commission for History and Cultural Research. PNCA and Lok Virsa are also carrying out Cultural Research, purely in Performing and Visual Art fields.

c) Tax policies and taxation in the field of culture

Tax is deducted at source from the professional Fees of the artists by the Government controlled Electronic Media and Arts Councils.

Cultural policies

The percentage of the national budget allocated to culture is very nominal and priorities are yet to be ascertained. Nevertheless this percentage reflects a rising trend.

Policies aimed to the promotion of the arts

Some examples of policies aimed to the promotion of the arts in Pakistan are: the establishment of a separate Ministry of Culture in 1976 and the set up of local Arts Councils, of the Institute of Folk and Traditional Heritage, the construction of New auditorium by Government, and the establishment of Benevolent Fund for the indigent artists and their bereaved families, the raising of National song and Dance ensemble on National and Provincial level, sending of cultural.

Delegations for performance abroad, the creation of yearly National Film Award, and Art Excellence Award (by PNCA), the organization of Artists and Artisans at Work Festivals.

Participation of artists in cultural policy-making

Intellectuals and top artistes are contacted through Seminars organised by PNCA, Lok virsa and M/o, Culture in collaboration with UNESCO.

Measures taken to improve cultural infrastructures

PNCA'S Act 1973, as passed by the National Parliament do have such Provisions (see copy of the act in section "New").

Integration of disabled artists

Disabled artists are being provided financial assistance for making their both ends meet and for their medical treatment from Pakistan Culture, Art and Sports Relief Fund of M/o Culture.

Laws and regulations governing the work of artists in regard to their working conditions

Right Rules of 1967 provide protection to a segment of issues pertaining to the safeguarding of the rights of performing and visual artists and writers and poets. The Copyright Act passed by the National Parliament and further amended in 2000 through a Presidential Ordinance, also provides protection to artists and their rights. However, 1962 Act largely remains unchanged and may be construed to be the definitive legislation governing legislation concerning Pakistan intangible heritage as well as artists and their works. Chapter III of the Ordinance, in particular, addresses the issue of Musical and Visual works. Chapter IV addresses visual and aural dissemination. Chapter VI lays down rules for corporate bodies regarding reporting of fees, charges and royalties. Chapter XIV outlines the offence and prescribed penalties for the illegal appropriation of intangible heritage. Poor artists do receive funds in the shape of monthly stipends from M/o, culture. Artists above 70 years of age are entitled for life long stipends from Artists Relief Fund of Ministry of Culture.

WORKING CONDITIONS

Work permit for artists

There is no work permit for Artists for performance in-land and abroad. The artists enjoy freedom of expression.

Health care system

Medical facilities are extended to poor artists from the Artists Relief Fund of Ministry of Culture. It's applicable only to top indigent artists and their bereaved families. Life long financial support to all artists of 70 years and above.

SOCIAL WELFARE

Insurance schemes in place

And Insurance Scheme for Artists (Performing and Visual Group Insurance Scheme) has been framed and submitted to Ministry of Culture and Sports for final approval.

Compulsory Social coverage

The social coverage is compulsory only where artists are employed, like PNCA, Lok Virsa, local and provincial Arts councils, Radio Pakistan, Pakistan Television Corporation, Academy of Letters, Pakistan Sports Board etc.

Bodies in charge of the administration of contributions and payment of benefits Ministry of Culture and Sports, Radio Pakistan, Television Corporation (PTV), PNCA and Lok Virsa (PTV and Lok Virsa are yet to pay their contribution).

REMUNERATION

Minimum level of payment

There are four categories / classes of artists, C,B,A and Outstanding.

Artists are paid directly through crossed cheques after deduction of income Tax at source.

UNEMPLOYMENT

There is not an unemployment insurance scheme for artists. Nevertheless, an artist's Group Insurance scheme is under active consideration of Ministry of Culture and Sports. In case of materialization of the scheme, Ministry of Culture will be the administrative Ministry of the Artists Group Insurance scheme.

ILLEGAL WORK

Piracy is the main problem being faced by the artistes of the South Asia or SAARC Countries. Singers, Musicians, Composers, Lyricists and Actors in particular are the main sufferers. However there is a Royalty Act which is to be brought under practice.

TAXES AND TAX ADVANTAGES

Particular status for artists

There is not a particular status for artists. Artists do pay Taxes. All payment to artists by the electronic Media and cultural organisations are made after deduction of necessary Taxes. But none of them enjoy any particular rebate or status.

Royalties and tax system

Electronic Media, Radio Pakistan, Pakistan Television, Recording /Advertising agencies and Arts Councils engage the artists against outright purchase. The Royalty Act is still in practice. The authors of books and lyricists receive and other Performing artists do receive Royalty provided they do not opt for outright purchase.

Exemption regarding temporary import duties on cultural products and import duties on equipment and materials required for cultural production

The tax system includes exemptions temporary import duties on cultural products and import duties on equipment and materials required for cultural production. Except duty on material used in Feature Films industry, such as picture negative, Picture Positive, Optical/Sound Rolls, Movie and Still cameras, etc. However, musical instruments, books on Arts, CDs, LPs, Pre-recorded Audio Cassettes and Computers are exempted from duties.

Only entertainment excise duty on ticketed shows and 20% on Commercial stage plays and 62 % on the total ticket sale of commercial concerts. The Producer or the impresario is bound to pay duty where-as performer has nothing to do with any sort of Excise duty.

INTERNATIONAL MOBILITY OF ARTISTS

Recognition of Foreign Diplomas

There is an official recognition of Foreign Diplomas in the artistic professions

Fellowships and financial aid to promote the mobility of artists

The Ministry of Culture nominates Artists in the field of Performing and Visual Arts for higher Education in Arts and Culture. The Government of Pakistan keeps receiving Fellowships and Scholarships in the field of Arts and Culture from UNESCO, different International Foundations and from different countries, with whom Pakistan has signed Cultural Exchange programmes. Suitable candidates are nominated.

Fellowships and financial aid to promote the mobility of works

The Ministry of Education, different universities, Ministry of Culture and Pakistan National Council of the Arts do provide fellowships/grants in Aid. The Pakistan Culture, Arts and Sports Foundations Relief Fund provide financial assistance to needy artists.

Networks catering for foreign artists

For performers who visit Pakistan under the Cultural Exchange Programme and also to the artists who visit Pakistan in their private capacity or visit Pakistan through impresarios are issued with No objection Certificate (Residence permit) by Ministry of Culture.

Provisions of national laws in regard of foreign artists

The artists who visit Pakistan under Cultural Exchange Programme are provided with local hospitality, Free Medical Facilities and Insurance.

COLLECTIVE REPRESENTATION

Collective representation of artists

In Pakistan, there is no trade union of artists. Trade unions are only admissible under Industrial and Factory Act, which does not apply on Artists unions as almost all artist(e)s are free lancers. The artists, who may be one percent of the total artists community and are enjoying regular jobs, have their rights protected.

There is a provision laid down in PNCA's Act 1973, to organise the unions of Pakistani artists and help them in the capacity of arbitrator.

There are unions of artists performing on Radio, T.V and Films, who negotiate with their respective Administrations for redress of their grievances.

Promotion of social dialogue

Ministry of culture and sports' PNCA is specially concerned with the promotion of social dialogue with artists and their Unions or Associations. Moreover, there are many NGOs like Artists Equity, Drama Welfare Association (Lahore) Pakistan Motion Pictures Association, Pakistan Film Music Directors Association, All Pakistan Music Conference and Pakistan Classical Music Guild.

Apart from the Ministry, PNCA, National Institute of Folk Heritage and city Arts Council are concerned with promotion of social dialogue.

The structures are governmental and semi-governmental.

CONTINUING TRAINING AND FINANCIAL AID

Vocational training

Vocational training is not available for artists on government level.

Update of artists' skills

The whole system is wrapped in transmission of oral tradition. The Performing Arts such as, Music, Dance, Puppetry are being passed on from bosom to bosom. There is not Conservatory of Music, Institute of Theatre or Puppetry.

Institutions providing training in visual arts

- National College of Arts is a century old Art Institution, which offers Diploma courses in painting, designing, ceramics and architecture.
- The Mall, Lahore Department of Fine Arts, University of Punjab, Lahore
- Fine Arts Department of Peshawar University, Peshawar
- Fine Arts Department, University of Jamshoro, Hyderabad.
- Many more Girls Colleges offer Degree and Masters in Fine Arts.

Training to artists in administration

There are not institutions providing training in these matters. However, Pakistan National Council of the Arts do provide training in Art Administration under its Internship Programme.

Retraining of the artists

Only short courses are offered at local Arts Council level. Pakistan National Council of Arts in collaboration with Norwegian government is providing training in Dramatic Arts and offers Diploma course. As far as re-training of artists is concerned, there is no such institution.

Fellowships for training

Government of Pakistan receives Fellowships/ Scholarship from different countries under Cultural Exchange Programme and also from UNESCO. The number of Fellowships and Scholarships in the field of Performing and Visual Arts are very limited. The Ministry of Culture and Pakistan National Council of the Arts nominate suitable candidates for higher studies in Performing and Visual Arts. However at domestic level, no fellowships are being awarded.

Research aide schemes

Pakistan national Council of the Arts and National Institutes of Folk and Traditional Heritage Islamabad, keep on providing funds to researchers and Scholars for research in different fields of Performing and Visual Arts. These national Cultural organizations have published over 100 books on Music, Dance, Drama, Puppetry and Visual Arts.

Promotion of copyright and neighbouring rights.

Copyright and neighbouring rights are promoted through seminars, lectures, presentation of programmes on electronic media, newspapers and different periodicals.

ORGANIZATIONS

a) Governmental cultural organizations

- Pakistan National Council of the Arts, Islamabad.
- National Institute of Folk and Traditional Heritage (Lok Virsa) Islamabad.
- National Commission for History and Cultural, Islamabad.
- National Institute of Historical and Cultural Research.
- Provincial Arts Councils with their branches in major cities of Pakistan. There are 22 Arts Councils in different cities of Pakistan. Government of Pakistan is funding all.

b) Ministries, councils and other government bodies in charge of culture

- Federal Ministry of Minorities, Culture, Sports, Tourism, and Youth Affairs, Islamabad.
- Provincial Ministry of Information and Culture Government of Punjab, Civil Secretariat, Lahore.
- Provincial Ministry of Information and Culture, Government of North West Frontiers Province, Peshawar
- Provincial Ministry of Information and Culture, Quetta
- Provincial Ministry of Information and Culture, Government of SIND, Karachi

c) Government authorities responsible for the social integration of disabled artists within the cultural sector

- Ministry of Minorities, Culture, Sports, Tourism and Youth Affairs
- Pakistan Culture, Arts, Sports Foundation Relief Fund, Ministry of Culture
- Pakistan National Council of the Arts

Source: Pakistan National Council of the Arts, March 2004.