

ABSTRACT

The modification of musical arrangements contained in sheet music by marching band coaches is commonly undertaken to accommodate performers' abilities and performance requirements. However, unauthorized modifications may infringe the exclusive rights of authors and copyright holders as protected under Law Number 28 of 2014 concerning Copyright. This study aims to examine the legal liability of marching band coaches for modifying musical arrangements contained in sheet music and to analyze the legal consequences arising from such modifications. This research employs a normative legal research method using statutory and conceptual approaches. The legal materials consist of primary, secondary, and tertiary legal sources analyzed through qualitative legal analysis. The study applies John Rawls' Justice as Fairness theory to evaluate the balance between the protection of authors' rights and the interests of marching band coaches in developing musical creativity. The findings reveal that marching band coaches may be held legally liable when modifying musical arrangements without prior authorization from the author or copyright holder, as such conduct may violate the author's moral and economic rights. The legal consequences include civil liability in the form of compensation and cessation of infringement, as well as criminal sanctions where the statutory elements of copyright infringement are fulfilled.

Keyword: legal liability; marching band coach; musical arrangement; copyright

ABSTRAK

Perubahan aransemen musik pada kertas partitur oleh pelatih marching band berpotensi melanggar hak cipta apabila dilakukan tanpa izin pencipta atau pemegang hak cipta. Penelitian ini bertujuan menganalisis tanggung gugat pelatih marching band terhadap perubahan aransemen musik berdasarkan Undang-Undang Nomor 28 Tahun 2014 tentang Hak Cipta serta mengkaji akibat hukum yang ditimbulkan. Penelitian ini menggunakan metode penelitian hukum normatif dengan pendekatan peraturan perundang-undangan dan pendekatan konseptual. Analisis dilakukan terhadap bahan hukum primer, sekunder, dan tersier dengan menggunakan teori Justice as Fairness dari John Rawls. Hasil penelitian menunjukkan bahwa pelatih marching band dapat dimintai tanggung gugat apabila melakukan perubahan aransemen tanpa persetujuan pencipta atau pemegang hak cipta karena melanggar hak moral dan hak ekonomi. Akibat hukumnya berupa tanggung jawab perdata dan sanksi pidana sesuai ketentuan Undang-Undang Hak Cipta.

Keyword: tanggung gugat; pelatih marching band; aransemen musik; hak cipta.