Association of Artist Managers Australia

National Cultural Policy Submission

May 2026

"I'm not in the music business, I been in the human business."

- Kendrick Lamar

Submitted to the Office for the Arts in response to the National Cultural Policy Public Consultation 2026.

1. Who We Are and Why We're Here

The Association of Artist Managers (AAM) is the peak body for professional artist managers in Australia. Artist managers are the connective tissue of the contemporary music industry: they are the first investors in Australian artists, the coordinators of every commercial relationship an artist holds, and increasingly the absorbers of labour that was once distributed across a much larger infrastructure. They are also, by structural design, among the least protected workers in the sector.

Unlike other service professionals, a manager receives no guaranteed payment for their engagement. Their income is entirely commission-based - a percentage of what their artist earns. If the artist earns nothing, the manager earns nothing, regardless of the hours invested or the costs absorbed. It is a risk-share model, and with each passing year, the scope of that risk - and the breadth of the work required to manage it - expands.

More and more artists are releasing independently, either through their own structures or directly with distributors. The labour and marketing expertise required to facilitate those releases has not disappeared. It has transferred. Managers have become the sole production house for services once delivered by multiple full-time label roles - marketing, radio promotion, playlist pitching, content creation, data analysis, release strategy, and international rights administration. Statistically, most Australian artist managers operate as sole traders or in small businesses. They cannot unionise. They have no collective bargaining power to negotiate better terms.

The research is unambiguous about what this workforce contributes. Peer-reviewed research commissioned by AAM (Morrow, 2022) finds that every $1 invested in artist management returns $19.94 in quantified benefits to artists, record labels, publishers and the live industry. The Bass Line Edition 2 (Music Australia, 2026) documents that artist management generates the highest Gross Value Added ratio - 48% - of any sub-sector in Australian music outside music education.

The return on investment is demonstrably high. The conditions under which that return is generated are demonstrably unsustainable. AAM expects a significant decline in the number of professional managers in Australia over the next five years if structural conditions are not addressed. This submission is about what those conditions are, and what the next National Cultural Policy can do about them.

1.1 The Invaluable Asset of Music Australia

In a 2025 special analysis prepared for Creative Australia's Listening In research series, global music industry analyst Cherie Hu made a point that applies directly to the challenge Australia faces. South Korea's emergence as a dominant global music culture was not accidental. Since the 1990s, government agencies like the Korea Creative Content Agency (KOCCA) have invested at the scale required to develop integrated export ecosystems -

coordinating music releases with fan platforms, variety media, and international market development. The Korean Wave did not happen despite government investment. It happened because of it.

Australia has the creative talent. It has demonstrated capacity for export success. What it had historically lacked was the sustained institutional infrastructure to develop that talent at scale. The creation of Music Australia under Revive in 2023 was the most significant structural response to that gap in the industry's history.

1.2 Case Study: Core Funding and the Infrastructure of Impact

With the ROI stats mentioned above, the returns provided by artist managers are among the strongest documented anywhere in the Australian creative industries. Before the Revive Cultural Policy and the creation of Music Australia, it was imperative that the AAM became adequately resourced to support the artist management sector from cumbling entirely, and fully realise the return of their value for the sector.

For over a decade, AAM operated solely on membership fees and ad hoc sponsorship. Successive leaders extracted extraordinary impact from minimal means - securing a seat at national decision-making tables and laying the advocacy groundwork that would ultimately inform the creation of Music Australia itself. But the organisation could not fully deliver what its members needed or what the sector required. That changed in 2024, when AAM received its first year of core funding through Music Australia.

The results were immediate. On the basis of that pilot year's outcomes, AAM secured multi-year core funding as a strategic delivery partner of Music Australia - guaranteeing three full-time staff and the operational backbone required to deliver sustained member connection, structured professional development, and national advocacy for managers and the artists who depend on them. It also created the infrastructure through which additional investment from other partners could flow, including the Music Australia International Conference Contribution (MAICC), administered by AAM in collaboration with Sounds Australia. The MAICC addresses a concrete structural gap: Australian managers lack the resources to attend the international industry events where artist market development actually happens. Managers who have received it describe the impact directly:

> *Being selected was a game changer. It allowed me to build genuine relationships with key international partners, gain firsthand industry insight, and create real momentum for my artists overseas. The outcomes have already been significant, and I'm incredibly grateful for the support and opportunity.*

The cumulative effect of this funded infrastructure is best illustrated through one manager's trajectory. Elise Naismith - manager of Kita Alexander and Budjerah - first engaged with AAM as a mentee in the Co-Pilot professional development program in 2022. She subsequently received a MAICC, which she used to attend Reeperbahn Festival in Hamburg - building market development foundations for both artists at a critical point in their international trajectories. In late 2024 she participated in the AAM NSW Managers Retreat program, and in 2025 she was named Emerging Manager of the Year at the AAM Awards. Each touchpoint in her development connected to an AAM program. Each program was made possible by the core funding infrastructure that Music Australia's investment created.

The creation of Music Australia under the Revive Cultural Policy was a pivotal act of cultural investment - one that enabled organisations like the AAM to transition from survival mode into genuine strategic delivery. The next Cultural Policy must build on this foundation. The case for sustained and expanded Music Australia investment is not speculative. It is documented in the returns already generated: in programs delivered, in managers developed, in artists brought to international markets. It is also crucially needed to ensure the longevity of the artist management sector, which has been in an unsustainable and precarious position since before the pandemic started.

The joint industry submission, Next Generation Now, proposes $180 million over four years for Music Australia - sufficient to make it for Australian music what Screen Australia is for screen: a strategic investment partner that builds global markets and positions the country internationally. AAM endorses this proposal without reservation.

RECOMMENDATION 1

A renewed mandate and $180 million over four years for Music Australia to deliver the research, artist development, industry and export programs the sector needs to compete globally.

Sources: Dr Guy Morrow, Music Artist Managers: Remuneration and Retention in the Popular Music Business (2022); Music Australia, The Bass Line Edition 2 (2026); AAM Co-Pilot Program records; AAM Awards (2025); Cherie Hu, 'Australia's Paradox: A Global Perspective', Listening In, Creative Australia (2025); MAICC program outcomes.

2. Connecting International Touring to Australian Artist Development: Michael's Rule and the Visa Framework

Australia is one of the most lucrative touring markets in the world. Major international artists consistently route Australian legs of global tours that generate tens of millions of dollars in box office revenue, with the vast majority of that value flowing offshore. The infrastructure that makes those tours possible - world-class venues, a sophisticated promoter ecosystem, an experienced touring workforce - has been built over decades through sustained public and industry investment.

Up until recently, that infrastructure had asked nothing in return when it came to developing the next generation of Australian artists.

The data is stark. In 2018, Australian artists opened for international headline acts on 57% of major tours. By 2024, that figure had fallen to 36% - and for shows above 5,000 capacity, it dropped further still to 33%. The support slot on a major international tour is one of the most powerful career accelerants available to an emerging or mid-career Australian artist: it delivers endorsement, credibility, and large-scale visibility that no domestic headline show can replicate. As that opportunity erodes, so does the pipeline.

The consequences are not abstract. They are borne by artist managers who watch their artists miss career-defining opportunities - and by artists who remain invisible to the greater domestic industry not because of any lack of talent, but because they were never given the platform.

2.1 Michael's Rule: The Policy and Its Proof of Concept

Michael's Rule is a policy mechanism developed by the AAM that calls for the reinstatement of an industry code (that did once exist) that made it compulsory for at least one local artist to be included on international tours. Named in honour of legendary Australian music manager Michael McMartin OAM, the campaign was launched at the 2024 AAM Awards and achieved its first legislative breakthrough in May 2025, when the NSW Minns Government became the first Australian jurisdiction to adopt the policy. Under the NSW model, promoters receive a $20,000 fee reduction per eligible show at Venues NSW venues in exchange for including an Australian support act on the bill, with a $5,000 reduction applying at the Sydney Opera House.

The results demonstrate what happens when the structural barrier is removed. Ball Park Music was one of the first beneficiaries of the policy, landing the main support of the Oasis tour, performing in front of 300,000 new fans - twelve times their existing Australian tour audience - and attracting international promoter interest. This policy in NSW was groundbreaking, but for international-artist tours of Australia, a state-by-state patchwork only goes so far. A national standard is required.

2.2 The Visa Framework: An Underutilised Policy Lever

Every international touring artist and their essential crew who work in Australia enters under the Temporary Activity visa (subclass 408), Entertainment Activities stream. Under Schedule 2, paragraph 408.229A of the Migration Regulations 1994, the Department of Home Affairs cannot grant these visas unless the relevant union has been consulted. That consultation requires the sponsoring production to demonstrate a Net Employment Benefit (NEB) to the Australian entertainment industry.

The NEB framework has an important structural feature: its specific criteria are not fully legislated. The unions administer the test according to their own operational guidelines - meaning the criteria are, in principle, responsive to policy direction without requiring primary legislation to amend.

AAM notes a critical gap in the current NEB framework: it does not consider whether an international touring production creates any meaningful opportunity for Australian artists to access headline-scale audiences. A touring act that performs to 20,000 people per night in Australia without a single Australian support act has contributed zero to the development of the Australian artist pipeline, regardless of how many other jobs have been created.

RECOMMENDATION 2

Update the Net Employment Benefit policy guidance for the subclass 408 Entertainment Activities visa to include Australian artist development as a positive factor in assessment.

2.3 A National Michael's Rule Standard

AAM calls on the Australian Government to issue a ministerial instrument under the subclass 408 Entertainment Activities visa framework establishing that productions above a defined scale threshold must demonstrate a commitment to engaging at least one Australian support act as a condition of visa endorsement. The threshold approach is deliberate: large-scale commercially-driven productions generate the greatest revenue from Australian audiences and currently create the least reciprocal opportunity for Australian artists. AAM proposes the threshold be set at venues with a capacity of 3,000 or more, or tours generating above a defined Australian gross revenue floor.

The 408 framework already works, as the ministerial instrument mechanism has already been used precisely in this way - most notably through the Australian Government Endorsed Events stream, under which the Minister lists major events by legislative instrument and specifies the classes of persons eligible. This demonstrated that the framework can create new activity categories in response to policy objectives without primary legislation.

RECOMMENDATION 3

Establish a national Michael's Rule standard through a ministerial instrument under the subclass 408 Entertainment Activities visa framework, embedding a support act commitment as a condition of visa endorsement for large-scale touring productions.

2.4 An Equitable Exemption Pathway: The Australian Artist Development Levy

The AAM recognises that a small number of major international productions present genuine circumstances in which the inclusion of an Australian support act is not practicable. A well-designed policy must accommodate these cases without creating a mechanism so broad that it undermines the standard itself.

An exemption is available only where all three of the following criteria are satisfied:

1. The artist's established global touring model does not include support acts, as evidenced by their most recent international tour cycle;
2. The show's production design is technically incompatible with a support act; and
3. The production meets the scale threshold.

Preference alone is not grounds for exemption. An exemption is not available where the production has included support acts on other legs of the same world tour.

Where a production satisfies the exemption criteria, the exemption is conditional on a levy contribution to a designated Australian Artist Development Fund. The AAM proposes that such a levy could be calculated as a percentage of Australian box office revenue from the tour – in the range of 0.5%–1%. On a major international tour grossing $50 million in Australia, a 1% levy generates $500,000 directed to Australian artist development. The Fund could be independently administered at arm's length via an existing body such as Music Australia or a purpose-built trust with independent governance. It could be directed to emerging and mid-career Australian artists, and subject to annual public reporting.

RECOMMENDATION 4

Establish an Australian Artist Development Levy as a Michael's Rule exemption pathway, for international touring artists that cannot include an Australian artist on the line-up due to the above proposed criteria. Levy proceeds to be directed to an independently administered Australian artist development fund for emerging and mid-career Australian artists, subject to annual public reporting.

2.5 Summary

Element	Detail
Default obligation	Engagement of at least one Australian support act on Australian dates, as an addition to the line-up, announced no less than 2 weeks to the event. Support act to receive dedicated social media post and/or inclusion in ongoing marketing. Support act must appear on the same stage using reasonable sound and lighting.
Scale threshold	Venues with capacity of 3,000 or more, or equivalent gross revenue floor (to be determined in consultation)
Implementation	Ministerial instrument under the subclass 408 Entertainment Activities visa framework
Supporting measure	Update to NEB policy guidance recognising support act commitment as a positive weighted factor
Exemption criteria	All three must be satisfied: (1) touring history shows no support acts globally; (2) production design is technically incompatible; (3) production meets the scale threshold
Anti-gaming	Exemption not available where production has included support acts on other tour legs, or has structured Australian shows to avoid the threshold
Levy (if exemption)	0.5%–1% of Australian gross box office revenue, paid to an Australian artist development fund
Fund administration	Independently administered; directed to emerging and mid-career Australian artists; annual public reporting

Policy instrument reference: Migration Regulations 1994, Schedule 2, paragraph 408.229A. NSW Michael's Rule implementation: May 2025, Venues NSW.

3. Establishing A National Academy for Contemporary Music Within Arts8

The Australian music industry generated revenues of $10.76 billion and contributed $4.28 billion in direct gross value added (GVA) to the Australian economy in 2024–25. It supports tens of thousands of workers across songwriting, recording, production, artist management, live performance, touring, publishing, promotion, venues and technical services.
Despite this contribution, contemporary music remains the only major Australian artform without a dedicated national training institution within the national arts training organisations (The Arts8) framework.

This absence reflects a cultural infrastructure model designed around a different artistic economy. Australia has built an extensive network of publicly funded institutions to support classical and performing arts practice, including national training organisations and major performing arts companies. Together, these systems receive approximately $180–200 million annually in federal institutional support.

By comparison, Music Australia's initial allocation of $69.4 million over four years equates to approximately $17.35 million annually. In practical terms, the contemporary music sector currently receives around one-tenth of the annual institutional funding directed toward the established performing arts infrastructure system, despite being one of Australia's largest cultural industries and a major contributor to employment, exports and economic activity. This is not an argument for reducing support to existing artforms. Rather, it highlights a structural gap in Australia's cultural infrastructure. A sector generating billions of dollars in economic value operates with relatively little permanent institutional infrastructure and no equivalent national educational pathway, while smaller sectors benefit from a mature ecosystem of training institutions, development pathways and publicly supported employers. Historically, public cultural infrastructure has been established where markets alone cannot guarantee long-term cultural resilience. Contemporary music increasingly meets that threshold in recent years, which can be demonstrated in more detail later in this submission. While contemporary music remains commercially significant, the mechanisms that once reliably supported artist development and career sustainability have weakened.

The appropriate response is not simply additional grant funding. It is the creation of enduring infrastructure capable of developing talent, capability and workforce capacity over the long term.

We therefore support the establishment of a National Academy for Contemporary Music attached to the Australian Film, Television and Radio School (AFTRS), ensuring contemporary music is formally represented within the Arts8 framework.

Importantly, such an academy should not be modelled on traditional conservatorium structures alone. Contemporary music differs from classical performance in a fundamental way. Success is not determined solely by technical excellence, but by an artist's ability to build meaningful connections with audiences. Technical mastery remains important, but it is only one component of a successful contemporary music career.

Accordingly, a contemporary music academy should train the entire creative and commercial ecosystem, with integrated streams across:

- Songwriting and composition
- Live performance and stagecraft
- Music production and recording
- Audience development and fan engagement
- Artist management and entrepreneurship
- Rights, royalties and business literacy
- Touring, export and market development
- Vocational and apprenticeship-based industry placements

International precedents already exist. Sweden's Musikmakarna has become one of the world's most successful songwriting institutions. The BRIT School in the United Kingdom has produced generations of globally successful artists and creative professionals. Berklee College of Music has helped shape the modern international music industry. South Korea's rise as a global cultural powerhouse was underpinned by deliberate government investment in integrated talent development systems that connected education, production, media and export strategy.

Australia should adopt a similarly ambitious approach.

One practical example already exists.

3.1 The Perfect Formula for Sustaining Managers and Creating More

The Association of Artist Managers' Placements Paid Internship Program, funded by Sound NSW, has achieved a 100 per cent continued-employment outcome for participating manager interns across its first two years.

The program places emerging managers within established artist management businesses for four days per week for six months. Host companies receive additional workforce capacity to manage growing workloads. Interns gain hands-on professional experience in real-world business environments. Artists receive increased support and career development. The host company gains the capacity to pursue new revenue opportunities that can support ongoing employment beyond the placement period.

The model closely resembles successful apprenticeship structures used throughout the trades. Artist management, like carpentry, is fundamentally a profession learned through practice. Many of the most important skills - relationship management, negotiation, artist development, touring logistics, crisis management and strategic decision-making - are acquired through direct workplace experience rather than classroom instruction.

Formal administration of programs such as Placements within a National Academy for Contemporary Music would create a scalable, nationally coordinated workforce development pipeline that addresses skills shortages, supports business growth and improves workforce sustainability across the sector.

Contemporary music has become one of Australia's most significant cultural and economic assets. The next phase of national cultural policy should ensure that Australia's cultural infrastructure reflects that reality. Establishing a National Academy for Contemporary Music within the Arts8 framework would represent a practical, future-focused investment in the artists, songwriters, managers and creative workers who will shape Australia's cultural and economic success in the decades ahead.

RECOMMENDATION 5

Establish a National Academy for Contemporary Music within the Arts8 framework that focusses on the regeneration of roles and assets across the entire music ecosystem, with metrics of success defined by the creation of artist & fan connection, and adaptable learning methods appropriate for the professions involved.

4. Streaming, Sovereignty, and the Discoverability Problem: Justifications for Regulating Algorithmic Discoverability

The decline of Australian music's presence in its own domestic streaming market is documented, quantified, and accelerating. The Australia Institute confirmed a significant decline in domestic music consumption as a result of algorithmic and LLM-driven recommendation systems. APRA AMCOS's 2024–25 Year in Review revealed a 31% decline in local content consumption on streaming services between 2021 and 2025. The number of Australian artists present in the top 10,000 streamed in Australia fell by nearly a fifth over the same period, with the share of Australian music declining from 12% to 8% of streaming activity - a 30% drop.

Compounding this is the threat to new music specifically. Research by Tim Kelly (International Journal of Music Business Research, 2026) analysing ARIA chart data from 2000 to 2024 found that the value of new release recordings in Australia declined by 71.3% in inflation-adjusted terms between 2000 and 2024, with new music revenues essentially flat over the past decade in a market that has grown 125%.

There is little help from other avenues of discoverability. ACMA adopted little to none of the music industry's recommendations for commercial radio quotas in the 2026 Code review. The shift from radio and television to streaming as the primary mode of discovery - without any regulatory transition for local content obligations - has removed the floor beneath Australian artists' domestic visibility without replacing it with anything.

Australia is not alone in this. The same structural problem is presenting in the UK, Canada, and New Zealand - other English-language markets without the algorithmic protection of language difference. But Australia's decline is the most severe of any comparable market, and the pace is worsening. We are the canary.

4.1 How DSPs Mirror Broadcast Mediums

Streaming now represents the dominant mode of music consumption in Australia, yet the regulatory framework governing digital service providers has not kept pace with how Australians actually use these platforms. The prevailing legal characterisation of streaming as an on-demand, user-directed service - and therefore as e-commerce rather than broadcasting - was established at a time when streaming meant actively selecting specific tracks. That characterisation no longer reflects the reality of how most listeners engage with platforms like Spotify.

In practice, a significant proportion of Australian streaming activity is passive: autoplay queues; algorithmically generated playlists such as Discover Weekly, Daily Mixes, and Radio features; mood and activity playlists where the user chooses a vibe rather than a track; and, on the free tier, shuffle playback with advertising insertion that is functionally indistinguishable from commercial radio. The free tier experience in particular - where the user exercises minimal content selection and receives algorithmically curated content interspersed with advertising - mirrors linear broadcasting in all meaningful respects.

This distinction matters because the same streaming activity characterised as e-commerce for trade and regulatory purposes simultaneously triggers a communication-to-the-public right under Australian copyright law - the same right that applies to radio and television broadcast. DSPs acquire licences for this right from APRA AMCOS precisely because streaming constitutes a public communication of the underlying composition. The legal infrastructure already recognises the broadcast-like nature of the activity; the regulatory infrastructure has simply not followed.

4.2 The Free Trade Agreement Argument Does Not Apply to the Dominant Platform

The Digital Trade chapter protections under the Australia–United States Free Trade Agreement are routinely cited as an obstacle to content obligations on streaming platforms. It is worth noting that the most dominant streaming platform in the Australian market - Spotify - is a Swedish company legally domiciled in Luxembourg, not a US entity. The FTA argument does not apply to Spotify directly. This is a significant and underappreciated gap in the standard argument against streaming content regulation.

4.3 The Compounding Issues

Current algorithmic systems use early engagement signals - including skip rates - as inputs to determine whether content is surfaced to wider audiences. An unfamiliar track served to a listener with no prior exposure to that artist or sound will, by definition, face a higher likelihood of being skipped: not because of any deficiency in the music, but because of the psychology of familiarity.

Research published in Frontiers in Neuroscience (Madison & Schiölde, 2017) demonstrates that familiarity is the single most important variable explaining differences in liking among music, regardless of complexity, and that the strongest predictor of liking was familiarity with musical style rather than any intrinsic quality of the music itself. A listener is more likely to engage positively with music that sounds like music they already know.

The implications for Australian artists competing on algorithmically-driven platforms dominated by US catalogue are profound. Where streaming algorithms have systematically favoured US-origin content - whether through editorial playlist weighting, recommendation seeding, or catalogue classification - Australian audiences have had proportionally fewer exposures to Australian sounds. The consequence is not merely that individual tracks underperform; it is that Australian musical culture becomes progressively less familiar to Australian audiences at a structural level, making each subsequent Australian release more likely to be skipped on first encounter, which in turn suppresses its algorithmic reach further.

This is a self-reinforcing cycle with exponential rather than linear effects. As the proportion of passive, algorithm-directed listening grows, the familiarity deficit compounds. An Australian audience that has spent years being served predominantly US content through lean-back modes will have developed listening preferences calibrated to US sounds. Australian music that departs from those expectations will face algorithmic deprioritisation at first exposure that has nothing to do with its quality and everything to do with the accumulated effect of deprived reach.

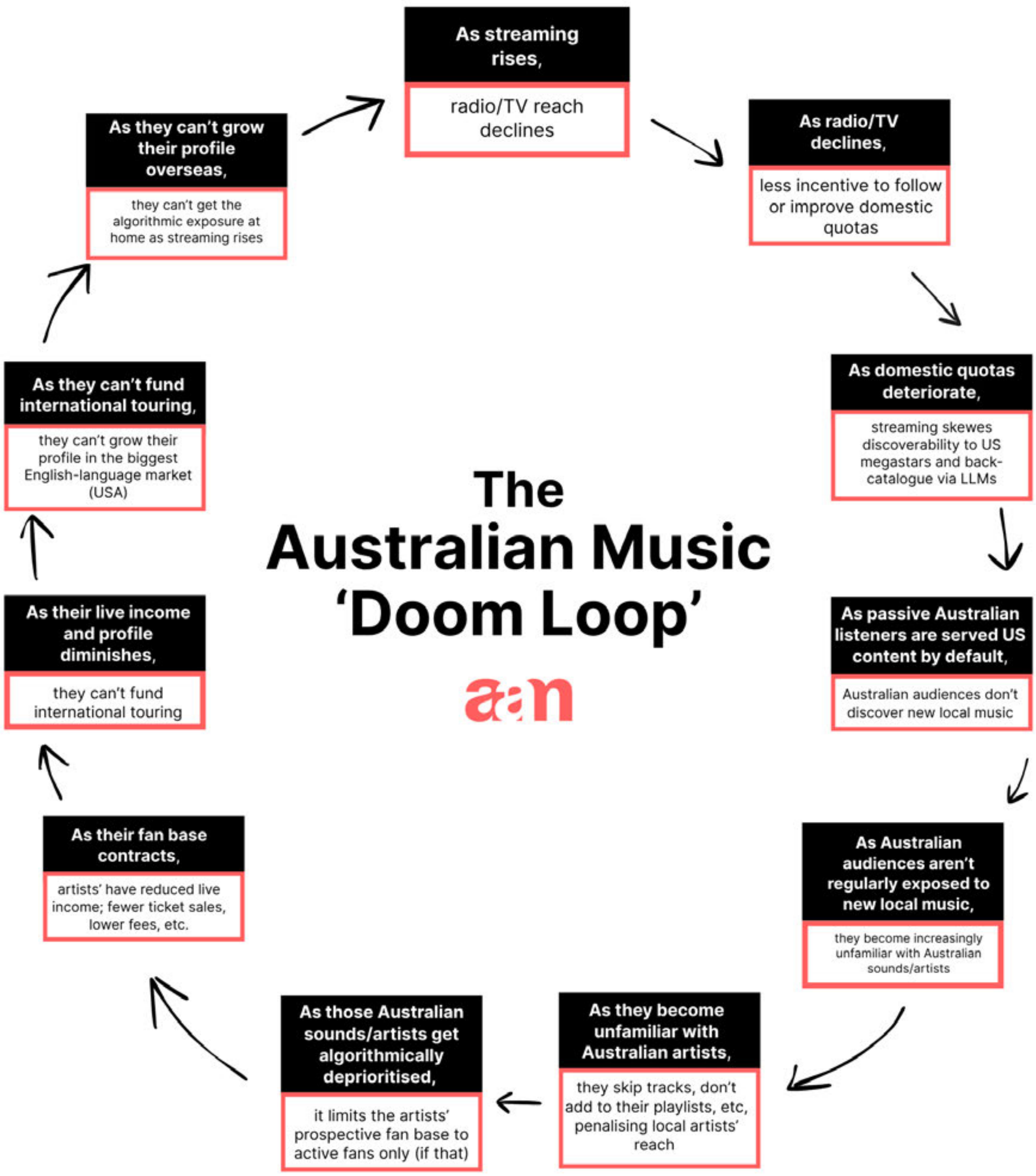

Figure: The Australian Music Doom Loop. Association of Artist Managers Australia, 2026.

This is not a speculative concern. It is the predictable cognitive outcome of a recommendation environment that has operated without accountability or transparency obligations for over a decade, during precisely the period in which streaming became the dominant mode of consumption. The harm is not visible in any single algorithmic decision; it accumulates invisibly across billions of passive listening sessions, reshaping audience taste away from local music without any listener, artist, or policymaker having been able to observe or intervene in the process.

Efforts to meaningfully increase Australian music discoverability on digital service providers will fall short without the algorithmic transparency required to inform them.

The information needed is not solely available through commercial data providers such as Luminate. The platform captures consumption outcomes but has no visibility into the platform-side behavioural and algorithmic data that drives those outcomes. The data exists. It sits within the recommendation infrastructure of the platforms themselves.

It was a formal recommendation of the Standing Committee On the Communications and the Arts, in their inquiry into the Challenges and Opportunities Within The Australian Live Music Industry in 2025, that the Australian Government should *"work with music streaming services to increase the proportion of Australian content that algorithms or automated playlists generate for Australian users, and that if co-operation is not forthcoming that legislation be strongly considered to mandate and enforce higher proportions of Australian music on these services."*

Transparency obligations are the only mechanism by which the pertinent data can be made available to inform policy, support Australian artists, and give effect to any discoverability measures the government may introduce.

4.4 Royalty Reform: Changing the Investment Logic

The royalty model alone will not fix what is partly a visibility and investment problem - but it can change the investment logic that determines how much of the industry's resources flow toward new Australian artists. Kelly (2026) highlights two models that deserve policy attention.

The New Release/Catalogue Tier Model creates a higher royalty tier for new releases versus catalogue, effectively reweighting the economics of streaming toward recent music regardless of who is listening or how actively. For Australian artists - whose releases are overwhelmingly competing in the 'new' category - this creates a structural advantage over deep international catalogue. It also creates a genuine incentive for labels and managers to prioritise new releases. Well-suited to Australia's specific problem, provided clear definitional guardrails prevent abuse through catalogue repackaging.

The Artist Growth Model reduces royalty payments on a sliding scale as a song accumulates streams - so a song at 100,000 streams earns more per stream than a song at 10 million. The theory of change is that emerging artists receive higher effective per-stream rates at low play counts, making early-stage streaming more economically viable and giving labels, distributors, and managers better incentive to invest in new artists. More investment means more promotional activity, more pitching, more marketing - which does drive discoverability.

None of these models can be meaningfully explored, tested, or enforced without algorithmic transparency. The data on how recommendation systems treat Australian content exists inside platform infrastructure. It is not commercially available. AAM calls for it to be made available to inform policy.

4.5 The Broader Warning

The broader consequences of unaccountable algorithmic systems - and the particular vulnerability of smaller markets within them - have been documented beyond music. In the ABC Four Corners investigation 'Inside the Rage Machine', Sri Lankan content creator Geeth Sooriyapura offered an account that, while describing social media consequences, carries direct structural resonance for any smaller market within a platform architecture designed around dominant ones:

> *We are the canary in the coal mine. A lot of what goes on and goes wrong on social media was trialled and tested in countries like Sri Lanka, because nobody cares about us. All of our markets are active experiments, and so what is now much more evident in the UK, and in other parts of the world, was very evident in countries like Sri Lanka years prior. So what I have warned against, what I have cried about, suggests that this is not a Sri Lankan problem. It is a social media problem. It is a Silicon Valley problem. It is a governance problem. It is a democracy problem. It is a problem for all of us.”*
>
> - Geeth Sooriyapura, ABC Four Corners, 'Inside the Rage Machine'

The parallel for the Australian music industry is direct. Australia is not Sri Lanka, and the harms of music algorithmic bias are categorically less severe than the social violence Sooriyapura described. But the structural logic is identical: a smaller market, operating within a platform architecture designed for and optimised around a dominant market, absorbs the consequences of decisions made without reference to its interests. The experiment runs. The harm accumulates. And because no transparency obligation exists, neither the scale of the problem nor its trajectory is visible to those with the standing to act.

Australia's music ecosystem is not a passive beneficiary of global platform infrastructure. It is an active participant whose cultural distinctiveness, economic viability, and capacity for self-renewal are being shaped - without consent, without visibility, and without recourse - by algorithmic systems answerable to no Australian interest.

4.6 AAM's Calls to Action

RECOMMENDATION 6

A Senate Inquiry into the cultural and economic impact of algorithmic treatment of Australian music content on digital service providers.

RECOMMENDATION 7

Algorithmic transparency obligations requiring DSPs to report on: the proportion of listening attributable to passive or algorithmically-driven modes versus active user selection; the methodology by which content is recommended, surfaced, or suppressed; the relative representation of Australian content within algorithmic playlist and autoplay outputs; the feedback mechanisms by which early engagement data influences downstream recommendation, and any other datapoints that would help guide culture-saving policy.

RECOMMENDATION 8

A review of streaming royalty distribution as a market structure problem, exploring the New Release/Catalogue Tier Model and Artist Growth Model in the Australian context.

Sources: Will Page and Morgan Harrington, Reversing the Decline of Australian Music (The Australia Institute, November 2025); Tim Kelly, 'Down, and Under Pressure: The Decline of the New Music Economy in Australia 2000–2024', International Journal of Music Business Research (2026); APRA AMCOS, Year in Review 2024–25; Madison, G. & Schiölde, G. (2017). Repeated listening increases the liking for music regardless of its complexity. Frontiers in Neuroscience, 11, 147. DOI: 10.3389/fnins.2017.00147; ABC Four Corners, 'Inside the Rage Machine'; Standing Committee on Communications and the Arts, Inquiry into the Challenges and Opportunities Within the Australian Live Music Industry (2025), Recommendation 3.

▶️ Revive Pillar 3: Centrality of the Artist

5. Artificial Intelligence, Protecting Artists and Copyright Alike.

5.1 The Battle That Was Won - and Why It Matters

In October 2025, Attorney-General Michelle Rowland announced that Australia would not introduce a Text and Data Mining (TDM) exception to the Copyright Act - a decision that maintained the foundational right underpinning every other argument in this area: the right to say no. A TDM exception would not merely have reduced artists' income. It would have eliminated their legal standing to negotiate at all. Australia's position is principled, commercially defensible, and increasingly the international norm. The creative sector must defend it vigorously against continuing technology company lobbying pressure, which has not abated since the government's clear statement.

5.2 Copyright Protection Is Priority #1

AAM's position is unambiguous: the preservation of strong copyright protections is the first and most important objective in the current AI policy environment. Everything else in this section depends on it. These proposals are complementary to the copyright fight - they address what happens to artists once copyright is protected, not instead of protecting it.

5.3 Rebutting the Argument of "Non-Expressive Use" and The Case for Prophylactic Protection

The argument that consent should come before use is more than a moral intuition - it is a coherent legal position grounded in principles courts and legislators have accepted elsewhere.

The Australian Law Reform Commission has argued that text and data mining should not constitute infringement because it is a "non-expressive" use - copyright protects the expression of ideas, not the underlying data. This is technically coherent but fails to account for the purpose of AI training. AI training is not an end in itself. Its purpose is to produce outputs that compete directly with human creators. The downstream harm to creators is not incidental; it is the commercial objective. Classifying training as "non-expressive" isolates one step of an integrated commercial process from its intended consequences. The logic is analogous to arguing that manufacturing a device designed to infringe copyright is itself non-infringing, because the device has not yet been used.

Well-established legal principles support prophylactic protection in this context. Environmental law applies strict liability because systemic harm cannot be adequately addressed through reactive enforcement. Financial regulation prohibits insider trading across the board because reactive enforcement is structurally insufficient given power asymmetries. Anti-avoidance doctrines in contract and tax law allow courts to look through structures engineered to achieve otherwise-prohibited results - and framing AI training as non-expressive, where its explicit commercial purpose is to produce substitutes for human creative work, is precisely the form-over-substance characterisation courts have been willing to scrutinise.

The harm from AI training is systemic, dispersed across a population of creators who cannot individually enforce their rights, and arises from power imbalances between individual artists and multinational technology companies. These are the conditions under which preventive legal protection is the appropriate policy response.

5.4 The Problem With "Settlement" as a Policy Solution

A live risk is that the government, under continued pressure from technology companies, pursues a compromise - framing it as a "settlement" or "access scheme" rather than a formal TDM exception, but achieving a similar result: a compulsory licence that allows AI companies to use creative works in exchange for centralised payment to a collecting body.

5.4.1 The State Cannot Sell What It Does Not Own

Copyright belongs to creators and rights holders, not the government. A compulsory licence imposed by statute does not transfer ownership - it overrides it. Where the rights overridden include moral rights, which cannot be waived even by the individual creator, the scheme does not resolve the legal exposure. AI companies operating under it would remain potentially liable for moral rights claims, because the state cannot extinguish rights it does not hold. A compulsory licence would create the appearance of legal certainty while leaving the core problem unresolved.

5.4.2 Compulsory Licences Entrench Power Asymmetries and Extinguish Consent

The News Media Bargaining Code is the cautionary tale: technology companies made initial payments under political pressure, then reduced or restructured them as the cycle moved on. The underlying problem was not resolved.

A compulsory licence for AI training faces two additional problems. First, routing payments through collecting societies would not solve the distribution problem - it would obscure it. Unlike compulsory land acquisition, where the property owner is the direct recipient of compensation, creative works involve two distinct parties: the rightsholder who controls the copyright, and the creator or artist whose labour produced it. Featured artist shares are not fully protected by statute - PPCA's distributions are ex gratia and can change without legislative intervention. They can also be signed away under existing contracts. Beyond this, entire categories of contributor - session musicians and producers, whose distinctive work may be precisely what an AI system trained on - have no recognised entitlement to broadcast royalties at all. Their creative contribution is precisely what is being harvested. The collecting society infrastructure was never designed to reach them.

Second, and more fundamentally, a compulsory licence extinguishes the right to say no. The statutory pass-through proposed in Section 6 operates within a voluntary licensing market - the rights holder negotiates, consents, and the law mandates a share flows to the artist. A compulsory licence removes that consent by design. This is the difference between a framework that preserves creator agency and one that eliminates it. It also identifies the correct sequencing: the pass-through only functions if the voluntary licensing market it attaches to is protected. Rejecting any compulsory licence scheme is the precondition for Section 6 to be viable at all.

5.5 Protecting the Artists: A Four-Part Framework

Copyright protection for rights holders is not the same as protection for artists. A record label holds the copyright in a sound recording; the artist performed on it and may have written it, but assigned their rights under standard industry contracts. When an AI company negotiates a licence with a label, the artist is not at the table. Whether they are informed is a matter of contract, not law. Whether they receive any proceeds depends on how those proceeds are categorised - and whether they have recouped.

AAM proposes four complementary policy objectives:

5.5.1 Consent Must Be Sought and Objections Documented

Any licensing framework should require that artists be individually notified before their recordings are included in any AI training licence, with a genuine opportunity to raise objections. This is a process right, not a veto - labels hold the copyright and can ultimately make the licensing decision. But where an artist's recordings are included over their documented objection, that decision and its commercial rationale must be disclosed. This creates an evidentiary record and raises the reputational and legal cost of overriding artist interests.

The gap between label opt-in and artist consent is already present in deals being struck. Merlin, the digital licensing body for independent labels, is one example. It structured its AI licensing agreements on an opt-in basis for its member labels when it did a deal with Udio. The opt-in right belongs to the label, not the artist. Any independent label holding masters in perpetuity for artists who signed in an earlier era can opt in to an AI training licence. Those artists' recordings enter the dataset. They may not be consulted. They may not be compensated. The label opted in. That is the entirety of the consent that occurred.

5.5.2 Remuneration: A Two-Instrument Approach

AAM proposes two distinct instruments to address AI remuneration, each suited to a different type of licensing arrangement.

Instrument One applies to platforms whose model generates outputs that can be attributed back to specific training works - the cover song and sampling analogy. Where causal attribution is technically feasible, a collecting society ER model is appropriate, delivering generation royalties (at the moment of creation) and tracking royalties (ongoing performance, mechanical, and sync revenues for the life of the new work). The Cloudflare acquisition of Human Native - a UK-based AI data marketplace facilitating transactions between AI developers and content creators - demonstrates that the private sector is already building the technical infrastructure this model requires. This is what is being proposed by MEAA, but is presented here to highlight the difference between an instrument that's useful to ongoing events (ER) and the instrument that is best used in one-off licensing scenarios.

Instrument Two applies to one-off training licences - where a model is trained on a catalogue and the commercial event is complete. For these, AAM proposes a statutory pass-through obligation: when a label receives an AI training fee, a defined minimum percentage must flow directly to the featured performer, at the contract level, as a matter of law, free of recoupment. The superannuation analogy is apt: just as employers cannot withhold superannuation contributions regardless of other financial arrangements, labels should not be able to absorb AI training proceeds at the expense of the artists whose recordings made them possible.

5.5.3 Moral Rights Must Be Strengthened and Applied to AI

Moral rights cannot be assigned. They remain with the creator personally, regardless of their recording contract. University of Auckland law academic Joshua Yuvaraj, in his paper 'I Do Not Consent: Moral Rights and Machine Learning in Australian Copyright Law' (2025, Copyright Reporter forthcoming), argues that Australia's moral rights regime - specifically the right of integrity - can be applied and extended to the unauthorised use of works to train AI models. AAM supports Yuvaraj's recommendation to introduce a dedicated moral right against unauthorised machine learning, and endorses the flexible territoriality approach that would apply protections where a model trained offshore is deployed in Australia.

AAM also notes that the intentional or negligent ingestion of creative works without their associated metadata should be treated as an independent moral rights violation - specifically, the right of attribution. Metadata is not supplementary information; it is the technical expression of authorship.

5.5.4 Mandatory AI Labelling and Watermarking

Mandatory AI labelling and watermarking is the evidentiary infrastructure on which every other creator protection depends. Without it, consent violations are invisible, pass-through obligations cannot be audited, and moral rights claims cannot be brought. Australia requiring mandatory disclosure now - even before technical watermarking can fully verify it - establishes that infrastructure before the scale of AI-generated music makes retroactive evidence-gathering impossible.

RECOMMENDATION 9

Implement measures that ensure the protection and remuneration of the artist at all levels of AI-related regulation, such as the AAM's proposed four-part framework.

5.6 Who Is Actually at the Table: The CAIRG Steering Committee

The Copyright and Artificial Intelligence Reference Group (CAIRG), is the body that will directly shape the policy recommendations emerging from the Attorney-General's Department on AI and copyright.

The CAIRG's steering committee - the 20-member inner group that tests ideas and refines proposals before they reach the broader 83-member reference group - is where the real policy architecture is being shaped. An examination of its membership reveals significant gaps in representation.

Notably absent from the steering committee is any direct artist representative.

Given one of the Revive pillars is "The Centrality of the Artist", the fact that one is missing from this committee is something that urgently needs to be rectified.

RECOMMENDATION 10

Include a music artist in the CAIRG steering committee to ensure at least one representative of the creators whose works everyone is striving to profit from, has their voice heard and their future protected.

Sources: AAM AI Policy Paper 2026 (companion document); Joshua Yuvaraj, 'I Do Not Consent: Moral Rights and Machine Learning in Australian Copyright Law' (2025); ARIA and PPCA, Industry Briefing: AI, Copyright and Licensing (March 2026); MEAA, 'Pay Up': The Case for Equitable Remuneration (April 2026); Council of Music Makers statement, November 2025; Billboard investigation, April 2026.

6. Equitable Performance and Hire Terms for Government-Funded Events and Venues

AAM supports a strong, diverse festival and venue landscape in Australia and understands the commercial realities that presenters are navigating. However, contract settings across the sector are trending toward greater transfer of risk and obligation to artists - and in many instances, this trend is continuing at events and venues that receive public funding. The Government should not be funding activity that normalises inequitable contractual terms.

6.1 Deteriorating Contract Conditions

Performance contracts reviewed by AAM show increasing instances of artists being required to refund deposits, reimburse promoter costs, absorb force majeure losses, or obtain cancellation insurance for events over which they have no operational control. Deposit structures have shifted materially: from a pre-2010 standard of 50%, to 20–30%, to a post-COVID standard of 10–20%. In some cases, contracts are not provided until after announcement.

Venue merchandise commissions - in some cases upwards of 30% of gross revenue - have become a parallel concern. Merchandise is one of the few remaining reliable income streams for touring artists. Commissions applied to gross sales are disproportionately harmful: production costs can be substantial, and most other parts of the music business calculate commissions on net income. The commercial relationship is not reciprocal: artists bring the audiences, but do not share in food, beverage, or other venue revenues those audiences generate. AAM recommends merchandise commission caps for government-funded events and venues, consistent with how the NSW Entertainment Industry Act caps performer representative commissions.

6.2 Exclusivity, Radius Clauses, and Ticket Transparency

Exclusivity and radius clauses raise legitimate competition concerns when large promoters with off-shore interests control multiple festivals and venues. The 2025 Federal Parliamentary Inquiry into the Live Music Industry recommended the ACCC monitor the music industry for anti-competitive conduct; which the AAM supports. Ticket fee transparency is a parallel issue: the same Inquiry recommended consumer law amendments to improve fee disclosure and limit dynamic pricing variability. Government-funded events should, at minimum, disclose total fees as a percentage of ticket price.

6.3 The Systemic Problem and AAM's Proposed Response

When one party can unilaterally impose standard-form terms that transfer uninsurable risks to the weaker party, commercial negotiation has stopped functioning. Since November 2023, Australia's unfair contract terms regime applies penalties for proposing unfair terms in standard-form contracts. Government should not fund activity that normalises practices potentially caught by that regime.

RECOMMENDATION 11

Establish conditions for government-funded and government-owned events and venues requiring: equitable deposit structures (minimum 50% of artist fee on booking); merchandise commission caps on gross revenue; provision of executed contracts prior to event announcement; and proportionate, transparent exclusivity and radius clauses.

RECOMMENDATION 12

Direct the Australian Competition and Consumer Commission to monitor the Australian music industry for anti-competitive conduct in live music contracting, consistent with the recommendation of the Federal Parliamentary Inquiry into the Live Music Industry (2025).

Sources: AAM Play Fair research (2011–2022); Featured Artists Coalition, '100% Venues' initiative (UK); NSW Entertainment Industry Act; Federal Parliamentary Inquiry into the Challenges and Opportunities Within the Australian Live Music Industry, Recommendation 3 (2025); ACCC Unfair Contract Terms Regime (effective November 2023).

7. Further Positions: Cross-Jurisdictional Advocacy and the Next Generation Now Framework

7.1 Cross-State and Territory Advocacy

Funding and policy settings for the contemporary music sector vary significantly across Australian states and territories - in some cases dramatically so. New South Wales, Victoria, and South Australia have established state music offices with dedicated funding programs; other jurisdictions operate with far more limited resources and correspondingly limited capacity to support their local industries.

AAM calls on the Australian Government to establish formal federal advocacy for contemporary music across all relevant state and territory government departments. The objective is not to compel funding matches that smaller jurisdictions cannot sustain, but to ensure that state and territory governments are actively included in national industry conversations, kept informed of federal investment frameworks and opportunities, and supported in identifying pathways through which contemporary music operators in their jurisdictions can access and benefit from programs and funding. Cultural policy is whole-of-government work, and its outcomes should reach every Australian jurisdiction - not only those with the existing infrastructure to navigate federal funding systems unaided.

RECOMMENDATION 13

Establish a federal coordination mechanism for contemporary music advocacy across all state and territory governments, ensuring consistent access to national cultural policy frameworks, and funding or program education regardless of jurisdiction.

8. Alignment with the Next Generation Now Joint Submission

AAM is a co-signatory to the Next Generation Now joint submission to the National Cultural Policy Consultation 2026, prepared by the joint contemporary music industry. The joint submission sets out a comprehensive framework for the next phase of national cultural policy investment. AAM endorses that submission in full and draws particular attention to the importance of all First Nations First initiatives; The Push's National Plan for Young People and Music; and the critical need for attention on quality, universal and sequential music education as highlighted by the work of Music Education: Right From The Start.

Sources: Next Generation Now: Joint Contemporary Music Industry Submission to the National Cultural Policy Consultation 2026 (May 2026); Music Education Advisory Group recommendations; ACMA, Commercial Radio Code of Practice (2026); Convergence Review Final Report.

Conclusion

Music runs through Australian life. It is in the classroom, the regional pub, the stadium, the community station, the rehearsal room, and the streaming queue. It is in the treaty ceremonies and the language recordings and the debut albums and the festival stages. And at every point in that ecology, an artist exists and operates against all odds (and there are a lot). Behind some of the country's most promising artists, there is an artist manager - absorbing risk, investing before any return is guaranteed, building the infrastructure through which Australian creative culture reaches its audiences.

The positions in this submission are not a wish list. They are a diagnosis and a prescription. The market conditions that have made artist management structurally unsustainable did not arise by accident. They are the product of policy decisions, regulatory gaps, and investment patterns that the next National Cultural Policy has the opportunity to address.

The case for sustained and expanded investment in Music Australia, the infrastructure of Australian artist development, and the regulatory frameworks that protect creators in the digital age is not speculative. It is documented in the evidence assembled here. Australia has the talent. The next Cultural Policy can give it the conditions to flourish.

AAM thanks the Office for the Arts for the opportunity to contribute to this consultation and commits to active participation in the policy development process that follows.

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- NSW Entertainment Industry Act 1989
- ACCC Unfair Contract Terms Regime (effective November 2023)
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Association of Artist Managers Australia

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For any queries, please contact our Executive Director:

Maggie Collins

[redacted]

www.aam.org.au