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Committee Secretary  
Senate Legal and Constitutional Affairs Committee  
PO Box 6100 Parliament House  
Canberra ACT 2600

Phone: +61 2 6277 3560  
[legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)

Dear Committee,

**RE: SUPPORT FOR THE COPYRIGHT LEGISLATION AMENDMENT (FAIR PAY FOR RADIO PLAY) BILL**

We are writing to you as an artist in the Australian music industry, to seek support for the Fair Pay For Radio Play Bill.

We are writing to express our support for the Copyright Legislation Amendment (Fair Pay for Radio Play) Bill 2023, which was introduced into Parliament by Independent Senator for the ACT, David Pocock. This bill presents a significant opportunity to rectify a long-standing issue in our copyright legislation, particularly with regards to the compensation for the use of sound recordings by radio stations. The Bill aims to address the following key points:

- **Removal of Caps:** The Bill proposes the removal of the cap that currently limits what commercial radio stations pay for the use of sound recordings to just 1% of their gross revenue. Furthermore, it seeks to eliminate the cap of half a cent per head of population paid by ABC Radio since 1968.
- **Fair Market Rates:** The removal of these caps would allow the Phonographic Performance Company of Australia (PPCA) to negotiate a fair market rate for the use of sound recordings. This change would bring the compensation for music usage in line with commercial television and other music users, ensuring that artists and rights holders receive appropriate compensation for their work.
- **Implications for ABC:** It is important to highlight that ABC paid only around \$130,000 for the use of all sound recordings across all of its radio stations in FY 2023, which includes the popular Triple J. The removal of these caps would allow ABC to fairly compensate rights holders for their valuable contributions.

This Bill, if passed, has the potential to benefit artists, record labels, and all stakeholders in the music industry by ensuring that they are adequately compensated for the use of their intellectual property. It would also bring Australian copyright legislation more in line with international standards and practices.

We understand that the Copyright Legislation Amendment (Fair Pay for Radio Play) Bill 2023 is currently under consideration by your esteemed committee. I would like to express my strong support for this bill and encourage you to carefully evaluate its merits. It is essential that the interests of all stakeholders, especially artists and rights holders, are considered and protected.

As artists who value the contributions of all musicians and artists to our culture and economy, we believe that updating our copyright legislation is a crucial step towards ensuring a fair and sustainable environment for these creative individuals and businesses. I urge the Senate Legal and Constitutional Affairs Committee to support this important reform and consider the broader implications of this legislation.

Thank you for your time and consideration of our views on this matter. We hope that the committee will make the right decision in favour of fairness and equitable compensation for the use of sound recordings.

Sincerely,

Sasha Theunissen, Brooke Squire, Jordy Theunissen, Nic Ursida, Maarlee De Jong  
**Mums Favourite**