

Committee Secretary
Senate Legal and Constitutional Affairs Committee
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6th November 2023

Dear Committee,

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

My name is Joe Woolley and I am writing to you as a business owner in the Australian music industry, to seek support for the Fair Pay For Radio Play Bill.

In my business, I manage the careers and business affairs for Australian contemporary music artists at differing points of their careers, from early/emerging musicians to multi-decade established artists.

A Bill called COPYRIGHT LEGISLATION AMENDMENT (FAIR PAY FOR RADIO PLAY) BILL 2023 was introduced into Parliament by Independent Senator for the ACT David Pocock.

The Bill seeks the removal of the (grossly inadequate) cap that limits what commercial radio pays for the use of sound recordings to just 1% of their gross revenue. It also removes the cap of half a cent per head of population paid by ABC Radio since 1968. Yes – 1968.

Removing these antiquated caps would allow PPCA to negotiate a fair market rate for the use of my artists' sound recordings, in the same way that they do with commercial TV and other music users.

Commercial radio has no respect whatsoever for Australian music or artists, despite enjoying a lucrative social license from the community. A 1% fee is absurd for the product that underpins their very existence. (Imagine having a factory that produced popular items of household equipment, where the cost of your raw materials was 1% of your revenue. It's plainly ridiculous.)

The commercial radio stations also flagrantly flout the legislation which mandates a minimum quota of Australian music, burying local content between midnight and 6am to cover up their blatant contempt for the local industry.

Even the ABC only paid around \$130,000 for the use of all the sound recordings across all radio stations in FY 2023 (including Triple J, a profit-making entity operating in a commercial manner).

So I would ask that you pass this bill, and at the same time, give serious consideration to lifting the inadequate quota for Australian music to ensure that a minimum quantity of new local artists receive airplay on commercial stations, during peak hours. Failure to comply should result in suspension of the licenses of all stations in the parent group; repeated failure should result in forfeiture of licenses.

If you are going to pass laws, please ensure they are obeyed by legislating stiff penalties. Commercial member radio stations ownership is concentrated in just 30 operators, with 80% of the stations formed into 12 networks (<https://www.commercialradio.com.au/About-Us/About>). This unhealthy and uncompetitive market is in desperate need of regulation and reform to ensure that the interests of the Australian people are appropriately recognised.

Thank you for your attention to this important matter.

Yours sincerely,

Joe Woolley

Alien Lane Management

Brisbane