

## **10 Frequently Asked Questions on the Music Industry**

### **1. *What does a band manager do? Why should a band get one?***

**John Watson, John Watson Management (silverchair):**

“A manager is a person who earns a living from helping artists build and maximize their musical careers. It sounds simple but it’s not. Nobody can do everything, and once an artist is occupied with the challenges of writing, recording, touring and promoting, it’s extraordinarily difficult - if not impossible - to also look after the business side of things. Also, just as the best sportsmen can still benefit from a good coach, so too can almost every artist benefit from the additional perspective which a manager brings to their career. Furthermore, a good manager usually has experience and contacts which a band doesn’t have. These can help a band develop career opportunities and avoid pitfalls. Managers wear lots of different hats in order to build and maximize the careers of their artists. They might need to be organizers, negotiators, motivators, counselors, editors, designers, manipulators, strategists, disciplinarians, peacemakers, ballbreakers, technicians, stylists, publicists, financiers and more. Sometimes they might even have to wear all of these different hats on the same day. Every manager combines all these different ‘hats’ in different combinations to create their own unique and complex style. As a result managers vary greatly depending on the unique needs of each artist. Some artists require very different things from others - the key is to find a good fit between the needs of an artist and the skills of a manager. Some may be organized and disciplined and require creative guidance from their manager. Others may be creatively self sufficient and just need a manager to ‘make the trains run on time’. Bands seeking management are well advised to learn as much as they can about the business before committing to any manager. For more information about management or self-management I would strongly suggest that any interested parties should join the Music Managers Forum and attend their regular meetings.”

### **2. *Why do I need a contract for most things involving the music industry?***

**Liz Wright, Brett Oaten Solicitors:**

“Most record companies and publishers will offer a musician a contract if they wish to work with them. If you engage a manager, it is preferable to enter into a contract with the manager to set out the terms of your relationship. Many bands also have contracts between the band members for this reason. It is advisable to have a contract for any agreements between parties in the music industry, so that the parties are aware of their rights, and their obligations to the other party. A well-drafted contract may prevent unnecessary disputes between parties. For example, if you and your manager disagree on an issue about your music career and decide to part ways, your manager may feel that he or she is still entitled to

receive a management commission for work the manager did for you while he or she was your manager. You may disagree. If you had a management contract that dealt with this issue, it is less likely that this dispute would arise. Also, a contract between band members is likely to deal with issues such as what happens if a band member leaves the band, the rights of members in respect of the band's name and how income is split between band members."

### **3. *What does a music lawyer do?***

**Liz Wright, Brett Oaten Solicitors:**

"A music lawyer generally advises and provides information to artists, managers, record companies, publishers and music organisations on a wide range of issues including contracts, copyright, business names and structures. Music lawyers advise and negotiate agreements between parties in the music industry and are also often engaged to resolve disputes between parties."

**4. *I have been writing songs for a number of years and will be looking soon to record a demo with a new band I play in. How do I go about establishing a copyright on the songs I write? They obviously mean a lot to me and I want to be protected in case they fall into the wrong hands.***

**Liz Wright, Brett Oaten Solicitors:**

"You do not need to copyright a work in Australia. Copyright protection is automatic and there are no costs involved. There is actually no system of registration for copyright protection in Australia. A work is automatically protected from when it is first written or recorded in some way, provided it has resulted from an individual's skill and effort, and is not copied. You do not need to publish your work or put a copyright notice on it to be covered by copyright. It's, useful, however, to put a copyright notice on your work. This takes the form "*© your name 2001*" and lets people know that you are claiming copyright ownership. The Copyright Act sets out who owns copyright. The general rule is that the original owner of copyright in a work is the creator of the work. However there are exceptions, for example, if the people involved in creating the works have any agreement about ownership. There is no simple way to protect copyright. However, keeping drafts and original copies may assist in proving that you created the works or when they were created."

### **5. *How can I get my song played on the radio?***

**Jo Corbett, Festival-Mushroom Records:**

"Having worked with independent and commercial artists in the past, I've found that there are a few ways to try and get your song played on the radio."

Community radio stations are renowned for supporting and playing songs from independent bands so targeting specialised programs, such as Australian music or genre-based shows, at these stations is a good start. With commercial stations, it can be a bit more hit and miss. Ultimately, it depends on the strength of the song and what it's up against at the time though it's good if you spend a bit of money on the production during recording. With good production, you get a slicker sound - therefore a radio station's music director will take this more seriously upon listening. Due to the amount of new music that floods into radio stations each week, you may need to persist with music directors for them to take notice of your song. Some networks will only take notice of a song if there is a huge vibe surrounding it, and if the song is suitable for their playlist. Others will consider adding it if it has received a good chart position on the weekly ARIA chart. A vibe can be created with good CD reviews, live reviews and stories in music press, video play on music TV shows, and general word of mouth, which in turn should make music directors and announcers take notice - and hopefully add your song!"

## **6. How can I get my band signed to a record label?**

**Craig Kamber (former A & R, Polydor records):**

"Always come back to the all important question – what is it that you really want? Once you have thoroughly established what your goals are, the next steps can be realistic to save time and money for yourself rather than just a scattergun approach to all and sundry. Thoroughly research how you want to achieve your goal. If you're after a deal with a record label ensure that you have all of the correct details with regards to the spelling of key people's names, their correct job title, postal address and so on. Also be aware of the roster that a label has developed - if you are an acoustic singer/songwriter do you really think your music has a genuine chance of being released on a death metal label? Research books on the music business - be aware of how record deals work, for example what a packaging deduction is and how that impacts on your earnings from record royalties. The key thing to always remember is that it's your career that you're developing and that you're ultimately responsible for your decisions and actions affecting it. When you solicit your material to a variety of people within the industry, nothing captures anyone's attention easier than a number of well arranged strong songs that have a clear sense of direction. One of the easiest ways to fast track your career is by putting in all of the hard yards out of the public eye and growing artistically at your own pace. Once you feel that you're ready to take the plunge, you can then make a big impact by the solid preparation that you've already put in. Before you dub any of the material, give every song a final listen, then ask yourself is it the best you can do? If it is then, prepare your CD burns/cassette dubs. If not then go back a few steps and keep reworking the material. Remember only you will know whether you have genuinely given something your best shot at that time. When you are preparing

your dubs always remember first impressions count. Put what you feel your strongest single is first. Presentation is the key. Leave nothing to chance. Always be professional and courteous when you are following up the people that you have sent your material to. Appreciate that everyone is busy with their own priorities, and are often deluged with material on an ongoing basis. Remember - "if at first you don't succeed, try again."

### **7. *What is music publishing and how could I benefit from it?***

#### **David Orwell, Sony Music Publishing:**

"Music publishers represent the songwriters and composers who write music. If you write a song there are many ways it can earn money for you. For example, every time the song is released on a record, played on the radio, used in a film or an advertisement, it earns money for its writer. The publisher's role is to promote the songs so they get as much use - and income - as possible and then collect all the income and account it to the songwriter. In return for doing this, the publisher keeps a percentage of the income. Some of the things a good publisher can do for you include helping you get a record deal, placing your songs in TV shows, films and ads, finding other artists to record your songs, setting up co-writing with other writers and finding overseas labels to release your records."

### **8. *How can I get publicity for my band or gig?***

#### **Jo Wilson, Mad Dog Publicity (The Avalanches, Modular Records):**

"Make sure you start with a good contact list - do your research so you're touching base with the right people from the beginning and you can start to build relationships from there. Cover all your bases - make sure you pursue every appropriate avenue - most media outlets have a range of options including gig listings, news sections, reviews that cover both CD and live shows, articles and interviews, so always aim for everything first up and see how far you get! Have a good press kit. It doesn't have to be a thesis (in fact it's better if it's not) - just well presented. Always include a decent photo, a short bio or press release, and a CD where appropriate, with a good covering letter. Always follow it up with a phone call. And finally - be enthusiastic!"

### **9. *What does a producer do? Why might I need one?***

#### **Tim Whitten (Producer, Powderfinger, Karma County):**

"Many producers work in vastly different ways and it depends what you want from a producer. A producer can expand your musical ideas by helping you to write your songs, helping to decide on a style, adding other parts, sounds,

textures, helping with your lyrics, choosing musicians, engineers, studios and working out budgets. On the other hand a producer could engineer (record) your music just as it is. The main role is that they help you put together all the elements to make a song "work". You need to be able to trust the person you are working with. You will be revealing your emotions, concepts and thoughts through your music and lyrics. Some producers may create a tense situation in order to force you to become more emotional and hope that this will be reflected in your performance. Others will work in the opposite way and create a safe atmosphere and make you as comfortable as possible. Or they will just be your friend and a mirror for your ideas. As the recording process progresses, you may become confused about a particular song or part. Is it good? Is the performance good? Is the sound right? Is it going to move people? It is often the case that this never becomes clear till it is all finished, (mixed and mastered). You may have many ideas for the song you are working on. A producer will help you sift through them and most likely add some of their own. A producer is often in a good position to be objective. You may think that a certain direction, approach, idea is good for the song. The producer will be new to these ideas and thus more able to have a fresh perspective. The producer is often the first person to hear the finished song. If they like it there is a good chance that others will like it too. But of course this is not always true. Sometimes it's the opposite. In the end it comes down to whether you are happy with the track. The role of the producer is to help."

**9a. *What preparation should I make before approaching a producer to work with?***

**Tim Whitten (Producer, Powderfinger, Karma County):**

"Spend some time researching the producers you like. Listen to their work. Do you like their style? Have they helped to make successful CDs? (this may not be important as many good CDs don't sell in great amounts.) If possible, talk to other people who have worked with the person you have in mind. Do they have a manager? If so, try to talk to them directly. Think about whether you want to share any of the money you may receive from sales of your CD (often referred to as points). Many producers will talk to you about this. Have a rough recording of songs to play them. Invite them to a show or a rehearsal. Have a time frame in mind. Have a few CDs you like or reflect what you want to play them just to give them an idea of where you are coming from. It is important that they understand what you want from your song."

**10. *I've heard I can get financial support from the government for my musical career. What can I get funding for and how do I go about this?***

**Sue Spence, (Australia Council):**

"Financial support is usually available from the Australia Council as a grant, or in case of Contemporary Music Export Music Marketing Advances, an advance,

fully repayable over a two year period. You could secure music-related funding from the Australia Council for things such as touring within Australia, recording, presentation of a single concert, a concert series or festival. Funding for these is available through Presentation and Promotion, Music Board. There are two grant rounds per year and you need an application form. Funding is also available through Skills and Arts Development, Music Board, for professional study and overseas development opportunities. Again, there are two grant rounds per year and you need an application form. For more information, get the Australia Council's Support for the Arts Handbook 2001. There is an on-going funding program for international touring, such as participation in a music-specific showcase, where a long-term international plan is demonstrated or expansion of overseas networks by attendance by a bandleader or manager at key conferences or performing arts markets. Proposals are accepted at anytime, with decisions advised within 8 weeks. For more information and guidelines, see There is also assistance available for established bands to break into overseas markets as well as assistance for travel within Australia for business purposes relating to the advancement of an artist/band or artist-related product. The idea of applying for government money can be scary. Filling out forms and writing applications is not easy, and it is time consuming. But if you are serious about your music career and are looking for that little bit of extra help to take the next step, these options for assistance are out there, and may be just right for you. The process of writing a grant application is like writing a business plan - it helps you get organised and formalise your plans, projects, ideas and dreams into possibilities and enables you to get your business and marketing strategies planned. If you think one of these programs might suit you get hold of an application form. Don't be put off by government departments and the formality of filling out an application form. It is not as hard as you think. Be concise, answer the questions asked, don't use 'hype' or exaggeration, just state the facts. Most assessors do not want to read pages of information. Make your budgets realistic, itemise your expenditure. If your project is a tour – include a realistic itinerary that matches your budget. Discuss your project with a project officer. If you get knocked back don't be put off. It doesn't necessarily mean that your project was not worthy or that you won't be successful a second time."