

Submission by #PayPerformers to the UK Culture Select Committee Inquiry

Impact of Streaming on the Future of the Music Industry

The #PayPerformers campaign¹ was conceived in 2019 to ensure that performers benefit from the commercial success of streaming. Today, performers are unable to share in the revenues generated by these platforms. In order to create a more sustainable ecosystem in the music as well as audiovisual sector, the #PayPerformers campaign is proposing to close this important gap of protection for performers by introducing a right to unwaivable and non-transferrable remuneration for performers paid by digital platforms. The actual administration of the equitable remuneration will be carried out by collective management organisations who have the necessary expertise to distribute money to performers fairly and transparently. This proposal introduced into national legislation would guarantee that performers would finally be fairly remunerated for the use of their work on these platforms.

Whilst the #PayPerformers campaign does not currently operate in the United Kingdom, we hope that some of our information might be useful in the context of this inquiry of the DCMS Select Committee. The focus of the #PayPerformers campaign is the implementation of the remuneration right in the Member States of the EU.

We limit our comments on the inquiry² to this practical proposal which would implement a policy supporting a more equitable business model.

Performers trust their collective management organisation.

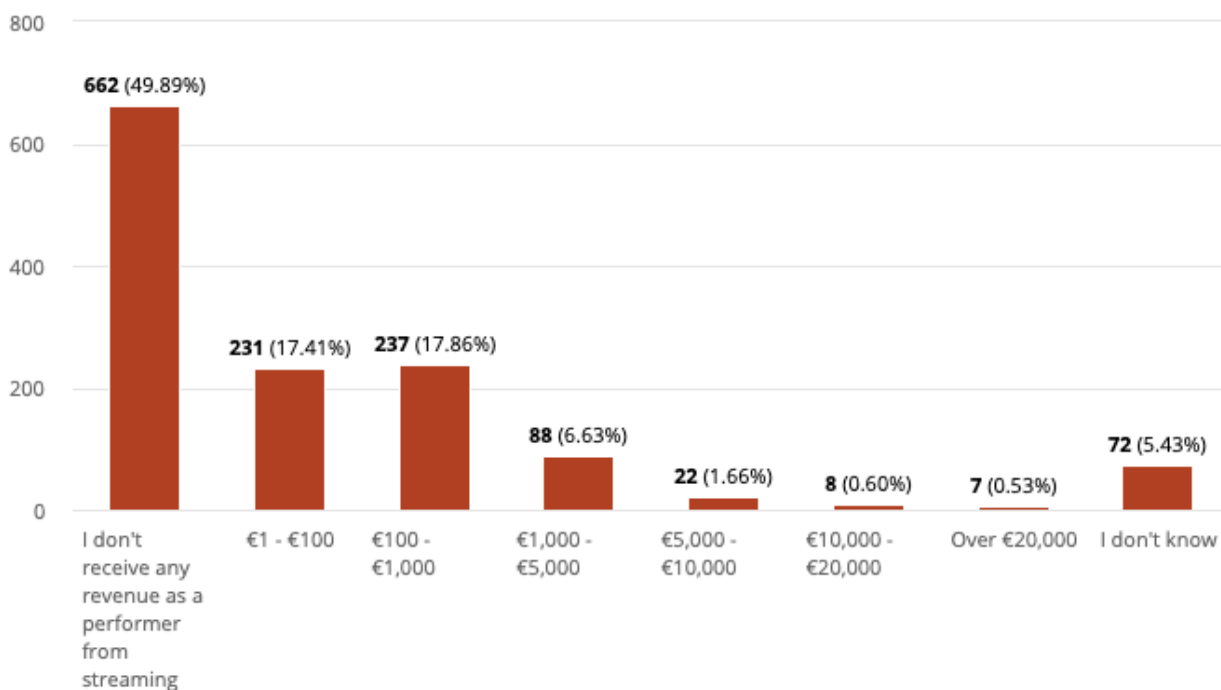
We have carried out a [survey of European performers](#) which was answered by over 5,800 respondents from most European countries, including the UK. Performers are calling on national legislators to create a sustainable streaming market that values their work for its worth. The main [findings](#) are:

- Europe-wide 90% of all performers indicate receiving no remuneration or less than €1,000 per year from streaming services; even when streamed over 100k times.

¹ <https://www.payperformers.eu/about-us>

² <https://committees.parliament.uk/committee/378/digital-culture-media-and-sport-committee/news/120055/dcms-committee-examine-impact-of-streaming-on-future-of-the-music-industry/>

- In the UK, the results were similar:



PayPerformers Survey 2020, results from UK performers

- Performers are 6 times more likely to trust their CMOs to manage their rights over their producers

The PayPerformers proposal is already effectively operating in Spain.

The [Spanish system for equitable remuneration](#) has been operating successfully since 2006 when the Law, which implemented the European Union Information Society Directive 2001 came into force. The Spanish law introduced an unwaivable and non-transferrable remuneration right for performers: the remuneration right allows performers to be paid for the music and audiovisual works made available on demand on online music and audiovisual services, including streaming services. The whilst the producer retains the exclusive right to manage it with the users.

This equitable remuneration is administered by Spanish performers collective management organisations AIE has allocated digital revenues from equitable remuneration collected in Spain in 2018 to 52,265 performers.

The Spanish system also applies to performers in the audiovisual sector. In 2019 AISGE allocated digital revenues for more than 140.000 performers who participated in more than 130.000 audiovisual recordings.

More information available [here](#).

What UK Performers Say

“As far as I am concerned, streaming is theft of my services and performances.” – Instrumentalist

“It is absolutely vital that musicians can receive income from streaming services - without it many of us will have to leave the business” – Singer

“Legislation is needed to ensure actors are paid for their hard work. It’s hard enough making a living as an actor, we deserve to receive every penny we’ve earned.” – Actor

“Streaming is not so new however how we artists manoeuvre within it and get paid is still a new phenomenon. It would be good to have a security in place which supports remuneration rights and I support this for musicians’ visual artists as well as the performing arts.” – Actor

More Evidence

There is more evidence on performers remuneration and rights in streaming on the #PayPerformers website.

- [PayPerformers Survey of Performers](#)
- [Academic opinion supports unwaivable remuneration right administered collectively](#)
- [Spain: The First Member State to Implement the Remuneration Right for Streaming](#)
- [Academic: Best Mechanism For Effective Remuneration Right Is Collective Management](#)
- [How Musicians Are Fighting for Streaming Pay During the Pandemic](#)
- [Luka Bloom reveals that his new album won't be available on Spotify & other streaming services](#)
- [Remuneration for Performers](#)

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