Artist management is an all-consuming profession and one that poses challenges to the individual in finding his or her own space and significance.

We have been busy at the IAMA office due to an increasing volume of problems with A1 documentation, including the refusal by some promoters in Spain, Germany and Austria to accept it as valid. This is contrary to the perfectly clear EU directives and national laws on the subject. The solution to this problem will be complex and take time, requiring consultation at a local and national level. Our sister organisation, the AEAA, is in close co-operation with IAMA on these matters and we have a respected body of experts whose knowledge we can draw upon.

Changes

IAMA is aware of the changing demands of its members and what they expect out of the Association. Aside from bigger issues like the A1, member companies are looking for advice which is much more tailored to their individual needs. How we achieve this is going to be a challenge but we have made a start. A specialist facilitator, Russell Willis Taylor, was commissioned to brainstorm a meeting with board and Honorary Life members in April. This produced some interesting results which are currently being considered. Over the coming months, you will notice some changes in the way we communicate and, indeed, where we focus our attention. Creating a strong network where you matter is our priority.

ClassicalMusicArtists.com

Quite a few improvements have been made to the CMA website and there are more on the way. Please continue to give us feedback on what your experience is and changes that we can make. May I draw your attention to your news section of this site where we can post news of your artists. CMA is still a significant business tool even in our Google-dominated world, so do make sure your listings are up to date.

Two major IAMA conferences in 2016

The 26th IAMA International Conference will take place in TivoliVredenberg, Utrecht, The Netherlands on 7-9 April 2016. A second opportunity will be presented to members in Toronto, Canada on 10-12 November 2016 in collaboration with Ontario Presents.
An IAMA Board election is to be called in November 2015. A number of places will be up for election on the Board and those interested in standing should be nominated by another member company.

Nomination period will be called in October 2015 via IAMAnews.

What sort of Association should we be?

On 2 April, a small group of IAMA members both from the UK and internationally, met to assess what further work the association can do to add value to its members. It was facilitated by Russell Willis Taylor, a professional facilitator. The following points were raised which are receiving attention by the board of directors and any feedback from you would be welcome:

**Summary of points:**

1. The Association exists to serve the artist management sector. This is the core reason for IAMA’s existence and identity irrespective of the number of the number of Affiliates joining.
2. To extend member engagement by creating a network map of those in countries and people we need to engage the most. The map could include board or non-board members.
3. Extend the reach of IAMA to the younger set of managers within companies and recognise their achievements.
4. Use focus groups to analyse what members need and want. This is particularly important in the Affiliate category.
5. Segment the membership more than membership categories in order to penetrate effective engagement.
6. Re-assess value for money in terms of the membership fee structure, in particular the Affiliate membership categories. To decide the appropriate level of charging Affiliates, a focus group should look into the question of what Affiliates wish to gain from membership.
7. Ask non-member conference delegates what barriers they perceive to becoming a member.
8. Research the reasons why members read messages from the Association.
9. Members should have the ability to comment and participate on the website forums.

IAMA Helplines

IAMA has a professional network of help at hand to assist members. All cases should go through the IAMA office in the first instance.

Financial and Tax advice for VAT, private wealth management, taxes and general advice: Smith & Williamson

Member support: All Arts Tax Advisors

Legal help Helpline for all enquiries, mediation and arbitration: Taylor Wessing International

GG Arts Law (N. America)

Member support: DWFM Beckman Solicitors (UK)

www.iamaworld.com

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In from the margins

This year’s IAMA Conference in Helsinki explored the idea of marginality, and what it means for classical music in the 21st century

The Finnish composer Kaija Saariaho gave an impassioned opening address that threw down several gauntlets to Conference delegates. She offered a polemical critique of the classical music industry, which she said ‘should be filled with innovation, creation and curiosity, but all that seems to matter today is how to fill the halls and the agents’ pockets’. She went on to ask: ‘Where are today’s visionary entrepreneurs who are ready to take risks, to discover and support genuine, uncompromising music and art more generally? You who are listening to me right now – are you one of those who open doors for arts and artists?’

A resounding ‘yes’ to this question was given by keynote speaker, Khushroo Suntook, the chairman of India’s National Centre for the Performing Arts in Mumbai, who has worked tirelessly over the past decade to establish the Symphony Orchestra of India in a context where Western classical music is not an intrinsic part of national culture. He issued an open invitation to musicians interested in exploring new territories and expanding their repertoire, and described India as ‘a vast territory which organisations with a long-term marketing vision can successfully penetrate.’

This positive tone was continued by Conference chairman, Aleksi Malmberg, director of the Finnish Cultural Institute for the Benelux, who highlighted the fact that digital technology is bringing about an unprecedented degree of democratisation. ‘To some extent we are all working in a margin, but perhaps the concept of marginality is no longer that useful,’ he explained. ‘We should not be asking whether classical music will survive, but how to make the best of it.’

The Conference sessions that followed explored difference aspects of ‘marginality’, ranging from gender, geography and culture to the question of whether digital technology represents an opportunity or a threat to classical music. A panel discussion on technology was particularly engaging thanks to the presence of some heavyweight speakers representing organisations as diverse as Nokia, the boutique recording label Ondine, Berlin’s ‘space for arts and ideas’ Radialsystem V and a new online broadcasting initiative called Rightster. Simon Walker from Rightster presented a strong case for embracing technology as we enter what he called the ‘Third Era of Media: “rightcasting” – getting the right content in front of the right audience on the right platform’. Ondine’s managing director, Reijo Kilunen, sounded a more cautionary note: ‘New technology is great, but has halved our income and created a lot more work,’ he said. ‘Only labels with a huge catalogue of classic repertoire can make money from digital distribution – a boutique label doing niche repertoire can’t make any money online.’

IAMA members were put in the firing line in a session titled ‘Artist managers should do more to champion women composers and conductors’, chaired by the arts strategist and broadcaster Susannah Simons. In her opening remarks, Simons said ‘I can’t believe we’re even having this conversation in the C21st;’ then cited the damning statistic that only 2% of conductors are women. An insight into the challenges faced by female conductors was given by Eva Skotte Ollikainen, who said she had never felt there was a problem until her former conducting professor gave a TV interview in which he suggested women should only conduct ‘female music’, but leave the great ‘male’ masterworks to men. ‘Leave the great ‘male’ masterworks to men. This prompted a vigorous response from the artist manager, Jasper Parrott, who described himself as a ‘radical feminist’ and says we all have a responsibility to take ‘affirmative action to address the gross and obnoxious discrimination against women in all walks of life’. Criticising the speed at which the classical music is addressing its gender imbalance, he said he would be in favour of introducing quotas and suggested that funding should be cut from organisations that don’t start to change soon.

The format of this year’s Conference included live music performances during key sessions, most memorably the Finnish Baroque Orchestra’s juxtaposition of Buxtehude with the latest sounds in contemporary Finnish music – including a starring role for the kantele, a traditional Finnish zither.

Survey summary: What delegates said

Around 70% thought the conference was good value for money; 78% preferred the buffet style closing party rather than a gala dinner. Just over 50% would like IAMA to invest more in technology by way of an app or similar product to help them during the conference; 64% of attendees were members of which 56% were Full members (artist managements) i.e. roughly 140 delegates out of 390 attendees. General comments focussed on the panel sessions which received high ratings due to the capable moderation of Susannah Simons.

The IAMA Conference is a membership presentation and it is important that we make it as useful and enjoyable to you as possible. Your views are welcome at any time.

We congratulate Tatiana Kandel, Head of Artistic Planning of the Danish National Symphony Orchestra who was drawn as the winner of the €70 voucher.

This article is reproduced by kind permission of Classical Music magazine. The author is the editor of International Piano and associate editor of Opera Now.
Perspectives in classical music

Four speakers working in Finland, The Netherlands, Oman and Russia presented their experiences of ‘marginality’ and explained how they have responded to its challenges

Paivi Kärrkäinen (General Director, Finnish National Opera): We are the country’s only professional opera company, ballet company and chorus. From the perspective of our fellow Finns 1,300km away in Lapland, Helsinki is on their margin. We therefore have a strong commitment to touring, radio broadcasts and cinema and TV screenings. Going on tour teaches us a lot: our artists always love leaving Helsinki because our audience here has so much access to culture that it’s hard to excite them, except for major projects, but the response from the audience somewhere like Lapland reminds us that what we do has huge value and means a lot to people.

Peter Tra (Head of Concert Programming, TivoliVredenburg): Our centre merged three previous music venues – classical, jazz and pop – which has been a brilliant experience. We’re learning so much from each other, particularly when it comes to attracting new audiences. We’ve worked out a plan based on three principles: don’t ever try to add a new audience to the old one, they’ll both hate it: you need to make new work, new formats and new concepts for new audiences; never mess with the music: don’t do crossover; and for classical music, start new audiences with the ‘Rolls Royce’ of the art form: the symphony orchestra.

Ahmed Abouzahra (General Manager, Arabesque International): After 9/11 I decided to do something to encourage more dialogue between the Middle East and other parts of the world. Other countries in the region are very interested in investing in their image, but in Oman the focus is on developing people thanks to the enlightened philosophy of our Sultan. For example, we have recently opened our Royal Opera House in Muscat and now every other country in the region wants one, but without

‘Are the concepts of centre and margin still useful, or might the centre not benefit from turning itself into a margin?’

Marc de Mauny, Perm State Opera

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thinking about how to attract audiences – which, of course, must start with education initiatives. In Oman our first orchestra was launched in the late 1980s and now we have three national orchestras, including a youth ensemble.

Marc de Mauny (General Manager and Executive Producer, Perm Opera and Ballet Theatre): As Europe’s most eastern city, Perm is literally on a margin. Teodor Currentzis was appointed as our music director because the city’s liberal government decided to stake everything on culture to differentiate Perm from other provincial Russian cities. There really is nothing much else for us to do in Perm except get on with our music-making! We’ve described ourselves as a ‘musical monastery’ or ‘musical commune’. Our aim is to be recognised by the mainstream without necessarily becoming part of the mainstream. When it comes to ‘marginality’, I have three key questions: Why is it possible to achieve certain things at the margins that are not possible at the centre? What can the centre learn from the margins? Are the concepts of centre and margin still useful, or might the centre not benefit from turning itself into a margin?

Jyri Huopaniemi (Director and Head of Media Technology Laboratories, Nokia Research Centre): In the future, everything and everyone will be connected. This transformation will be profound, and will open up many new possibilities. We have already seen the rise of social media and participatory culture, which is likely to become more and more important, leading to the demise of traditional radio and TV stations. New business models will also be needed to reflect the fact that reputation is the new currency in social media.

Jochen Sandig (Artistic Director, Radialsystem V): The live experience is irreplaceable – technology can create awareness and generate interest, but the analogue world and the virtual world are like ying and yang and need to be in balance with one another.

Margaret Yang (Chief Executive Officer, Hong Kong Sinfonietta): In the arts, I think we should work on merit – I am not in favour of quotas: we also need to be fair to male composers.

Susannah Simons (Director of Strategy, Showcase), session moderator: I’m concerned for the classical music sector that by being conservative, what we do becomes irrelevant. Never mind being on the margins – it will become extinct. We need to find people who have something to say, whatever their gender.

Jochen Sandig (Artistic Director, Radialsystem V), speaking from the floor: The issue here is one of power: power is often in the hands of men who need to start sharing it, rather than always leaving it up to women to demand power for themselves.

Hannu Lintu is the Chief Conductor of the Finnish Radio Symphony Orchestra and recently recorded Sibelius’s Lemminkäinen Suite for Ondine. www.hannulintu.fi

New technology – threat or opportunity?

The subject of new technology generated heated debate between its proponents and cultural organisations that have been slower to embrace the advances of the internet age.

Sibelius now

Leading Sibelius interpreter Hannu Lintu spoke about the composer’s life and music to mark the 150th anniversary of his birth.

Sibelius was the first Finn to gain a reputation outside of Finland. In the first half of the 20th century he was the most famous Finn in the world. He is still a national symbol. A portrait of the composer hangs on the wall of every school so we are all familiar with his suffering face even before we know his music.

According to the philosopher and musicologist Theodor Adorno, Sibelius’s melodies are ‘like a baby that falls off a table and cannot walk properly’. Such analysis is comical but also perceptive in its own way – maybe Adorno is right that the composer’s style partly derives from his lack of traditional training in harmony and counterpoint.

Sibelius realised that as a composer the most important thing was not to renew music, but to renew himself. He showed that it was possible to achieve new things within the traditional framework of tonality and the symphony as a genre.
IAMA was involved in the governmental consultation process that ended in June 2014, following which we gathered other UK arts networks together to coordinate a communication to the Newspaper Licensing Agency (NLA). Based on the opinion of the the Intellectual Property Organisation (IPO), we believed we had grounds to challenge the actions of the NLA. IPO’s opinion follows:

“The changes to the exception for quotation permit all types of fair quotation, as long as there is acknowledgement of the source of the quotation. The exception will permit use of a quote by a commercial company as much as by a non-profit organisation – for example using quotes from newspaper reviews or critics in promotional material. The intention of the exception is that there should be no obstacle to fair and honest quotation. It must be genuine quotation and be limited to ‘fair dealing,’ which is a legal concept in copyright law. There is no legal definition within the Copyright, Designs and Patents Act 1988 (the CDPA) of what constitutes ‘fair dealing’ and neither are there precise guidelines. Ultimately, it is up to the courts to interpret ‘fair dealing’ given the circumstances of each particular case. The case law developed so far suggests that the factors a court may take into account are: the motive for the use, the extent of it (one should only use the amount that is necessary for purpose and no more) and whether there would be any adverse economic impact on the copyright owner. A phrase or a line or two quoted in promotional material will almost always be considered fair dealing. Relevant case law on this subject includes:

- Hubbard v Vosper [1972] 2 QB 84 (Court of Appeal)
- Pro Sieben Media AG v Carlton UK Television Ltd [1999] FSR 610 (Court of Appeal)
- Time Warner Entertainment Ltd v Channel 4 Television Corp [1994]EMLR 1 (Court of Appeal)”
Force Majeure

We have seen an increase in reports about Force Majeure – clauses that we would not consider appropriate to the terminology. The Seattle Symphony contract and Utah Opera have both come to our attention with both being asked to review these clauses. The League of American Orchestras and Opera America have both been notified of the situation, which members have found troubling. Remember, it’s legal if you agree to it but we would encourage you to report any clause to IAMA if you are not sure. Some words from our US Legal helpline, Brian Taylor Goldstein, of GG Arts Law.

An “Act of God” or “Force Majeure” clause is an important part of any engagement contract. However, like all other contractual terms—from payment terms to insurance licensing—the specific parameters of each Force Majeure clause will need to be carefully reviewed and negotiated between the parties. At the very least, a Force Majeure clause must specifically define and address what does and does not constitute a Force Majeure event or “Act of God.”

Never presume that such terms are “self-defined” or mutually understood. Despite deeply cherished beliefs to the contrary, there are no “standard” contractual terms or practices that are universally accepted throughout the performing arts industry. A reasonable Force Majeure clause should protect both parties from liability in the event that either has to cancel for some truly unforeseen and unavoidable occurrence—such as an artist’s illness or a weather situation that makes travel impossible or forces the concert hall to close.

If the engagement involves a soloist, then the Force Majeure clause should be extended to cover the death or illness of the artist’s spouse or immediate family member as well. Such a clause should also consider how deposits or non-refundable expenses are to be dealt with. Without exception, a Force Majeure clause should never be used as a substitute for a cancellation or termination clause. For example, any Force Majeure clause that permits a venue or orchestra to cancel for “economic reasons” or poor ticket sales, while not illegal, is inherently unreasonable and unfair.

The success or failure of an institution’s ability to sell tickets or raise funds can rarely, if ever, be ascribed to the whims of divine intervention. Unless an artist is willing to accept an engagement knowing that it could be cancelled without recourse, then any venue or orchestra which insists on using a Force Majeure clause to give itself the unilateral and unfettered right to cancel should be politely, but stridently declined.

Social media contracts

Member complaints about contracts incorporating a clause obligating the contracting party to use social media to promote the performance they are engaged in, have been noted. Whilst some members see it as a duty to the wider good for promoting classical music, many point out that it is not all artists’ strongest area of expertise. What if the messages clashed with the promoter’s marketing efforts or worse, if the artist managements became obligated to run the promotion on the artist’s behalf? We think that promoters might have a good case to discuss a coordinated social media plan, but should it be in a contract? We think not.

EU Social Security

The situation has worsened across Europe for the visiting artist and the deduction of Social Security taxes. The Bregenz Festival has accepted our deputations but responses are still needed from Spanish orchestras, the Theater Magdeburg among many others. Often promoters are not aware that if the artist does not have a VAT number, they can still qualify as self-employed. We are trying to assemble case studies to present to the EU commission so please report any difficulties you encounter.

Italian opera houses

Our advice to members who have artists performing at some of the Italian opera houses is please make sure the artist is aware that payments can be extremely delayed. Members should not be put under pressure from their clients (or indeed the Association) to force through payment. It’s not fair. There are complex reasons for the situation and we believe it would be worthless to list such companies on our online watchlist. Most artists say yes to opportunity fearing competition from another. Also, please don’t encourage artists to get in touch with IAMA directly: our relationship is with the member company, not the clients of members.

There will be an Italian seminar on 9 November 2015 in Milan starting late morning for the day. It will be run in Italian and will cover the key areas of doing business in Italy. Should you wish to attend, please contact Marlena Radaschitz, the membership manager. There is no cost to join in but places are limited.

Künstlersozialkasse (KSK)

We understand that the Verband der Deutschen Konzertdirektionen has made a proposal to the Ministry in Berlin for settlement on a percentage that should be paid by artists. This will begin this year and be reviewed in 2018.
Irving David from DWFM Beckman Solicitors introduces some key concepts in celebrity branding and copyright.

### Historical context

By the time Herbert von Karajan died in 1989, he had become one of the great brands of the second half of the 20th century. Even today, the Karajan Institute, owner of the trademark Karajan® continues to steward his brand identity and the economic exploitation of the name Karajan enjoys extensive protection.

In the 1950s, because of her marked weight loss, rumours circulated as to Maria Callas’ method of losing 80 pounds. As a result, she issued legal proceedings against the Pantanella Mills pasta company in Rome who clearly saw some considerable branding mileage in claiming that Callas had lost weight by eating its “physiological” brand of pasta.

### Recent examples of Brand Ambassadorships

In August 2014, Harman, the premium global audio and infotainment group, announced that Lang Lang would serve as Global Brand Ambassador for its audio brands. And in May 2015, Raymond Weil, the luxury Swiss watchmaker, made public that Nicola Benedetti had been appointed as the Brand’s first female music ambassador, joining the Company’s existing music ambassadors, Labrinth, Milos Karadaglic and 2Cellos.

So, what exactly is a brand? What is a brand or celebrity ambassador? And what are the key terms one might expect as an artist’s manager to see in a brand ambassador agreement?

### What is a Brand?

A brand is a name, term, design, or other feature that distinguishes one company’s product from those of others. Brands are used in business, marketing and advertising. The word “brand” derives from the Old Norse “brandr” meaning “to burn” – recalling the practice of producers burning their mark (or brand) onto their products. Livestock branding was widely adopted to differentiate one person’s cattle from another’s by means of a distinctive symbol burned into the animal’s skin with a branding iron.

### What is a Brand Ambassador?

Brand ambassador is marketing jargon for a celebrity endorser or spokesman employed by an organisation or company to promote its goods or services. The brand ambassador is meant to embody the corporate identity in appearance, demeanour, values and ethics. The key element of brand ambassadors lies in their ability to use promotional strategies that will strengthen the customer-product/service relationship and influence a large audience to buy and consume more.

### Forms of Celebrity Branding

Celebrity branding can take several different forms, from the appearance of a brand ambassador in advertisements for a product, service or charity, to an ambassador attending PR events, creating his or her own line of products or services, or using his or her name as a brand. The most popular forms of celebrity brand lines are for clothing, jewellery (including watches) and fragrances.

Some singers, models and film stars have at least one licensed product or service which bears their name. So, for example, Raymond Weil has launched a Nicola Benedetti signature watch as part of its new toccata collection.

Using celebrities as brand ambassadors is, of course, hardly a new concept. Film stars in the 1940s posed for cigarette companies, and Bob Hope endorsed American Express in the late 1950s. Sports icons like Michael Jordan and Tiger Woods elevated the practice, often earning more in endorsement and licensing dollars than from their actual sports earnings.

Large companies have long realised that the overall image of a brand ambassador within society is an integral element to attract consumer attention. As a result, there has been a substantial increase in celebrities as brand ambassadors and in more and more cases classical musicians and singers are being considered for the role of, and engaged as, celebrity or brand ambassadors.
The key provisions of a Brand Ambassador Agreement

A brand ambassador agreement will typically contain the following key terms: (I refer to musicians, singers, conductors or other performers who may be appointed as a brand ambassador jointly as “the Artist”)

**Term**
This would usually be for an initial period of, say, one year, the Company often requiring an option to extend the initial term for a further one year period

**Territory**
This would not necessarily be the World – it would depend on where the Company intends to exploit the Artist’s name, likeness and performances.

**Exclusivity**
During the Term, the Artist would not be associated with another competing brand. For example, if the Artist is being engaged to endorse a Company’s jewellery range the Artist would not, during the Term, also be able to endorse another jewellery brand in the Territory. Similarly, if the Artist is being engaged to endorse a premium brand of alcohol, he or she would be precluded from associating with any other alcoholic beverage during the Term in the Territory. One can expect to see provisions preventing the Artist during the Term and in the Territory from publicly using competing products; knowingly participating in any parody of the brand; or making any favourable public reference to a competitor or its brands.

**Fee**
This is, of course, as long as the proverbial piece of string. Brand ambassador agreements I have recently negotiated have provided for an annual Fee to the Brand Ambassador ranging from £100,000 to £1M. The Fee will depend on the Company’s perceived value of having the Artist associated with its brand and, of course, the level and duration of the services which the Artist is required to perform for the Company during the Term. Whatever the level of the Fee, it would typically be paid in tranches, say 50% on signature and the balance on completion of the Days detailed in “Services” below.

**Travel and Accommodation**
In addition, the Company will pay the Artist’s approved business class (or possibly first class) travel and accommodation expenses and per diems whilst the Artist is rendering services for the Company.

**Services**
A brand ambassador’s services might include, by way of examples:
- undertaking to perform a certain number of live performances for the Company
- being available to the Company for a specific number of “Days” in each year of the Term for video shoot days (Video Shoot Days), photographic shoot days (Shoot Days), promotional activities days (PR Days), radio interviews (Radio Days)
- referring to the Company and its brand on appropriate occasions and
- endeavouring to secure appropriate product placement opportunities for the brand in the context of the Artist’s other professional activities not directly associated with the Company.

**Use of Materials**
On the Days mentioned above, the Artist would be photographed, filmed and recorded in association with the brand. The Company would be entitled to use commercially the materials created for it on those Days for the duration of the Term (but after the Term the Company’s use of the materials would be restricted to advertising festivals; trade fairs; PR purposes and the like).

You should endeavour to ensure, as the Artist’s management, that the Artist is also able to use certain of the materials for his or her own promotional activities and, in particular, to stream any videos made during the Term for the Company on the Artist’s social media and on YouTube, both during and after the Term.

**Consultations and Approvals**
The Artist will wish to retain his or her artistic integrity (within limits!) and will expect “consultation” if not “mutual approval” of the content of any video made for the Company on the Video Shoot Days including approval of the director, storyboard and script of any video; and the selection of all images shot for the Company on the Shoot Days which are used to promote the relationship between the Company and the Artist.

**Confidentiality**
Each party would undertake to keep confidential any confidential information it may acquire in relation to the other party (save for information in the public domain).

**Conclusion**
Increasingly, companies are recognising that there is a measurable advantage in using classical musicians and singers to get their message across and to promote their brands.
So artists’ managers should be prepared to respond to branding requests from suitable companies and to be pro-active in contacting them where there is an appropriate opportunity. But above all else, an Artist needs to be genuinely comfortable with the proposed brand association. As Cassandra Gracey, artist manager and creative director at Turn First Management, said whilst talking about her work with the recording artist, Ellie Goulding, who has a brand tie-up with Nike, and with Rita Ora, who is designing a range of clothing with Adidas:

“There has to be an authenticity in a deal. Ellie wouldn’t do a deal with Coca-Cola, because she doesn’t drink it.”

Conversely, Ms Gracey pointed out that Rita Ora has just helped Coke celebrate 100 years of its contour bottle!

### On the air

Artist managers do not always have an easy relationship with broadcasters. A keynote address to the European Broadcasting Union spelled out the concerns.

In a keynote address to a European Broadcasting Union gathering in Helsinki, International Artist Managers’ Association chair Aino Turtiainen-Visala has called for public broadcasting organisations across Europe to seek closer cooperation with the artist management world, especially in the increasingly complex area of rights. In her speech, Turtiainen-Visala (of the Fazer artist management office in Helsinki) suggested that ‘contractual media demands are escalated year on year for all the right reasons to the broadcasters, but usually in all the wrong ways [for the artist/ artist manager].’

She suggested various topics of concern where artist managers would welcome more meaningful discussion with public broadcasters Europe-wide — including such areas as the right to use clips from broadcasts on artist websites; greater respect for an artist’s desire to ‘patch’ a recording of a live performance before broadcast; a more open approach to making available key analytical data – not least listenership surveys – to facilitate more informed discussions over rights; and in the provision of more information about re-broadcasts of material outside the EBU. Not to mention greater understanding from broadcasters when artists and their managers baulk at the idea of signing up to a contractual demand for a blunt ‘all rights in perpetuity’ in the recorded material.

‘We do understand the pressures that face a public broadcaster,’ said Turtiainen-Visala in her speech, citing ‘relevance to an increasingly absorbed public in the online environment; pressure by governments and public bodies to deliver more to the nation and … a splintering of the audience’s tastes.’ But she believes there is only one, simple way forward for the relationship between the two sectors:

‘At the heart of my speech was the necessity for better communication between artist managers and broadcasting organisations,’ says Turtiainen-Visala, who herself has a background in the broadcasting world. ‘If we can only achieve this we will have made real progress. When I spoke informally with EBU delegates after the speech they admitted that the problems I outlined need to be solved. The only thing they really disagreed with was the question of an artist’s right to veto the broadcast of a recorded performance they’re not happy with. They accept that they’ve not communicated well over these issues even among themselves:’

Gaetan Le Divelec, chair of IAMA’s broadcasting and media committee, says that while relationships with broadcasters have improved, ‘too often we’re presented with a fait accompli when anything new appears in contracts. You have to read the small print extremely closely, given that there are usually no indicators warning you what to look out for.’

However, Turtiainen-Visala adds that it’s often the varying interpretation from country to country of the wording in standard EBU contracts with musicians that causes concern. ‘This really can’t be tolerated … we have to take the first steps to put things right. Yes, the area of rights has become extremely complicated given all the different platforms which different broadcasters have. It’s so difficult to keep track. You might say, well, why bother? It’s too complicated. But you can’t just give up. You have to search for mutual understanding. If there are going to be discussions with broadcasters at all, they must be meaningful.’

Going forward, Le Divelec wants to see IAMA nurturing relationships with individual broadcasting organisations across Europe along the lines of its ever-developing understanding with the BBC. ‘We have to get across the idea that while we have our own commercial interests as artist managers, they’re rooted in the interests of our artists. And it’s crucial there’s flexibility in the system, so that each artist’s individual criteria are respected in any contract discussion. By the same token, we have to make sure artists understand when their concerns over broadcasting issues are unfounded or unrealistic.’

Turtiainen-Visala agrees there has been a degree of mistrust between EBU broadcasters and artist managers in the past. ‘Both sides have been to blame for this. But we’re actually in the same boat … artist managers are concerned for their artists’ interests in the area of broadcasting and EBU members are concerned about the future for national broadcasting networks in their individual countries. Together we can offer high-quality programming supported by high-quality performers who offer profile and publicity.’

Turtiainen-Visala is hoping that whispers heard around the Helsinki conference prove to have substance – namely, that there are plans to form an EBU committee to work towards harmonising as many contractual details as possible across Europe. ‘There’s nothing concrete, but if this does occur then of course it’s absolutely great. As it happens, the new EBU board chairman is from Helsinki. I know him well, so hopefully we can make progress together.’

**Andrew Green**

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Artiste And Sportsman Tax Rules – January 2015

Minitax guide
as supplied by Dr. Dick Molenaar,
All Arts Tax Advisors,
Rotterdam,
The Netherlands

T: +31 10 4363 555
E: dmolenaar@allarts.nl

- Most countries levy a source tax from foreign artistes and sportsmen. With this, they follow Art. 17 of the OECD Model Tax Treaty. Only Denmark, Ireland and the Netherlands do not tax the performance income of foreigners.

- The rules are not the same in every country, because some accept the deduction of expenses and allow a normal tax return after the year. Some have introduced this after pressure the European Commission to change the legislation after three decisions of the European Court of Justice (Gerritse (2003), Scorpio (2006) and Centro Equestre (2007)).

- In practice local promoters may have individual arrangements, such as splits in contracts between artiste or sportsman fees and production companies. These local arrangements are not included in this table with the official tax rules.

- When foreign tax is levied, either deducted from the gross fee or paid on top of a net fee, it is important that a tax certificate is issued, so that the artist can obtain a tax credit in his residence country.

<table>
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<td>$20,000</td>
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</tr>
<tr>
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<td>Yes</td>
<td>30%</td>
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Claudio Monteverdi’s ‘Lamento d’Arianna’ is one of the most beautiful arias in 17th century opera. Abandoned by her lover Theseus, Ariadne tries to drown herself in the ocean. Fishermen arrive just in time to save her. But so immense is Ariadne’s grief that she is unable to express her gratitude to her saviours. She begs for death: Lasciatemi morire – Let me die!

By Dr. Stefan Rosu

Monteverdi’s aria highlights the beginning of what we call the culture of classical music. Some 400 years later, this culture seems to be in trouble. Nothing can be taken for granted longer: classical music is losing its relevance; we see our public growing old and orchestras and opera houses have increasing difficulty in making ends meet.

The orchestras as a stronghold
As an orchestra manager I am working in one of the strongholds of classical music. Orchestral culture is a culture of collective achievement that comes with years of playing together. Egos must be buried and personal sacrifices made in order for artistic excellence to emerge. In exchange, orchestral musicians are protected from non-artistic issues which are taken care of by management.

Who is creating value?
If you ask how an orchestra is creating value, most people, including the orchestra’s musicians, will mention the concert as the main factor. Firstly, value by the right choice of repertoire and soloists; secondly, having rehearsals under the best possible conditions and thirdly, the concert in which the players are inspired by the conductor and the soloist and perform on an artistic level that sets the public on fire.

Why then are we in trouble?
The quality level of artistic output we see around is unmatched. Never before have so many well-educated musicians been available. And never before has the number of classical concerts on offer in any city been bigger than today. If our idea of how orchestras create value is right, why then are we in trouble?

From my point of view it is first and foremost lack of innovation that has led to the decreasing relevance of orchestral music. The majority of professional orchestras in the 21st century still holds on to a business model that is basically unchanged since the 19th century. It is the success of this model in the past that makes it so difficult for orchestras to adapt to the world as it is today. Of course, educational activities are slowly becoming part of most orchestras’ regular activities, but orchestras still believe that their young and, indeed, new concert-goers will eventually find their way back into the concert-hall when they are grown up and continue the existing orchestral culture and business model. Can that really be a successful strategy for orchestras for the future?

How to innovate
If orchestras want to survive they should develop their existing range of products and services in order to generate further income. In order to keep public funding flowing orchestras also have to make sure that the broader public wants them to be an essential part of their community.

Orchestras, therefore, have to look for new ways of developing their core competencies. This term and its significance to companies in pursuit of innovation was introduced by the American economists Prahalad and Hamel in the late 1980s. In my book Zukunftsperspektiven für Orchester I have shown how an orchestra that develops a future strategy based on its core-competencies can indeed develop innovative products and new business models. I am convinced that this can be done without abandoning traditional classical music values.

Real collaboration
In order to survive orchestral institutions, both musicians and administrators need to collaborate more closely and be considered equally important for the success of the orchestra and the promotion of classical values. Musicians also have to understand that they need to invest all their various abilities, knowledge and energies into their orchestra in order to make it a lasting success. With that attitude orchestras are more likely to survive.

We all know that it takes more than artistic excellence to sustain a series of concerts. The orchestra cannot be successful without a profound expertise in programming, marketing and financing. Only with the right programme and choice of conductor and soloist, an inventive marketing and proper ticketing as well as a solid funding can the concert activity be successful in the long run. Artistic and non-artistic activities are equally important for the success of the concert activity. The orchestral institution therefore can no longer be described as an artistic entity in a vacuum. The orchestra of today and the future has become an enterprise. This enterprise creates value through a smart combination of various skills and knowledge and highly motivated personnel who are willing to collaborate across boundaries.

The role of the fishermen
Making innovation possible by concentrating on core competencies and exploring new ways to collaborate are, in my opinion, the key factors to the long-term survival of the professional orchestra. This process will undoubtedly be difficult and will need help from specialised agencies that support the orchestras in their search for new products and services.

For sure there will be grief and a feeling of loss on the way. But if my assumption is right, classical music will continue to play an important part in our cultural life for decades to come if we aim for innovation. In other words: Let us – arts administrators – act as Ariadne’s fishermen to ensure the future of orchestras into the 21st century.

Biography
Stefan Rosu is passionate about classical music. He has worked in the music business for more than 25 years. Positions included the Schleswig Holstein Festival (artistic director) and the Mozarteum Orchestra Salzburg (director). He played a leading role in the merger of the Philharmonie and the Philharmonic Orchestra of Luxembourg. Since 2013 he has served as the South Netherlands Philharmonic’s first director general and artistic director. Stefan is not only a resourceful maker but also a man of quiet reflection. He holds a PhD in philosophy and teaches orchestral management in Frankfurt/ Main. In 2014 he published a book about strategic management for orchestras (ISBN 978-3-658-05388-8). It is the first book of its kind in the German-speaking world.

E-Mail: stefan.rosu@philharmoniezuidnederland.nl
Members offer their perspectives

Karsten Witt

When speaking to respected performing arts programmers, I am nowadays frequently confronted with this statement: we have had to accept the fact that in our present urban environment, classical music (and High Art in general) forms part of the leisure industry, in which it is competing with various other types of entertainment being offered to the public.

Until now, I was of the opinion that programming in classical music was driven by artistic ideas, curiosity and the aim to create new audiences or change existing ones. For me, the arts were operating in a supply-driven economy creating ever new perception needs. The most relevant aspect of any performance was its unpredictability – concerts were adventures.

Now I am told that we should aim to satisfy the existing demands of mature consumers. Consequently, in more and more arts institutions programming decisions are left to marketing experts, who look at events (including artists, concerts, performances, compositions) as standard products, which are bought and sold according to their market value. Like in the rest of the consumer industry, marketing is driven by famous brands (of stars) and cheap prices (e.g. of unknown young artists). Instead of investing our scarce funds into elaborate programming, they are spent on design and marketing campaigns.

Who would still dare to distinguish between good and bad compositions and interpretations? Everything is becoming a matter of individual choice and lifestyle.

As a consequence, the market of our beloved music business may in the not too distant future no longer be distorted by public financing. Subsidies will be restricted to social welfare and education.

Karsten Witt, Karsten Witt Musik Management GmbH, Berlin
www.karstenwitt.com

Sonia Simmenauer

Yes, I have seen the world of music change tremendously in recent years. We have seen a generational shift among artists and managers, as many respected figures from the 1980s have stepped down or passed away. Programming has changed too as more and more works are being chosen around themes, for which artists are then sought. The fences between the musical era (Baroque up to Contemporary) have vanished, the mixing of different kinds of music is much more accepted, the idea of crossover has made space for the real experiment of belonging to many worlds while remaining authentic.

There is still a cult for outstanding big stars, unfortunately the pace of shooting young artists to the top has not slowed down and we see quite a few of them, promising and wonderful but worn out after a short time.

Still, I am very much looking forward to the coming years and the growing of obvious need for concentration and focus, for the readiness of young artists – not to look for a fast and big earning but for a fulfilled musical life. The choice of Petrenko as the new Chief Conductor of the Berlin Philharmonic is a big sign in that direction and gives great hopes for changes on all scales.

On the practical side of our business: email has proven to become an enormous stress factor and it will take still a long time to overcome this. It should become a necessity for all to learn an email behaviour, which begins with reading mails carefully, think twice when responding and refrain from harassing for answers, learn to pick up the phone and establish real contact with colleagues. A phone call will, in many cases, save at least 10 mails and avoid frustration.

Sonia Simmenauer, Impresariat Simmenauer GmbH, Berlin
www.impresariat-simmenauer.de

Masami Shigeta

In Japan, classical music comes naturally to the ears in day to day life. It is being used in figure skating competitions, background music in television commercials, or even in elevators in department stores. Most of the compositions used are friendly, and most of them are Baroque and Classical. In concert programming, it is important that you can propose an idea with originality and creativity to the market. The sense of being unique, being different, and standing out from others will determine whether the programme will be successful or not.

In the future, audiences will become more polarised – some people prefer ‘friendly’ compositions, while others are drawn to serious music like Mahler’s symphonies.

Japanese society is rapidly aging. The population of senior citizens is increasing and those retired people have time and money. Nowadays, the number of daytime concerts during weekdays has also increased in Japan, as many senior audiences prefer to go during the day.

In the past, people used to be dressed-up to see evening concerts. But moving forward, the number of people who will enjoy concerts at daytime wearing casual clothes will increase. Just like in movie theatres, there is a possibility that people will go casually to see daytime concerts.

Daytime concert tickets are sometimes offered with a lunch package or a glass of champagne.

Also, having two concerts in a day – one in the afternoon and one at night – is likely to be possible. This way, ticket sales will be doubled and presenters and venues will receive advantages from having two performances in one day.

Masami Shigeta, Aspen Inc. and IAMA Board member. Tokyo
www.aspen.jp/eng/index.html
Retirements

Dvora Lewis

Often referred to as the “Rolls Royce” of the UK Public Relations scene, Dvora Lewis has decided to take things a little easier and retire after 40 years of astonishing work.

One can hardly imagine Dvora not being part of the active music scene but we salute your work, Dvora, and all that you have contributed to artists and artist managers’ successes. Starting out in her business, she was introduced to Amelia Freeman who had founded the Nash Ensemble in 1964 and cut her teeth in the fledgling classical music PR scene. One thing led on to another and it was when Jasper Parrott asked her to work for André Previn which initiated her long association with the London Symphony Orchestra. Her clients have also included Rostropovich, Gergiev, Sir Colin Davis, Boulez and Daniel Barenboim. Dvora’s company joined the British Association of Concert Agents many years ago and continued as an IAMA member from its inception. She served on the IAMA board 2004-2006 as director.

The company continues under the leadership of Kenny Morrison and we wish him much success ahead.

Dvora’s greatest gift is her understanding that this is a world inhabited by a large number of very strong-minded individuals, some with outsized egos, and that one size very definitely does not fit all. This has resulted in a PR respected by all in the profession, even the most reserved and private of individuals. She understands her clients and never intentionally puts them in a position of revealing anything they do not wish to.

Dvora has had a large number of apprentices pass through her office and has, almost single-handedly, been responsible for changing the face and perception of her profession, certainly as far as the music business is concerned. She has most definitely cured my allergy.

Dvora was the first PR to become an Associate Member of IAMA and we all wish her well in her retirement but suspect that we have not heard the last of Dvora quite yet.

David Sigall
Ingpen & Williams

Caroline Oakes

IAMA would like to salute Caroline Oakes who retires this year after over 40 years of artist management. We’ve asked her to send us her observations on how things have changed...or not.

I had long been allergic to the world of PR until, many years ago, I met Dvora and have since worked with her on a number of artists and projects. Hitherto my experience of PR was of a profession peopled by professional enthusiasts i.e. people who will enthuse on anything for a fee.

Dvora is very different. She is passionate about music and the world of music and is fascinated by the people who inhabit this curious world be they soloists, orchestral players, orchestra managers, festival directors, music publishers, music journalists or even, dare I say it, artist managers.

I became an agent by pure chance, not being a musician or even able to read music! In spite of an education at a highly academic school, I decided to skip university and travel round the world long before gap years were invented. Fate led me to a job at Expo 67 in Montreal with impresario Ian Hunter masterminding a British National Day historical pageant with cavemen in Beatle wigs, Romans on roller skates and red, white and blue Minis. After a spell at BBC TV, I joined Harold Holt as his assistant on the City of London, Brighton and Windsor Festivals and Concert Manager for his promotions of the Berlin and New York Philharmonic, Daniel Barenboim and Joyce Grenfell.

After 5 enormously happy years with this dream job and perfect boss, I was destined to become a housebound young mother until Gavin Henderson, who I had met through Brighton Festival and was now director of the York Festival, came up with a crazy idea to start an agency with him providing musical expertise and some artists and me running it while simultaneously looking after a tiny baby.

We named it Clarion after Gavin’s own brass ensemble, not an anagram of my name as some people assumed! A vivid early memory was taking a call from Lord Harewood at ENO while still in my dressing gown, luckily long before the days of Skype! Sadly, Gavin soon left to become General Manager of the Philharmonia leaving me holding both babies, but in time I started employing assistants with musical backgrounds and the agency flourished, attracting top level artists such as John Eliot Gardiner and the Monteverdi Choir, trumpeter Håkan Hardenberger, clarinettist Michael Collins and his London Winds, pianist Angela Hewitt and veteran conductor Norman Del Mar.

In 1990, after collaborating on Prunella Scales’ show An Evening with Queen Victoria, I decided to join forces with my close neighbour Nicholas Curry, who some years before starting his agency Seven Muses had been a child star in Coronation Street and Dr Who, subsequently working in opera. Thus, with both of us unwilling to lose our own agency’s name and become Curry & Oakes, Clarion/Seven Muses was born, now celebrating its 25th birthday.
A few more thoughts from Caroline:
From Abacus to Twitter - 42 years as an agent

Not quite as far back as an abacus but in 1972 there were no computers, no mobile phones, no email when Gavin Henderson and I started Clarion Concert Agency, with my 3 month old baby in a carrycot under the desk and family and friends sitting round the kitchen table stuffing envelopes with our brochures.

When something was urgent we sent telegrams but life was much more leisurely in those days when communication was mainly by post and nothing seemed to merit the instant responses we expect nowadays. Clarion was always what is now termed a “boutique” agency: we looked for unusual artists: we were at the forefront of the early music movement, specialised in contemporary music, crossed over into jazz with John Dankworth and Richard Rodney Bennett, represented artists playing unfashionable instruments: trombone, trumpet, recorder, double bass (but they were among the best exponents in the world!) and chamber music. These were not the days of mega agencies. Harold Holt when I left it in 1972 employed just 11 people, Harrison and Parrott had just teamed up, Jooske van Wolsum was working night shifts as a chauffeur to make ends meet, but there was a new generation of ambitious young agents starting up, many of whom had cut their teeth at Ibbs & Tillett, and it was an exciting but very different world. My advice to someone beginning now is to keep small and distinctive. When Nicholas Curry joined his Seven Muses with Clarion in 1990, we didn’t change, our approach but we did get computerised and our colleague Nina Kaye created our invaluable Artifax programme which saved on our staff costs.

We are proud to see Alan Coates and Costa Peristianis (two of the young graduates who had their first jobs with Clarion/Seven Muses) starting their own agencies and carrying on our traditions, while I leave my beloved agency in Nick’s very capable hands.

The 21st century agent has an amazing array of technologies to help with promotion, including Twitter, Facebook and smartphones, but tweets will never compete with face to face contact and long term personal relationships. As I said at the recent IAMA drinks party, I will miss my great colleagues and wonderful artists who gave me such a fantastic career, which started so modestly in my front room.

Feedback
We have listened to members’ feedback and we have the following to report:

IAMAworld.com
- New website forums are now in position. If you have an issue with broadcasting and media, for example, just post your issue and in due course, you should receive an answer from members or the IAMA office. It will help other members to see what your concern is. Categories include:
  - Media & Broadcasting
  - Opera
  - Legal
  - Copyright
  - Taxation and social security
- Conference delegate messaging: From next conference, you will be able to see all the mails you sent to delegates using the messaging system
- Easy registration: Further improvements to how you amend your activity at the conference
- Uploading your own photographs: You can now upload your own photographs for the delegate list

ClassicalMusicArtists.com
- Separations of categories: The category Bass and Baritone are now also a choice and not just put into one category. If you have one or the other, change the relationships online or we can do that for you. Likewise, Contralto has been separated out from Mezzo Soprano.
- Improvement in functionality: We have tried to take further steps in simplifying the artist input and management process online. Please give us your feedback.
- Quick Views: Members didn’t like the scrolling function so that has been removed to make a quick view in all categories and then a click through to see the management company. Let us know what you think.

Go to https://www.surveymonkey.com/r/T9S8V8J

To complete this following bit of research

1. Is the commission model alone for artist management enough to sustain the business in future?
2. To what extent do you see artists taking on more responsibility for administrative work in the future?
3. If you had to separate the services you gave to the artist as included in the commission, what services should be or you would like to see separated and paid for by the artist?
Welcome to New Members
Since the last newsletter we have the following members to welcome:

FULL MEMBERS

SPAIN
CREATI0300 S.L
Cintureria 8-3º, E-48005, Bilbao, Spain
Tel: +34 94 4138064
Tel: +34 627299781
Email: emuknik@creati0300.com
www.creati0300.com

UNITED KINGDOM
Concerto Arts Management
20 Peterscroft Avenue, Ashurst, Southampton, SO40 7AB, United Kingdom
Tel: +44 7557 099560
Email: catherine@concertoarts.com
www.concertoarts.com

Keynote Artist Management
Garden Studios, 71-75 Shelton Street, Covent Garden, London, WC2H 9JQ, United Kingdom
Tel: +44 20 7470 8748
Email: libby@keynoteartistmanagement.com
www.keynoteartistmanagement.com

Svanholm Kopec Artist Management LTD
36 Lyric Mews, SE26 4TD, London, United Kingdom
Tel: +44 7981918814
Email: marcin@svanholmkopec.com
www.svanholmkopec.com

FRANCE
Sartory Artists
140, Avenue Victor Hugo, F-75116, Paris, France
Tel: +33 1 45 05 31 69
Fax: +33 1 45 05 31 69
Email: eugenieguibert@sartoryartists.com
www.sartoryartists.com

DENMARK
Musikkens Hus
Musikkens Plads 1, 9000 Aalborg, Denmark
Tel: +45 60 20 31 30
Email: jumusikkenshus.dk
www.musikkenshus.dk

SOUTH KOREA
The Bridge Company
66, Gonghang-daero 41-gil, Gangseo-gu, #145, Seoul, 157-930, South Korea
Tel: +82 70 4842 3379
Email: djyoon@thebridgekr.com
www.thebridgekr.com

SINGAPORE
Shaksfin Asia Pte Ltd.
Shaksfin Asia Pte Ltd., Willkie Regency, 10 Willie Terrace 10-01, Singapore, 228030
Tel: +65 6292 0644
Email: nimpuno@shaksfin.com
www.shaksfin.de

UNITED KINGDOM
Christies
8 King Street, London, SW1Y 6QT, United Kingdom
Tel: +44 20 7389 2966
Email: pcutts@christies.com
www.christies.com

La Nuova Musica
17 St Giles Tower, Gables Close, London, SE5 7QE, United Kingdom
Email: manager@lanuovamusica.co.uk
www.lanuovamusica.co.uk

Affiliate Members

China
ABW Arts Management Ltd
X-5-1-1001 Chengnanjiayuan, Jiayuan Road Fengtai District, Beijing, 100068, China
Tel: +86 10 87564116
Email: wzmab@126.com
www.abwarts.com

FINLAND
Helsinki Philharmonic Orchestra
Helsinki Music Centre, P.O. Box 4400, FI-00099, Helsinki, Finland
Tel: +358 9 402 4264
Email: gita.kadambi@hel.fi
www.hel.fi/hki/hko/en/Orchestra

SWEDEN
Gävle Symphony Orchestra
Box 1283, SE-801 37 Gävle, Sweden
Tel: +46 26172932
Email: beryl.lunder@gavle.se
www.gavle.se

Netherlands
GPS Global
Frankweg 4, Nieuw-Vennep, 2153 PD, Netherlands
Tel: +31 252 625691
Email: Rudolf@gpsglobal.eu
www.gpsglobal.eu

Japan
Saito Masaya Artists
71-75-20 Shinagawa, Ichigaya, Toshima-ku, Tokyo, 171-0052, Japan
Tel: +81 3 3332 0028
Email: info@masaya.com
www.masaya.com

Universal Music Arts & Entertainment
Beaumont House, Avonmore Road, Kensington Village, W14 8TS, London, United Kingdom
Tel: +44 20 7149 1243
Email: Ingrid.sutej@umusic.com
www.u-live.com

Universal Music Arts & Entertainment
Beaumont House, Avonmore Road, Kensington Village, W14 8TS, London, United Kingdom
Tel: +44 20 7149 1243
Email: Ingrid.sutej@umusic.com
www.u-live.com

Dates for your Diary

2015

28 September: Media and Broadcasting meeting: BBC, London
2 October: IAMA Board and Members’ meeting, London
9 November: Italian seminar, Milan
27 November: IAMA Board and Members’ meeting, London

2016

7 April: IAMA Board meeting, Utrecht
9 April: Annual General Meeting and Extraordinary General meeting, Utrecht
10-12 November: IAMA Toronto 2016, Roy Thomson Hall, Toronto, Canada
A major music meeting in North America presented in collaboration with Ontario Presents. Conference Chair, Chris Lowry. Official launch: 8 April 2016