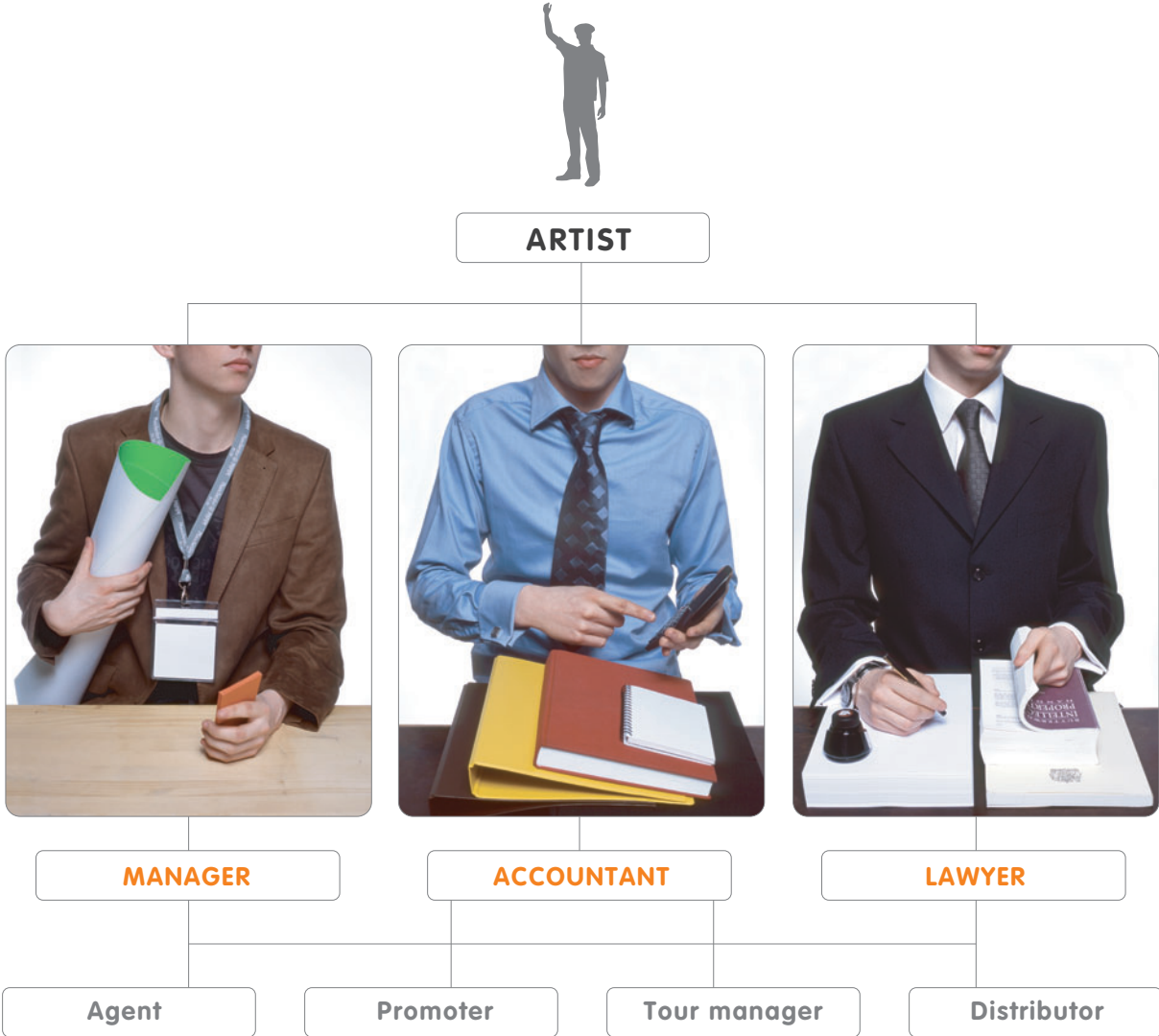


# NOTES AND GUIDANCE

## DEALING WITH INTERMEDIARIES

The Management Team – **MANAGER, ACCOUNTANT, LAWYER**

This diagram shows an example of the business relationships required for an artist who records, writes and performs music for a living.





## MANAGER

The **MANAGER** represents the artist in all business environments and interests. The manager will negotiate all contracts in collaboration with the artist and with advice from his / her business advisers (lawyer and accountant). The manager generally takes around 20% (gross) of all monies earned. They can also act as personal counsellors, nannies and nursemaids.

➤ See P64 Chapter 3 'Frequently asked Questions on Artists Management' for more information.

Managers fall into different categories:

Friends and relatives of an act or group of musicians. This manager may help out in the early stages of the artist's career, and learn his / her trade at the same time.

A manager at the next stage, they may be an established manager with one or two acts. This manager may make a living solely by generating work and income for their acts.

Major and professional management companies may have a roster of acts, You may find that this type of manager would only be interested in you when other offers (such as a recording or publishing deals) are in place.



## LAWYER

The **LAWYER** is responsible for advising the manager and artist on all offers / contracts.

Lawyers (also called solicitors) fall into different categories, for example

Specialist music industry  
Litigation  
Property

Large record companies generally have their own in-house lawyer, often referred to as 'business affairs'.



## ACCOUNTANT

The **ACCOUNTANT** is required to prepare financial statements, annual tax returns and oversee all transactions.

For more on Accountants, book keepers and financial advisers, see Chapter 1 in Workbook 8.

Other intermediaries may include:

## TOUR MANAGER

The **TOUR MANAGER** (TM) is responsible for the musicians while the act is on tour. This includes hotels, transport, instruments, crew, punctuality and behaviour.

## AGENT

The **AGENT** is responsible for booking live appearances on behalf of the artist they represent. They charge a commission, which is typically 15% of the performance fee or tickets sales. An agent may work with many local promoters to set up a tour, or they may book individual one-off gigs for their artist, in settings as diverse as the local pub to 20,000 seat venues.

### When do you need an agent?

When you have a record deal in place with a projected promotional campaign (for example a record release), or a recognised following that has built up on your reputation, you need an agent. An agent may also grant you occasional 'warm-up' dates, even support slots on a major tour.



## PROMOTER

The **PROMOTER** is responsible for coordinating all elements of live performances: sound and lighting equipment, tickets, posters, advertising and venue. The promoter effectively takes the financial risk of putting on a gig, and can lose money as well as make it!

A local promoter in your area may put on local bands and artists at small venues – but there are also larger companies that promote huge musical events such as the summer music festivals.

## DISTRIBUTOR

This is the person who gets your music distributed out to the public. If you have a record deal, then the record company will probably have their own distributor. But if you want to release your own music, you will need to find your own distribution. There are digital distributors who will sell your music online in return for a share of the income.



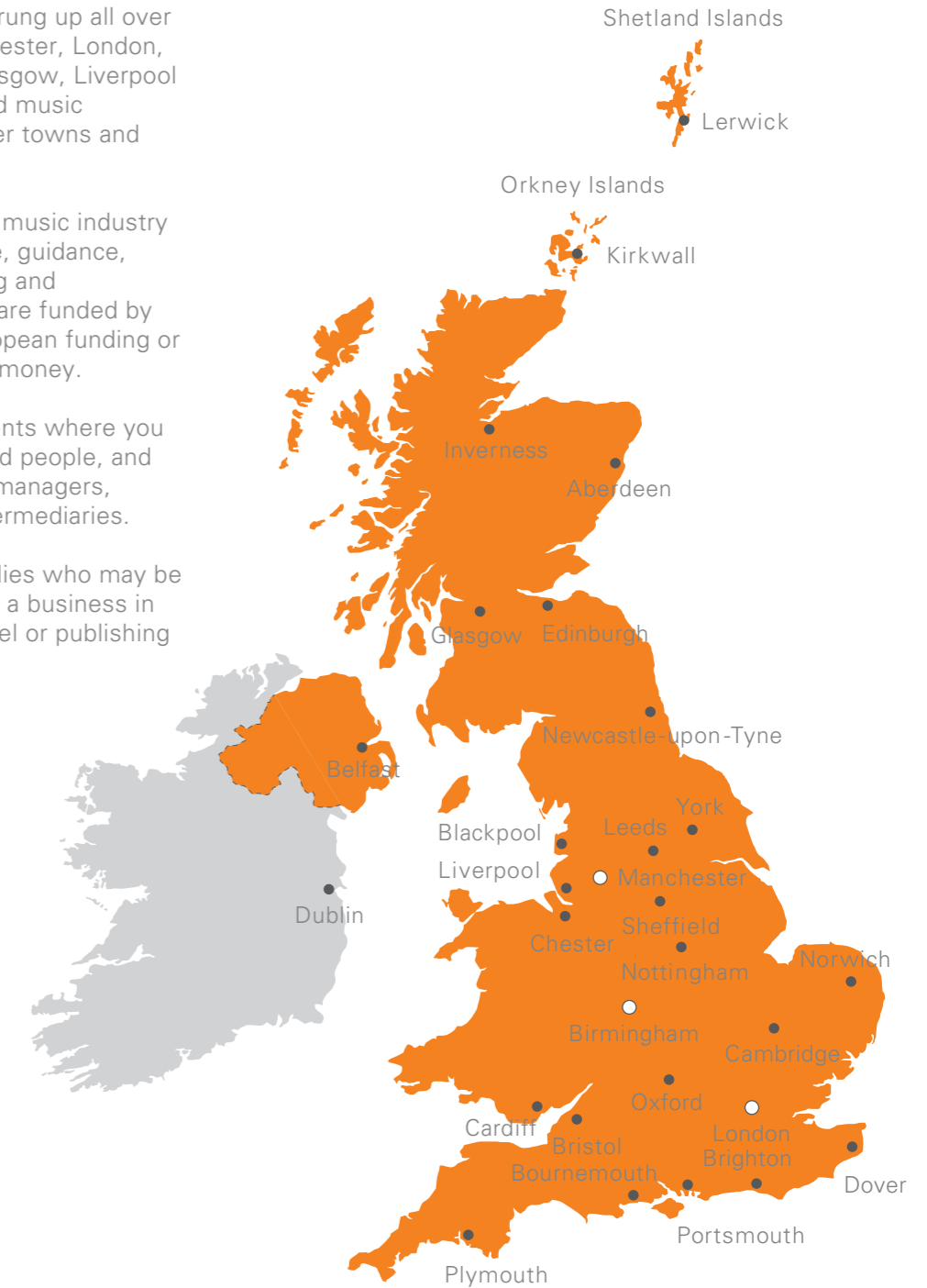
## MUSIC DEVELOPMENT AGENCIES

In the last few years, specialist Music Development agencies have sprung up all over the UK, in cities such as Manchester, London, Cardiff, Newcastle, Belfast, Glasgow, Liverpool and Inverness. You can also find music development agencies in smaller towns and regions.

Their job is to develop the local music industry infrastructure by offering advice, guidance, information, workshops, training and sometimes money. Often they are funded by the local council as well as European funding or Regional Development Agency money.

They often hold networking events where you can meet up with similar-minded people, and they can put you in touch with managers, promoters, labels and other intermediaries.

There are also local funding bodies who may be able to help you with setting up a business in music, for example a record label or publishing company.



## CASE STUDY

### SAM

Successful artist manager

Sam is a director of a management company that looks after one of the biggest artists in the UK. She co-manages the artist and has dealt with all matters personal and professional. She started work with the management company through a conversation in a local recording studio where her sister worked.

#### What attributes/qualifications do you need?

There are lots more qualifications available that are relevant now, but I came in from a musical background. As a singer I knew the venues and gig circuit, promoters etc. I wasn't very familiar with record companies, publishers and lawyers but common sense and enthusiasm go a long way.

#### Best thing about the job...

The opportunity to work with famous people and to follow something through from its conception to the final result. Listening to your artist on the radio when you have a big hit - that and going to the Top of The Pops studios.

#### TIP

Believe in what you're working with. Don't just take something on with a view to making a load of money out of it, that's a bonus if it happens. And don't think that London is the be all and end all. Every town and city has its' own scene.



## CASE STUDY

### STEPHEN

Music Lawyer

Stephen is a well known music lawyer with a wealth of experience. He has worked for many bands, artists and remixers over many years. His main work now centres on Independent and European labels.

Initially, Stephen had no intention of entering into entertainment law, though he had always been a fanatical music lover. His accountant asked him if he'd like to invest in a recording studio. This attachment led to a few bits and pieces of legal work, spare time stuff.

He picked up more and more work, being one of the few music lawyers who were based outside London in the 1980's.

#### Down

Boredom. Negotiating 100 page contracts with Major Record labels is 'the most tedious job on earth. They're heavyweight, complex documents and they all say the same thing in different ways. Everyone has this romantic notion that, if you're a famous Pop Star, it's wonderful, forgetting all the crap and tedium of recording, touring and all the rest of it.

Meeting people, hearing their music, believing them to be hugely talented and watching them get shafted by their record company who don't put any marketing behind it. Then they get dropped. That's the hardest part. They usually end up working for the Gas Board'.

#### Up

'Historically, travel. It gave me the opportunity to travel around the World (3 or 4 times now) which was fantastic. Being part of a team and helping develop that success, particularly on the business side'.

#### TIP

If there's a moral, this is not the way to get rich quickly but it could be. If you are successful you should ultimately be wealthy. But it takes forever for the money to come through. Persevere if immediate success doesn't come your way. Believe in yourself.



## WHEN DO YOU NEED A MANAGER?

### Are you:

**ready to make contact?** (for example, rehearsed enough to play a live set)

**sure that you have enough quality material for a manager to help promote your career?**

**aware of the long term effect of having a management agreement** (if for example you are in a band or a collection of musicians – see chapter 4 in this workbook, Band Agreements)

**sure as to why you might need a manager and what that manager might do for you?**

### Some initial considerations might include you asking

Is the manager established?

Will the manager have enough time to look after my affairs?

Is the manager in a position to promote my career without any income in the initial term?

Do I know anything about the manager?

Remember that a good manager will be devoting time and cost to your development, so you have to be in a position where it is worth their time to get involved. A professional earns a minimum of £25 per hour for advice and guidance, so are your plans realistic and are you happy to pay for management to help and guide you?

## WHAT QUALITIES SHOULD I LOOK FOR IN A MANAGER OR MANAGEMENT COMPANY?

Someone who is reasonably established, has enough experience to take on the day to day duties and has a good reputation. He/she/they should be interested enough to put in time and effort until things develop and have the resources to provide adequate personal representation on your behalf.

Cross-reference your potential manager with his/her artists, ask yourself why you have chosen that particular manager.

## WHERE CAN YOU FIND MANAGERS?

You need to do your research!

Once you have decided that you are at the right stage to look for a manager, then start producing a target list.

This list may include high profile established managers, or less experience local managers who perhaps don't have years of experience but are passionate and enthusiastic about your music.

You will probably need to have a promotional package together (➤ see Workbook 6 for more information on how to do this) if you are looking for an established manager.

Local networking is really important, you should discuss with your Music Industry Consultant (MIC) or your MOLP adviser about who to go and see.

There is an international organisation called the Music Managers Forum which represents the interested of music managers. Their website contains a very useful section on 'How to Find a Manager'.

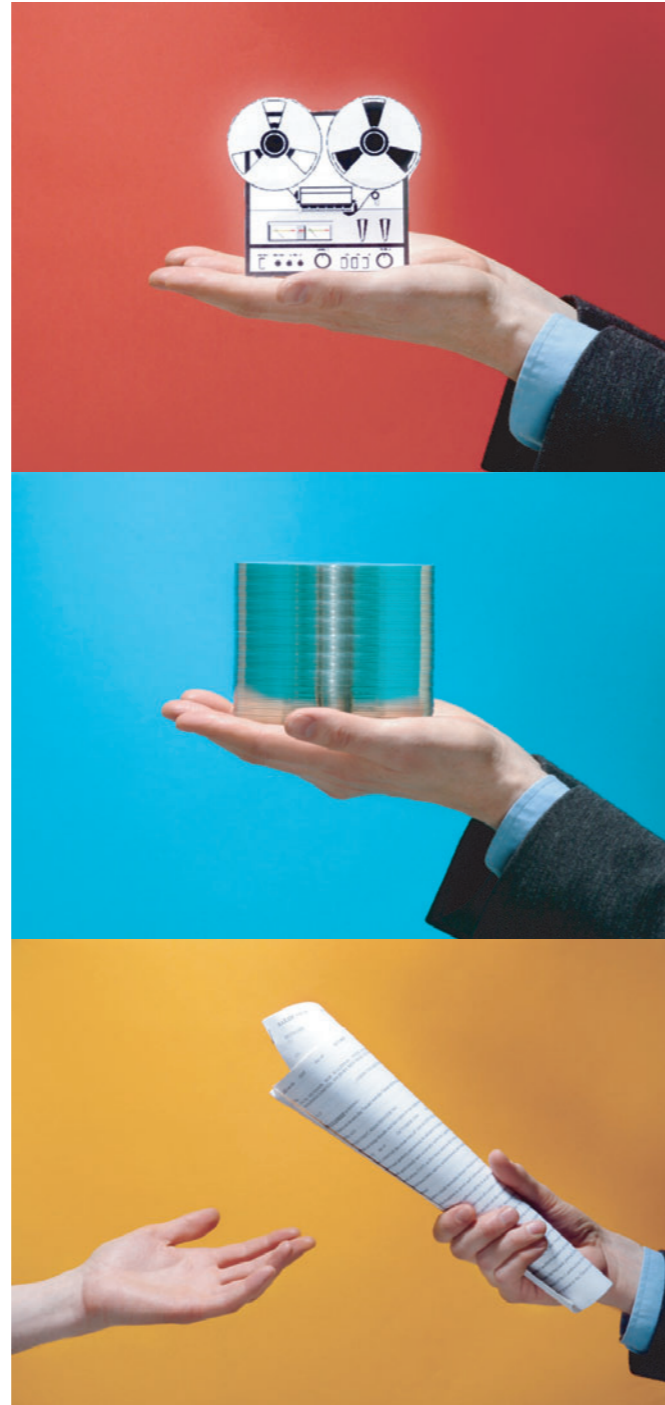
## WHEN DO YOU NEED A LAWYER?

If you are in a position where you have been offered a recording, publishing or management deal, then you almost certainly need a lawyer.

Specialist music industry lawyers will normally charge between £150 - 250 per hour for their services, so you can rack up a large bill quite quickly! However, if they are negotiating a substantial contract for you, worth thousands of pounds, it is definitely worth employing them, as they will be able to properly assess the contract and potentially get you a better deal.

Sometimes, a lawyer will do a small amount of up-front work for nothing, on the basis that they hope to get some paid work from you at some time in the future. Other times, you can negotiate a fixed price in advance for the work they do for you.

As most of the music industry is based in London, you will find a lot of music lawyers there. However, many of the larger cities across the UK have at least one or two reputable music lawyers who may be more convenient (and possibly less expensive) to do business with.



### TIP

You should also assure that the advice you are given is independent. So for example, if you are signing a Management Agreement, you should not really be taking advice from your Manager's lawyer. It is important that you have your own solicitor who will look after your own personal interests.

#### Specific occasions when you need a lawyer include:

Deal-making ( Management, publishing, recording )

Releases abroad

All your extended business ( merchandise, synchronisation, appearances, endorsements, book rights )

Litigation

## WHERE CAN YOU FIND MUSIC LAWYERS?

Free advice can be obtained from the Musicians Union, if you are a member.

Speak to your MIC ( Music Industry Consultant ) or MOLP adviser, who should be able to give you some advice.

Speak to people within the industry and see if they recommend someone. Personal recommendation is always good.

If there is a Music Development Agency near you, they will have lists of established music lawyers that you can research yourself. It is also important to shop around and make sure you are dealing with professionals that you feel comfortable with and that speak your language.