

**Committee Secretary
Joint Select Committee on Artificial Intelligence
PO Box 6100
Parliament House
CANBERRA ACT 2600
AUSTRALIA**

14 September 2026

SUBMISSION

ABOUT APRA AMCOS

APRA AMCOS is Australasia's largest music rights organisation. We were established in 1926, six months after the first radio broadcast in Australia, by music publishers who understood that a new technology had arrived that would use the intellectual property of songwriters, and that they needed an organisation to ensure they were paid when it did.

A hundred years later, we represent 128,000 songwriters, composers and music publishers. We distributed almost \$700 million in royalties in 2024–25 to our members and affiliates around the world. These record results reflect not just Australia's appetite for music, but also the global appetite for Australian music, with our members earning a record \$98.8 million in international performance royalties, up 14.8% year on year.

APRA AMCOS Chief Executive Dean Ormston also serves as Chair of CISAC, the International Confederation of Societies of Authors and Composers, the world's leading network of authors' societies representing more than five million creators worldwide.

APRA AMCOS does not just advocate for Australian and New Zealand creators domestically, we help set the international norms on AI, Indigenous cultural intellectual property and the rights that govern how Australian music is treated everywhere it is heard.

APRA AMCOS has been present at every technology inflection point in Australian music's history, from the arrival of radio and the introduction of cassette tape, through the digital download era and the transition to streaming.

The challenge posed by AI is the most significant of all of them. Our response to it, and our response to the structural pressures on live music, local content, education and export infrastructure, will determine whether Australian music grows or contracts across the decades ahead.

This submission responds to paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (m) and (n) of the Terms of Reference. This submission is made on behalf of APRA AMCOS. While it reflects the policy position of the organisation, it does not purport to represent the individual views of every member.

SUMMARY

To build an AI system that writes music you need music. Millions of songs, written by people. The machine can't invent a chord movement or a hook it has never encountered. A model that writes well was trained on books and journalism. A model that generates images was trained on photographs and artworks. In every case the machine sits downstream of a creator's labour.

For an AI platform to use the works of an artist or creator, someone has to supply that work, and there are only two ways this occurs. The platform asks the creator or rightsholder, agrees a price and pays. Or it takes the work, builds the product and deals with the consequences later.

Not one of the multinational Large Language Model platforms operating in Australia has approached APRA AMCOS to ask what a training licence would cost, how one would be structured, or what obtaining one would require. Not a single enquiry, in four years.

Any business in Australia that wants to use music legally knows where to find us. More than 120,000 of them hold a licence with us right now. With offices across Australasia, we aren't hard to locate.

Conversely, we've repeatedly invited platforms to sit down and describe what they need. We've said publicly and privately that a fully remunerable solution based on consent and payment is available. We've outlined solutions to direct licensing, collective licensing and long-tail solutions at the same time rather than in sequence, so nobody has to wait for one process to conclude before another begins. Nothing has come back. No meeting request, no phone call.

Set that against what the AI platforms have done instead. They've retained nearly every major lobbying firm in Canberra. They've commissioned selective economic modelling. They've run a sustained policy campaign about the 'impossibility' of licensing. A major platform has linked a reported \$21.6 billion investment in Australian data centres to copyright questions being settled in its favour¹. Another proposal is a \$350 million one-off fund, paid for by the AI industry, to avoid ongoing licence arrangements and to receive indemnity for the original theft of creative works².

This isn't an industry defeated by the practical difficulty of paying. It's an industry that decided not to negotiate a fair licence deal and have instead opted to invest heavily in trying to get regulatory changes through expansive lobbying tactics to cut creators out of the success story of AI.

¹ Ronald Mizen, 'AI Giant Anthropic Ties \$21.6b Data Centre Investment Plans to Certainty on Copyright' (*Australian Financial Review*, 13 July 2026)

² Dan Jervis-Bardy and Tom McLroy, 'Creatives Sound Alarm on Copyright as Pocock Calls \$50bn Datacentre Proposal "Ultimate Dirty Deal"' *The Guardian* (online, 1 July 2026).

Across this submission, APRA AMCOS makes seven recommendations for the Committee's consideration:

1. The Committee ask every AI platform, tech and business industry body appearing before it, in writing, what prevents it from licensing high-value content today, and publish the answer.
2. Require any AI model made available in Australia to keep detailed records of its training data and disclose them, so that rightsholders can find out whether their works were used.
3. Commission an urgent Commonwealth valuation of Australia's intellectual property as an asset class — measuring its accumulated value, not just annual economic activity — and complete this before making any legislative change to how copyright material is treated in AI training.
4. Create a new legal right of action against anyone who makes an AI model available in Australia if that model was built using copyright material in a way that would breach Australian law — no matter where the training took place.
5. Action the development of the stand-alone Indigenous Cultural and Intellectual Property legislation promised under *Revive* urgently. Bring forward its digital and AI provisions, and consult directly with First Nations creators who share ICIP through digital platforms on how the law should work.
6. Establish a \$500 million Commonwealth fund to support lawful AI development in Australia's creative sector over four years — built on consent, credit and payment, and used to fund capability and provenance infrastructure rather than AI that substitutes for human-made work.

APRA AMCOS AND ARTIFICIAL INTELLIGENCE

APRA AMCOS has been at the centre of the Australian conversation on AI and copyright since 2022 and from the moment generative models became publicly available. In 2023 we convened the first meetings of creator organisations in this country to deal with generative AI, bringing together bodies representing artists, authors, screen practitioners, visual artists, journalists, performers and publishers on the basis that the question was identical across all of them. That work led to the Attorney-General's Copyright and Artificial Intelligence Reference Group, which we have been part of since its establishment.

Twelve months later we commissioned research to establish two things: the economic damage to the Australian and New Zealand music sector if AI platforms kept taking the intellectual property of artists without regulation or licensing, and the cultural cost of it, including to Indigenous Cultural and Intellectual Property. The landmark report *AI and Music*³, by Berlin-based Goldmedia GmbH and built on survey responses from 4,274 of our songwriter, composer and music publisher members, was published in August 2024. It was the largest member consultation in our hundred-year history.

³ *AI and Music Report* published in August 2024 available at <https://www.apraamcos.com.au/about/supporting-the-industry/research-papers/aiandmusic>

The report found that 23% of music creators' revenues would be at risk within four years, and that 82% of members were concerned AI could stop them making a living from their work. It also found 38 per cent were already using AI in their own practice and 54 per cent accepted it can support human creativity. Our members aren't technophobes, they are always at the forefront of technological innovation, with many using sustainable AI models well before the roll-out of LLMs.

The AI and Music report is now two years old. Its central observation was that no major large language model platform had asked for consent or paid for the data used to train it. We published that in August 2024, and it remains true at the time of this inquiry.

Since then we've made submissions to the Productivity Commission, to the National AI Plan and to every relevant Commonwealth inquiry and process. An open letter developed across the creative sector, *Australia's Creators Are Not a Tech Subsidy*, was signed by more than 17,000 Australians⁴. Behind them stand our 128,000 members, and behind those, through CISAC and its 227 member societies across 111 countries, more than five million creators worldwide.

In June we were part of the signing of *The Paris Commitment: For the Creators of Tomorrow*⁵, which was devised for CISAC's centenary. Its signatories include Björn Ulvaeus, co-founder of ABBA and President of CISAC; Youssou N'Dour, the Senegalese singer-songwriter and CISAC Vice-President; Jean-Michel Jarre, the French composer who pioneered electronic music; Lord Brennan of Canton, songwriter and British parliamentarian who led the House of Commons inquiry into music streaming; British painter Adelaide Damoah; French visual artist Rebecca Digne; and Dean Ormston, Chair of CISAC and Chief Executive of APRA AMCOS. The declaration opens with the words: creativity is what makes us human.

A signing campaign is now open at cisac.org/pariscommitment. We invite every member of the Australian Parliament to add their name.

The Committee will be lobbied intensively by a small number of very well-resourced but unprofitable technology companies, most merely a few years old, represented by the most expensive lobbying firms in Canberra. They're entitled to make their case but they shouldn't be mistaken for a constituency with any interest in the cultural life of this country.

AUSTRALIAN MUSIC AS AUSTRALIAN DATA

The Terms of Reference ask about data sovereignty and about domain-specific models trained on Australian data in areas of sectoral expertise. Australian music is one of those areas.

APRA AMCOS is forecast to process one trillion individual pieces of data in Australia and New Zealand during 2026 for the payment of royalties to our members and affiliates around the world. In FY2025 we paid a record \$683.4 million across more than 1.84 million unique songs and compositions, returning international royalties through reciprocal agreements with societies in 111 countries⁶. Matching that data once took days and now takes hours.

⁴ Open Letter titled *Australia's Creators Are Not a Tech Subsidy* published on 26 June 2026 is available at <https://www.apraamcos.com.au/about-us/news-and-events/open-letter-to-government>

⁵ *The Paris Commitment* launched by the International Confederation of Societies of Authors and Composers on 4 June 2026 is available at <https://www.cisac.org/pariscommitment>

⁶ APRA AMCOS 24-25 Year In Review is available at <https://www.apraamcos.com.au/about/governance-policy/annual-reports/year-in-review-25>

Australia is a world leader when it comes to operating copyright data infrastructure at the scale the AI platforms describe as unachievable. It has been built and rebuilt continuously for a century, first through notebooks and paper ledgers, then vinyl, cassette and CD, terrestrial radio, satellite and streaming, cinema, television and short-form video. Each time the job has been the same: capture the usage, match it, and pay the person who made or owned the work. Nobody has ever suggested the volume made it impossible, because the volume was never the difficulty.

What that century produced is a large cultural corpus documented well enough to be licensed cleanly: ownership chains, splits, metadata, identifiers, registration and payment rails. It's one part of a global network of rights management, built on reciprocal agreements between societies in 111 countries, and that network is what allows a licence issued in one market to return money to a creator in another.

A developer licensing through this system isn't buying one country's catalogue and then facing the same negotiation another hundred times over. It's buying into an established licensing framework already built to identify who is owed what and to move money across borders, which is the problem the platforms say defeats them. The administrative layer is a sovereign asset, and it exists because rightsholders maintain it.

It's worth being precise about what happens when our members' works are taken by AI platforms to feed their products. Songs enter these training sets and are then stripped of their identifiers. The information the platforms say they cannot find is information this organisation and our affiliates created.

RECOMMENDATION

- 1. The Committee should ask every AI platform, tech and business industry body appearing before it, in writing, what prevents it from licensing high-value content today, and publish the answers.***
- 2. Legislate a training data record-keeping and disclosure obligation for any AI model made available in Australia, in detail sufficient for a rightsholder to determine whether their works have been used.***

THE VALUE OF AUSTRALIA'S CREATIVE INDUSTRIES

Australian music is a **\$10.76 billion** industry and contributed **\$4.28 billion** in direct gross value added, or GVA, to the Australian economy in 2024-25. Australia's cultural and creative sector contributed **\$70.3 billion** to the national economy in 2024-25, representing **2.5% of Australia's GDP**. Despite the significance of this activity, at present there is no economic analysis to understand what the underlying assets of Australia's copyright and intellectual property is worth to the nation.

With the development of AI platforms, Australia's copyright and intellectual property assets can move in two directions. Licensed into AI development it appreciates, becoming the input to new and exciting use cases and earning from a new class of user. Taken without payment it depreciates, because a work absorbed into a model can't be withdrawn and its licensable value falls for every future use. Every unlicensed ingestion is a write-down of a national asset.

The cultural and economic consequence of this theft should be front and centre of this inquiry. A promise for investment by tech platforms is now being weighed against a sovereign asset of cultural, social and economic value. Australia values wireless spectrum before auctioning it and values a mining resource before granting title over it. Copyright appears to be the only significant national asset this country is being asked to commoditise without first establishing the economic value, and that valuation should be commissioned urgently and completed before any legislative change proceeds.

Artists and creators are a workforce and the displacement from unlicensed AI development question may not appear straight away. Most artists and creators are sole traders whose income arrives as royalties rather than wages. Our research from the *AI and Music Report* puts 23 per cent of music revenues at risk by 2028 if AI platforms continue to operate without regulation or licensing⁷.

Our members are adopters rather than resisters: as of 2024, 38 per cent already use AI in their practice and 54 per cent accept it can support human creativity. The barrier here isn't reluctance to engage with AI technology, it's that the tools they're offered were built from their work without consent, credit or payment.

Australian music publishers, studios and production houses are overwhelmingly small businesses being asked to compete with products trained on their own catalogues. Songwriting royalties are also among the few forms of intellectual property income flowing to individuals in regional and remote areas, and Australian and New Zealand music earns substantial revenue from overseas, with APRA AMCOS' international revenue alone more than doubling from \$47.3 million in FY2018-19 to a record \$98.8 million in FY2024-25.

RECOMMENDATION

- 3. Commission an urgent Commonwealth valuation of Australia's intellectual property asset class, measuring the accumulated value of Australia's intellectual property rather than annual economic activity, and complete it before considering any legislative change affecting the treatment of copyright material in AI training.***

‘THE LONG TAIL’

The argument the Committee will hear from AI platforms is that millions of small websites, obscure works and material of unclear ownership (the “long tail” of content) on the internet make consent-based licensing unworkable, so only a government-mandated scheme can provide the certainty needed to operate at scale. With respect, that argument is fallacious – APRA AMCOS has been licensing the long tail for years on music streaming services and social media platforms.

Nothing stops any AI company licensing music today. Over the past year the international music industry negotiated licensing deals with a number of AI platforms. Universal settled with Udio and announced a licensed platform; KLAY obtained licences from all three major music companies; Warner reached agreements with both Suno and Udio for both recorded music and publishing rights; Merlin licensed Udio and Spotify's upcoming generative AI-powered "fan-

⁷ AI and Music Report published in August 2024 available at <https://www.apraamcos.com.au/about/supporting-the-industry/research-papers/aianmusic>

made" covers and remixing tool on behalf of tens of thousands of independent labels, Kobalt and UMP on the publishing side with ElevenLabs; BMG signed with Suno in August 2026.

As at January 2026, there are at least 274 known global commercial AI licensing agreements⁸ for everything from music, news, images, audio and video. In news, OpenAI's agreements with the Associated Press, Axel Springer, Le Monde, Prisa, the Financial Times and News Corp expressly cover the use of news content for 'training' as well as display. Further agreements with Condé Nast, Hearst, the Guardian and the Washington Post emphasise display with attribution. Amazon has licensed Condé Nast and Hearst titles, and Perplexity runs a publisher revenue-share pool. Microsoft signed a three-year training agreement with HarperCollins. Wiley disclosed a US\$23 million content rights project. Shutterstock reported US\$104 million of AI licensing revenue in 2023 alone. Getty Images announced a partnership with OpenAI in June 2026.

Every one of those AI licensing agreements required locating rightsholders, agreeing terms and paying money, at scale. None needed an exception to get access to these significant sources of copyright material.

It is worth noting that the company lobbying hardest in Canberra has no comparable licensing agreement and yet issued copyright takedown notices⁹ when their own coding agent leaked.

THE LICENSING SEQUENCE

The 'long tail' - being the mass of harder-to-identify works spread across the internet (as distinct from the relatively small number of high-value, easily identifiable works held by major rightsholders) - is, according to the AI platforms, the great hurdle of training models in Australia. It is presently impossible to work out what's in the 'long tail', or what it's worth until what sits outside it has been established. That means agreeing first what gets licensed directly with the major rightsholders, and what gets licensed through aggregators like APRA AMCOS.

If Australia legislates the 'long tail' first without **voluntary licensing** occurring simultaneously, it hands the definition to the tech platforms. Whoever decides what counts as long tail decides what has to be paid for, and a platform will push as much high-value material into that category as the drafting allows. The statutory scheme risks becoming the destination for everything the platforms would otherwise have to sit down and negotiate.

It's the premium material of our members these companies need, and they need it continuously. The AI platforms' own behaviour shows they understand this. Anthropic acquired millions of print books, many of them second-hand and out of print, and the court record describes what happened to them. The covers came off. The spines were cut away. The loose pages were fed through high-speed scanners, and the remains were sent for recycling. The book stopped existing. What survived was a text file on a server, separated from the object that carried the author's name, the publisher's imprint and the copyright notice.

THE LICENSING SOLUTION

⁸ Kretschmer, M. and Thomas, A. (2026), *The AI Licensing economy: Empirical evidence on agreements between creative content firms and AI developers*, University of Glasgow: [CREATe Centre](#) (AHRC infrastructure grant AH/Y007662/1)

⁹ Michael Kan, 'Anthropic Issues Copyright Takedowns to Scrub Claude Code Leak', PCMag (online, 1 April 2026) <<https://au.pcmag.com/ai/116896/anthropic-issues-8000-copyright-takedowns-to-scrub-claude-code-leak>>.

Any licence APRA AMCOS negotiates rests on **consent, control** and **payment**.

Songwriters, composers and music publishers decide whether their works are used and retain control over how. They're paid on terms they've agreed. The claim that a fully remunerable solution is impossible is being made by companies that have never asked us whether it is.

APRA AMCOS is not opposed in principle to a statutory or extended collective mechanism as a legitimate licensing solution for some content types where licensing solutions are unavailable, but we don't believe that statutory solutions of this nature should be introduced in the absence of an obligation to pursue voluntary licensing arrangements where licensing solutions are available, and where the onus lies on platforms to exclude from their training, content that rightsholders have exercised their right to refuse consent to such training.

All AI platforms looking to train on AI generated content this territory must show:

1. Voluntary direct licences covering identified repertoire in the relevant copyright class, including Australian repertoire.
2. Disclosure of copyright material used in training, in detail sufficient for a rightsholder to determine whether their work was used.
3. An accounting for material already ingested, rather than an amnesty for it.

A company that can't satisfy the first condition hasn't been defeated by transaction costs, it has declined to negotiate with creators and rightsholders in good faith.

TWO PROPOSALS THAT DON'T PASS THE PUB TEST

PUB TEST ONE - THE COMPENSATION FUND

A compensation fund isn't a licence. A licence is a price knowingly agreed between a buyer and a seller, which the seller may refuse. A one-off fund is a number chosen by the buyer. There's a deeper problem than the size of it: the value these systems generate isn't one-off, it's ongoing. A music generation tool produces something because it learned from millions of recordings made by real people, and that creative labour isn't a sunk cost. It's a continuing contribution to a system generating continuing value, so the remuneration has to be ongoing. A one-off payment ends the obligation while the use continues. That isn't licensing.

The proposition is that \$500million buys permanent access to every Australian book, song, artwork, news story and screen work ever made. Australian music alone is a \$10.76 billion industry and the cultural and creative sector contributes \$70.3 billion a year.

PUB TEST TWO – AUSTRALIA-ONLY CONTENT

A statutory licence confined to Australian rightsholders is conceptually flawed, at least in the case of music rights. Restricted to Australians it discriminates against foreign rightsholders, contrary to national treatment under Berne and TRIPS. APRA AMCOS administers the world repertoire under reciprocal agreements with over a hundred similar organisations worldwide.

Songwriting is international and collaborative. A large share of the works we administer have several writers, often with different nationalities and members of different copyright societies, signed to different publishers in different territories. Sarah Aarons is an Australian songwriter

whose catalogue includes co-writes with BTS (South Korea), Gracie Abrams (USA), Cara Delevingne (UK), David Guetta (Germany), Max Martin (Sweden) and Miley Cyrus (USA).

That defeats the object. An AI developer holding a licence to 40 per cent of a song doesn't have a licence to the song. Every collaborative work would be part-cleared and still exposed, which is exactly the uncertainty these companies say they want removed. The proposal fails the creators it claims to help and fails the developers it was designed to accommodate.

THE SOCIAL LICENCE OF AI PLATFORMS

Every company that wants to operate in Australia at scale relies on a social licence: the public's acceptance that it does business here in a way the country finds acceptable. For companies with commercial products built out of other people's cultural and artistic work, the central test of that licence is straightforward.

On 28 August 2026, thirty-five music publishing companies including Sony Music Publishing and Warner Chappell filed against Anthropic in the Northern District of California, naming its chief executive and co-founder personally¹⁰.

They allege acquisition of tens of thousands of compositions by torrenting and scraping, including from piracy archives, and seek up to US\$150,000 per work wilfully infringed, an accounting of training data and methods, and destruction of infringing material.

They aren't the only ones. Universal, Concord and ABKCO sued Anthropic in 2023 and again in January 2026 over more than 20,000 works¹¹. BMG filed in March 2026¹². Round Hill sued Anthropic and Suno in August 2026¹³. Five actions by music publishers against one company, alongside a settled book authors' class action reported at US\$1.5 billion. There are now more than a hundred active AI copyright actions before US courts¹⁴.

A social licence isn't granted by a court and it can't be bought with a one-off fund. It's earned by conduct, and conduct in this industry is now documented at length in the public domain. The pattern is consistent: acquire first, seek permission never, and address the legal position only when someone with the resources to sue arrives.

¹⁰ Corbin Bolies, 'Sony Music Publishing, Warner Chappell Allege Anthropic Launched "Brazen Campaign" to Illegally Train Claude on Copyrighted Songs in New Lawsuit', Variety (online, 31 August 2026) <<https://variety.com/2026/music/news/sony-music-publishing-warner-chappell-anthropic-lawsuit-1236847442/>>

¹¹ Tim Ingham, 'Now Sony Music Publishing and Warner Chappell Sue Anthropic in Multi-Billion Dollar Lawsuit: "One of the Largest and Most Blatant Ongoing Thefts of Intellectual Property in History"', Music Business Worldwide (online, 29 August 2026) <<https://www.musicbusinessworldwide.com/now-sony-music-publishing-and-warner-chappell-sue-anthropic-in-multi-billion-dollar-lawsuit-one-of-the-largest-and-most-blatant-ongoing-thefts-of-intellectual-property-in-history/>>.

¹² Blake Brittain, 'BMG Sues Anthropic for Using Bruno Mars, Rolling Stones Lyrics in AI Training', Reuters (online, 18 March 2026) <<https://www.reuters.com/legal/litigation/bmg-sues-anthropic-using-bruno-mars-rolling-stones-lyrics-ai-training-2026-03-18/>>.

¹³ Corbin Bolies, 'Round Hill Music Sues Suno, Anthropic for Copyright Infringement, Seeking Up to \$1 Billion in Damages', Variety (online, 18 August 2026) <<https://variety.com/2026/biz/news/round-hill-music-sues-suno-anthropic-copyright-infringement-1236837467/>>.

¹⁴ AI Lawsuit Tracker, 'AI Lawsuit Statistics — Live Counts, Settlements & Defendants' (Web Page, updated 31 July 2026) <<https://ailawsuittracker.com/stats/>>

That is the gap this Parliament is being asked to fill. The Committee should proceed on the basis that these companies will do what the law requires of them and no more, and legislate accordingly, with audit rights, disclosure obligations, penalties and enforcement.

RECOMMENDATION

- 4. *Create a new cause of action against making an AI model available in Australia if that model was developed using copyright material in a way that would have infringed Australian law — regardless of where the training took place.***

AUSTRALIA ISN'T THE OUTLIER

The Committee will be told that Australia's copyright framework is special and will leave our nation isolated. The fact is that our fair dealing copyright laws are not dissimilar to other OECD nations.

The push for text and data mining exceptions is also receding across the region. In November 2025 a Munich court ruled in proceedings brought by GEMA our sister society in Germany that a model's memorisation of song lyrics is a reproduction and that the European TDM exception doesn't cover it¹⁵. A decision about songs handed down in a jurisdiction that has the exception Australia has been urged to adopt.

The Attorney-General's October 2025 decision and the Prime Minister's July 2026 address, in which he said Australian creators must keep ownership and control of their work, has placed this country as a benchmark of good policy.

We also expect the Committee to be handed the Oxford Economics report of 19 August 2026, commissioned by Google, which ranks seven Asia-Pacific jurisdictions on copyright flexibility and places Australia last¹⁶. It argues, as anyone would have predicted, that flexible copyright regimes drive AI development.

Japan, the report's model of best practice, has what may be the most permissive copyright exception in the world, in place since 2018, and has produced no frontier model in the eight years since. Singapore, the exemplar throughout the report, has had one since 2021 and no frontier laboratory to show for it. The European Union has had one across twenty-seven member states since 2019, with the same result.

If permissive copyright were the engine, the jurisdictions in this region with the weakest protection and the thinnest enforcement would be the AI powerhouses. Cambodia, Laos and Myanmar are not.

Then there is Australia, ranked the least flexible jurisdiction in the study, and yet a frontrunner on two of the report's own four pillars, including first in the region for business adoption of AI.

¹⁵ GEMA v OpenAI (Regional Court of Munich I, Case No 42 O 14139/24, 11 November 2025).

¹⁶ James Lambert, Vasilis Douzenis and Qi Yu Chan, *How Copyright Frameworks Influence AI Competitiveness: The Economic Importance of Flexible Copyright Regimes for AI Training in APAC* (Consulting Report, Oxford Economics, 19 August 2026) <<https://www.oxfordeconomics.com/resource/how-copyright-frameworks-influence-ai-competitiveness/>>

The report's own data contradicts its argument, which is also the answer to the question in the Terms of Reference about barriers to adoption.

FIRST NATIONS CULTURAL AND INTELLECTUAL PROPERTY

As part of our *AI and Music* report, APRA AMCOS' Director of Aboriginal and Torres Strait Islander Programs and Strategy and Manukura Puoro Māori and Director of Māori Membership consulted with Aboriginal and Torres Strait Islander and Māori music creators directly about their cultural intellectual property in the AI era. Eighty-nine per cent said AI has the potential to cause cultural appropriation, and 67 per cent of Māori members in Aotearoa New Zealand agreed that the use of AI in music creation makes cultural rights harder to protect and enforce.

The stand-alone legislation to protect Indigenous Cultural and Intellectual Property (ICIP) included in *Revive* is now urgent, and we encourage the Australian Government to consult with APRA AMCOS members and creators disseminating ICIP through digital platforms to be consulted on legislative options.

Copyright under the *Copyright Act 1968* (Cth) requires an identifiable individual author, runs for a fixed term and vests in a person rather than a community. It has no concept of secret or sacred material that must not be reproduced at all, and none of custodianship that doesn't expire, so it can't protect knowledge held collectively and in perpetuity. A national AI framework settled before ICIP legislation exists will be a framework that assumes this material away.

RECOMMENDATION

- 6. *Treat the stand-alone Indigenous Cultural and Intellectual Property legislation committed to in Revive as urgent, bring forward its digital and AI provisions, and consult directly with First Nations creators disseminating ICIP through digital platforms on the legislative options.***

A SOVEREIGN CAPABILITY FUND

Separate to licensing deals to ensure the legal use of copyright material for AI training, we also propose a Commonwealth fund of \$500 million over four years to support sovereign Australian AI development in the creative sector on a lawful basis. It would fund:

- licensed, opt-in material available to Australian developers and researchers;
- provenance, attribution and rights identification infrastructure;
- metadata standards, work registries, output detection and watermarking;
- First Nations-governed data protocols developed with and controlled by the relevant communities;
- creator-controlled tools and research into remuneration models; and
- access for small and medium Australian developers to lawfully licensed data.

The provenance infrastructure matters most, because it's the public record of ownership and authorship that makes consent operable at scale and goes directly at the identification problem the platforms describe as insurmountable.

This sovereign AI development should support Australian industry and artistic capability rather than substitution, so it wouldn't fund music competing with human-made works in the commercial marketplace. Any development would also operate on consent, credit and remuneration with participation at the rightsholder's election.

RECOMMENDATION

- 7. *Establish a Commonwealth fund of \$500 million over four years for lawful Australian sovereign AI development in the creative sector, operating on consent, credit and remuneration, and funding capability and provenance infrastructure rather than substitution.***

CONCLUSION

The Committee is being asked to change Australian law so that AI platforms can train on creative work without liability. It is being asked to do this by companies that have never once approached the largest organisation that licenses Australian music, in the four years since this technology became publicly available.

They have not been prevented from licensing. Two hundred and seventy-four commercial licensing agreements have been signed around the world, covering music, news, books, images and video, every one of them under copyright law no more permissive than ours. The premium content these platforms need is available, from the major rightsholders directly and from aggregators like us, and both of those

Australia has the copyright management infrastructure, built over a century and connected to jurisdictions globally. It has a Government that has already ruled out a text and data mining exception and been lauded by others for doing so. It has songwriters, composers and music publishers who are not opposed to this technology and are already using it.

What it does not have is a single big-tech AI platform willing to pick up the phone.

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