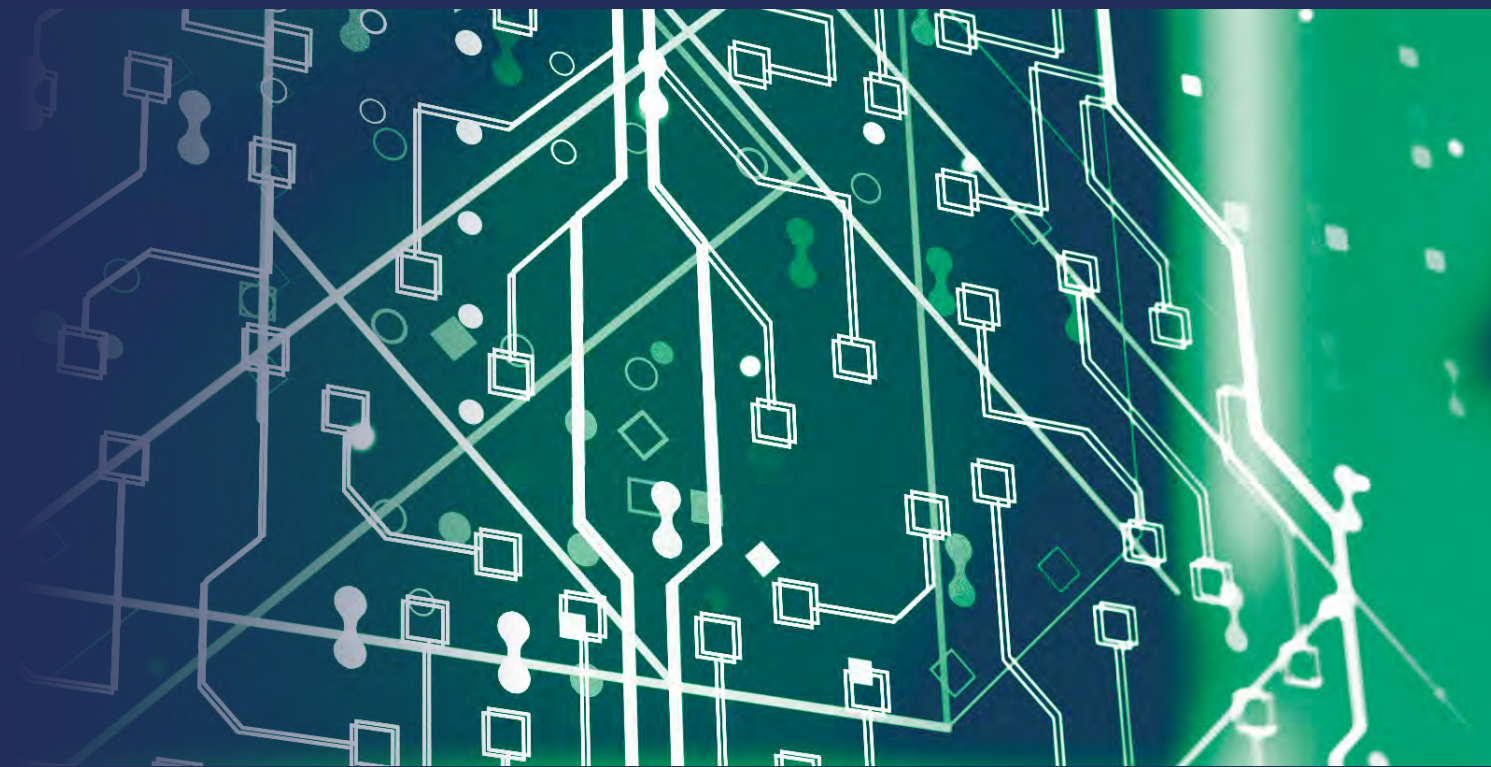


APPG on Music report:

# Artificial Intelligence and the Music Industry – Master or Servant?

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The All-Party Parliamentary Group on Music in association with UK Music.

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# Foreword



**Kevin Brennan MP**

All-Party Parliamentary Group on Music Chair

Artificial Intelligence (AI) is having a profound impact on our musical landscape. The UK must grasp the transformative potential of AI in shaping the future of music if it is to retain its role as a powerhouse in exporting music and in nurturing world-class talent.

We must also confront the danger that unfettered developments in AI could pose to the UK's musicians and music businesses. We ignore the necessity to sow policies, which will harvest the benefits of AI, and help stave off the threats it poses, at our peril.

**Our central insight must always be that AI can be a great servant but would be a terrible master.**

Artificial intelligence does not exist without human intelligence. AI doesn't create art in the human sense but ingests the patterns of human creativity to generate music and other outputs based on algorithms and predictions.

There is no ghost in the machine - no soul in the computer. AI is a desiccated calculating machine.

But as a tech maestro, AI is capable of analysing, generating and even performing music in ways previously unimaginable. It can help musicians to innovate and to inspire new human creativity. UK-based companies such as DAACI, who featured as part of this inquiry, are already thinking of imaginative new ways to bring together music and tech to ensure that human creativity is always recognised and rewarded.

By leveraging the collective strength of policymakers, industry leaders, and innovators we can ensure that AI serves as a catalyst for creativity and progress in the music ecosystem, rather than an inhibitor of growth and a destroyer of creators' livelihoods.

I am delighted to present this cross-party report, which outlines a strategy for embracing the opportunities in music presented by AI, while safeguarding the integrity of our music economy. I believe that my parliamentary colleagues have used their human intelligence to develop findings and recommendations that provide a clear blueprint for the future use of artificial intelligence in music making. Our report is underpinned by an overarching legislative ask for the Government to create a UK AI Bill. Such a Bill should be pro-copyright and pro-creative industries.

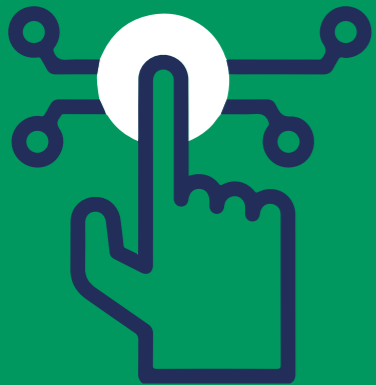
The proposed law would be a vehicle to ensure creators and consumers are protected in this new environment, through updated robust copyright, clear labelling, accurate record keeping and new personality rights. It would also ensure the UK is not left behind internationally as other nations move to legislate.

Intellectual property is a human concept. There is no such thing as artificial intellectual property. Copyright law exists to incentivise human creativity by rewarding humans for the use of their intellectual property. AI companies cannot simply pocket that property and repackage it for their own gain without permission or a licence from its owners.

There have been many technological developments since music was first printed on a page, punched onto a pianola roll, recorded on wax cylinder, disc and tape, or digitised on a computer. AI presents perhaps the greatest challenge of all, but each technological advance also generates an opportunity for creators. We need to muster the will and the vision to seize this one.



# What Do People Think About AI's Impact On Music?

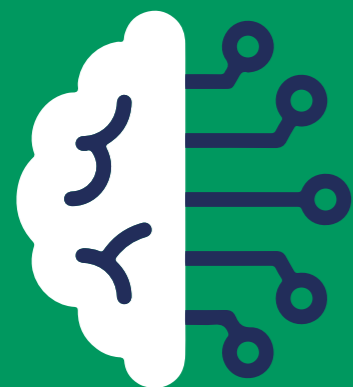


## 4 OUT OF 5

UK adults agree that the law should **prevent** an artist's music from being used to train an AI application **without their knowledge or permission**.

## 77%

of UK adults agree that AI-generated music that does not acknowledge the original music's creators **amounts to theft**.



## 2 OUT OF 3

adults in the UK are **concerned** about the risk of AI generation eventually **replacing human creativity**.

## 83%

of UK adults agree that if AI has been used to generate a song it should be **clearly labelled**.



## Introduction

Recent advancements in AI have been as rapid as they are transformative. We are already witnessing transformation and change in real time, with platforms such as OpenAI, which runs ChatGPT, and chatbots making AI more accessible and popular than ever before. Just as we have seen with the growth of the internet, these technological developments bring huge opportunities, but also massive risks and challenges without the right guardrails in place for its development.

The music industry is, and will always be, a highly innovative industry, which embraces and uses new technologies to create and consume music. The industry is already taking advantage of the power of AI and has been for some time. Creators use it as a tool assisting their artistic endeavours, in the song writing process, mastering their recorded performance, improving their sound, and gaining new insights into fan engagement and fanbases around the world. Equally at a business level, music publishers and record companies use AI to assist their administration and enforcement operations.

The discussion on AI in the music industry heightened in July 2022, when the UK government announced that it intended to introduce a text and data mining exception to copyright to support the development of AI. The proposals suggested an amendment to copyright law that would enable developers of AI to exploit copyright protected works without the permission of creators and rightsholders. The new copyright exception received a huge backlash from the UK music industry, which likened the plans to music laundering and warned of a catastrophic impact on the sector.

After months of campaigning by the music and creative industries, in January 2023 in a debate in the House of Commons the then intellectual property minister George Freeman, supported by this All-Party Parliamentary Group (APPG), said he and the Department for Culture, Media and Sport (DCMS) minister Julia Lopez felt that the proposals were not correct and that they would not proceed with them after all<sup>1</sup>. Whilst seen as a positive step, the industry is still concerned that the rights of creators are being exploited by tech companies and there is a need to push for further legislation to protect music creators and rightsholders creative property. Consultation continues with government, but progress is slow and alternative proposals for a voluntary cross-industry code of conduct stalled in 2023.

In recent months several creators have expressed their concerns on the growth of AI. Jamie Cullum, Jess Glynne, Mumford and Sons, Robert Smith, Sam Smith, The Last Dinner Party, Yard Act and Zayn Malik are among the UK acts who signed an open letter calling for protections against the predatory use of AI. The letter, issued by the US-based Artist Rights Alliance advocacy group, made the demand that technology companies pledge not to develop AI tools that undermine or replace human songwriters and artists<sup>2</sup>.

This is not just a music industry concern; the general public are worried too. As polling commissioned by UK Music published in this report shows<sup>3</sup>, four out of five (80%) of UK adults agree that the law should prevent an artist's music from being used to train an AI application without their knowledge or permission. Another four out of five (83%) of UK adults agree that if AI has been used to generate a song, it should be clearly labelled. Over two-thirds (69%) of UK adults are concerned about the risk of AI generation eventually replacing human creativity.

The figures tell the same story as global polling commissioned by the International Federation of the Phonographic Industry (IFPI) which found 79% of people feel human creativity remains essential to the creation of music, 76% feel that an artist's music or vocals should not be used or ingested by AI without permission and 74% agree that AI should not be used to clone or impersonate artists without authorisation<sup>4</sup>.

This All-Party Parliamentary Group (APPG) on Music report presents nine crucial recommendations for the UK government, across the four key themes, which emerged from the inquiry sessions: consumer protection, fair market access, protection of voice and image likeness, and a need for international action.

Underpinning these recommendations is a call to introduce an ambitious Parliamentary Bill on AI which supports the creative industries. Such legislation would seek to uphold the UK's strong copyright standards through the 21st century. It would act as a vehicle to implement many of the recommendations included in this report and called for by the cultural sector. Such a Bill would ensure the UK does not get left behind in the race to prosper from developments in AI. While other countries are providing a patchwork approach to regulating generative AI, the UK could be world-leading on producing single, coherent and comprehensive AI Bill.

### Recommendation 1:

The Government should create a pro-creative industries AI Bill. As well as protecting copyright, the Bill should introduce new rights and obligations around labelling and record keeping as well as enhancing personality rights. It should act as a vehicle to implement many of the recommendations of this report and show the UK can lead the way in harnessing new technology.

<sup>1</sup> Polling was commissioned by UK Music and conducted by Whitestone Insight.

<sup>2</sup> Whitestone Insight surveyed 2,110 adults in the UK online between 20th and 21st March 2024. Data were weighted to be representative of all UK adults. Whitestone Insight is a member of the British Polling Council and abides by its rules.

<sup>3</sup> Full tables can be found on Whitestone Insights website.

<sup>4</sup> References can be found on page 33



# Report Recommendations

Below is the full list of recommendations from APPG on Music. Throughout the report an explanation of the evidence is provided, followed by the relevant recommendation.

**Recommendation 1:** The Government should create a pro-creative industries AI Bill. As well as protecting copyright, the Bill should introduce new rights and obligations around labelling and record keeping as well as enhancing personality rights. It should act as a vehicle to implement many of the recommendations of this report and show the UK can lead the way in harnessing new technology.

**Recommendation 2:** Transparent labelling enables informed decision-making for consumers. The Government should ratify labelling requirements for AI-generated content under the Consumer Rights Act 2015.

**Recommendation 3:** The Government should introduce a standalone obligation for AI developers and those using Large Language Models (LLMs) to comply with record keeping requirements for all data sets used for ingestion, not solely limited to personal data.

**Recommendation 4:** The Government should promote compliance with UK copyright law, requiring stakeholders to obtain express permission before using copyrighted material, and educating music creators and rightsholders on their rights.

**Recommendation 5:** The Government should address the copyright status of AI-generated works and provide clarity, making it clear that without human creativity copyright is not afforded as a right.

**Recommendation 6:** The Government should introduce a specific personality right to protect creators and artists from misappropriation and false endorsement. Such a right should protect their voice, image, name, and likeness (VINL).

**Recommendation 7:** As a condition of market access, the Government should require Large Language Models (LLMs) to comply with UK copyright provisions, even if the services or goods they have developed are created in compliance with the laws outside the UK. This could also be achieved by clarifying that when an individual or organisation create goods or services internationally which breach copyright law in the UK, that UK law would apply.

**Recommendation 8:** The UK Government should take the lead role in the creation of an international taskforce on AI, taking forward this dialogue across borders, ensuring best practice is shared and putting copyright and the creative industries at the heart of any future global AI summit.





# About the All-Party Parliamentary Group on Music

The All-Party Parliamentary Group (APPG) on Music exists to provide a forum for parliamentarians to discuss issues of concern to them and their constituents. APPGs bring together MPs and Peers from across the party-political divide and act as a point for dialogue amongst decision-makers on issues of concern. Through a series of events and discussions during the political year, the APPG on Music seeks to inform parliamentarians about developments within the music industry as well as engage MPs and Lords on measures that impact the sector. UK Music provides the secretariat for the APPG on Music. The APPG on Music is one of the largest in Westminster with more than 100 MPs and Peers as members.

## About the Inquiry

The inquiry into AI was launched at an APPG on Music meeting in January 2024. At the meeting, the APPG discussed the organisations or individuals from whom they would seek evidence. The APPG were particularly interested in considering the cross-border impact of AI, with a desire to hear from representatives from the EU and the US. The group wanted to hear a diverse range of voices to understand different angles to the debate. They also wanted to meet creators who are using AI and see it in action, as well as learn more about the concerns of the industry.

Some members of the APPG admitted they knew very little about AI but were keen to learn more. Other members were already highly engaged with the topic. The APPG on Music's House of Lords spokesperson, Lord Clement-Jones, released his own, comprehensive book on AI during the inquiry. Titled *Living With the Algorithm: Servant or Master?* the book looks at the potential future governance of AI in the UK<sup>5</sup>. This range of expertise provided a helpful backdrop to the inquiry, including guiding the types of panellists we invited, and the questions asked.

## Formal evidence sessions

The APPG received evidence from individuals and organisations with experience across the UK, EU, and the US. The first two sessions were run in line with a UK select committee inquiry, with the APPG asking questions of industry experts. The third session featured an in-person demonstration on AI. The sessions were:

- On February 27, 2024, the first panel took place. The APPG on Music heard from UK Music's legal advisor Florian Koempel; Professor of Intellectual Property and Technology Law at Queen Mary University of London Noam Shemtov and The European Authors' Societies (GESAC) General Counsel, Burak Özgen. The session focused on progress and lessons so far from the EU and its AI Act.
- On March 22 2024, Shira Perlmutter, Register of Copyrights and Director of the US Copyright Office and her team presented a view from the US to the APPG on Music in the second session for the APPG on Music.
- On March 25, 2024, AI tech firm DAACI offered a practical presentation, featuring demonstrations of DAACI's patented AI tools. DAACI CEO Rachel Lyske and the DAACI team presented an overview of the integration of AI in music creation in the final session of the APPG on Music inquiry.

Throughout the report, we highlight verbal evidence from sessions that relate to the topic.

## Written evidence and industry engagement

As part of the inquiry, the APPG welcomed written evidence from the public, which was sought through UK Music and its members on social media (full questions in annex one). These submissions helped guide the report content, and quotes from these are provided throughout this report. Organisations from across the music industry also contributed to the report by answering the question; "What is your main hope and your main concern about AI?". Answers can be found on page 25.

The inquiry panels, sessions, written evidence and industry engagement helped guide the four key themes that came out of the inquiry: Consumer protection, fair market access, voice and image likeness and international action.



# A Beginner's Guide to AI and the Music Industry

## Operation of AI machines

The first element the APPG on Music wanted to understand was how does AI and music work. The Parliamentarians heard evidence from six different experts to properly understand the practicalities. To note: when discussing AI, we are most often talking about generative AI rather than assistive AI.

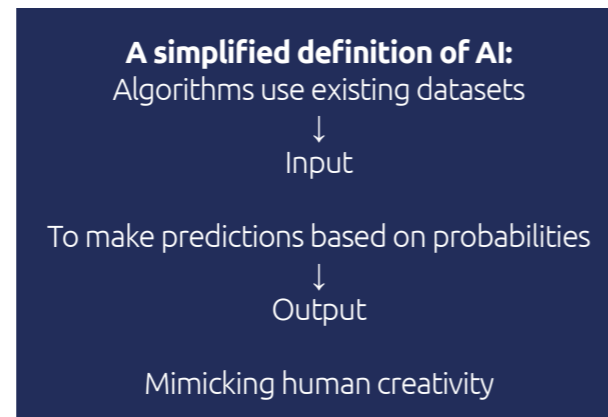
AI applications are software programmes that provide an answer to a question based on probabilities. In its most simplified terms, AI systems will have learned from training datasets that the most likely letter following an A is an N based on the frequency of letter pairs in the English language. The most probable next letter would be a D (as in and, hand, land and so on...). The more letters and words ingested, the more complex the algorithmic process becomes, and the better the probabilities. This is called a large language model (LLM).

Ultimately this is a question of computational resources. AI applications need to retain the datasets to understand context and to operate efficiently, as words have different meanings in different contexts. The real artificial world is more complicated, depending on the actual model used e.g. diffusion or transformer.

Given that computers do not understand lyrics or music, the AI application first needs to translate the music or the lyrics or music into their binary language before identifying patterns, relations, and context in a process called deep learning.

Deep learning can be compared to a human who is stung by a bee learning that black and yellow striped insects are hurtful (ingested data) and should therefore on balance be avoided (inference). Funnily enough, some insects have evolved to pretend to be hurtful by mimicking black and yellow stripes (in essence, the animal version of a deepfake).

The more data LLMs ingest, the more likely the probability of producing accurate, useful output. ChatGPT 4.5 in its most recent application has been trained on 45 gigabytes of data; its predecessor GPT 3 only had 17 gigabytes. Ultimately, the key factor for the success of an AI application is the quality and quantity of the data. In our case, the songs created by humans ingested by a machine.



To produce these outputs, AI services and platforms scrape the internet to collect and provide data to AI applications. This involves many rights that require express permission, including copyright. Such requirement is not superseded by any of the potentially available exceptions including text and data mining, temporary copying or fair use depending on the jurisdiction.

In any case, an exception would only apply to copyright, but not to other rights such as data protection and unfair competition rules. Additionally, data scraping is often expressly prohibited in the terms and conditions of the scraped websites; this constitutes a legally binding express prohibition which needs to be respected.

This is AI in its most simplified definition, but hopefully helps set the scene of how some issues arise from AI for the music industry.

# APPG on Music Inquiry Findings: Consumer Protection

## Consumer choice

A clear theme from the inquiry is that AI and music is as much a consumer issue as it is an industry issue. We heard that while some consumers might prefer AI-generated works, others might prefer human-created works, depending on their individual philosophy regarding technology, costs, environmental impact and other factors.

*"It should be good practice to keep records, but more importantly, the labelling. The consumer should have a clear choice of what product they want. If I want to buy fair trade clothing. I need to be assured that it's fair trade".*

Florian Koempel  
on the importance of labelling

The APPG heard that in the same way some consumers acquire fair trade clothing because of their views on sustainability, and others might not care or might not be able to afford fair trade clothing, consumers should be able to make an informed decision based on transparent information about the product they are acquiring.

UK Music's polling revealed over four out of five UK adults agree that if AI has been used to generate a song, it should be clearly labelled. Over half of UK adults are concerned about listening to AI-generated music without realising it.†

## Labelling

At the core of enabling consumers to make this choice, labelling is key and should be prescribed, including as part of the UK consumer protection framework. Labelling AI-generated products allows consumers to make informed decisions. It also means human creators will be properly recognised for their intellectual contributions. In the context of music, labelling can be as simple as a requirement within the metadata to identify that music is AI-generated.

*"As with any product in the marketplace, origin of goods is key to protect consumers. Music and pop culture has the power to influence... it is important for a consumer to know whether material has been generated by a computer, or if it is authentic human creation".*

Creative Artists Agency<sup>6</sup>  
on the power of pop culture

A legislative solution would be to amend the Consumer Rights Act 2015 to introduce labelling requirements for AI-generated content. Using this as the parent act underscores the APPG on Music's clear evidence that there is a consumer protection dimension to labelling requirements for AI-generated music.

**Recommendation 2:**  
Transparent labelling enables informed decision-making for consumers. The Government should ratify labelling requirements for AI-generated content under the Consumer Rights Act 2015.

## Record keeping

Through the inquiry, it became obvious that to label products properly tech providers must keep an auditable record of the music used at the input stage. This includes associated content and any metadata ingested before the algorithm generates new music or other content. Crucially, the input stage is the only point in the process when these data points can be documented. Without accurate records creators and rightsholders are at real risk of not being credited or remunerated for their work.

*"You don't know whether or how those companies have used your work, because the output generated by AI technologies, as they get more sophisticated, do not include identifiable pieces of original works that they are trained on... you don't know which specific works are in the datasets or to what extent they are being used to train the model or to generate certain output".*

Burak Özgen  
on the difficulties of knowing what work has been used

Technology in this area is moving rapidly. As our inquiry panellists highlighted, it can be difficult to know whether an individual's work has been used or not, but once content is ingested it is near impossible to remove it from the process. While improvements in the future may help track the use of music and other data, it would be a big mistake to rely on this to solve the issues of today. It's imperative to introduce a requirement as soon as possible for tech providers to comply with record-keeping requirements.

Requirements for record keeping are beginning to be included in regulatory AI proposals across the world, including the EU and China. Without improvements in the UK, we are at serious risk of being left behind. The Information Commissioner's Office (ICO), the UK's independent regulator for data protection and information rights, is currently establishing its regulatory role on generative AI and appears ideally placed to supervise a specific standalone provision.

**Recommendation 3:**  
The Government should introduce a standalone obligation for AI developers and those using Large Language Models (LLMs) to comply with record-keeping requirements for all data sets used for ingestion, not solely limited to personal data.

55%

of UK adults are concerned about listening to AI generated music without realising it.†



4 OUT OF 5

UK adults agree that if AI has been used to generate a song it should be clearly labelled.†

† Full tables can be found on Whitestone Insights website.

† Full tables can be found on Whitestone Insights website.



# APPG on Music Inquiry Findings: Fair Market Access

## Creators' choice

In the inquiry, the APPG on Music heard of the inevitability that AI-generated works will compete with human-created works in the future. They will coexist and cater for different needs. Therefore, it is crucial they compete on a level playing field.

*"When it comes to creators' choice, that's a critical point, because creators want to be able to give consent and receive remuneration for the use of their works. That's what we need to ensure".*

**Burak Özgen**  
on the importance of creators' choice

Like human residents in the UK, AI application providers must comply with the law of the land. An AI application should not generate a product consisting of several other works ingested without permission and subsequently be allowed to compete with the original works. This means the creators and their rightsholders should be able to decide if and how they want to use their creative talent to be used. AI developers need to respect creators' choice as a baseline for any discussions.

UK Music's polling found 82% of UK adults agree that it should be up to artists or their chosen rightsholder to decide whether their music is used as the basis for creating new AI-assisted compositions or tracks which others can then profit from. 77% of UK adults agree that AI-generated music that does not acknowledge the original music's creators amounts to theft.†

Anyone using the music protected by copyright needs to obtain express permission in the absence of an applicable exception. Notwithstanding pending legal cases, this is an opportune moment for the Government to encourage compliance with the existing UK copyright framework. This should be supplemented by additional education for music creators and artists on their rights.

### Recommendation 4:

The Government should promote compliance with UK copyright law, requiring stakeholders to obtain express permission before using copyrighted material, and educating music creators and rightsholders on their rights.

† Full tables can be found on Whitestone Insights website.

## Exception and opt-outs

As acknowledged in the APPG inquiry sessions and by the former IP Minister George Freeman in 2023, a new copyright exception removing the rights of UK creators and artists to consent would not have been appropriate. An exception with an opt-out mechanism, as chosen by the EU, does not effectively provide relief for creators and artists. The practical application of the opt-out mechanism throughout the EU demonstrates significant problems in practice. Uncertainties surrounding the person opting out, the person receiving the opt-out, the instrument opting out and transparency regarding opt-out compliance, render the process useless, in particular for individual creators and artists.

*"It is very far from clear what is covered by fair use in the US... The system in the UK is slightly different, and it is much better to think about the issue in advance and decide what is the right path for the UK, rather than rely on fact-specific judicial decisions as in the case of the fair use".*

**Noam Shemtov**  
on deciding what is best for the UK

*"If copyright owners are given the ability to either opt in or opt out of inclusion in the training materials, how can that work, especially for individual creators who aren't as sophisticated as corporations? If consent or compensation is required, how can that feasibly be accomplished, given the volume and variety of the works involved?"*

**Shira Perlmutter**  
on some of the questions associated with the opt-out

Furthermore, AI platforms will not be able to consider all opt-outs in an economically feasible way. Due to the nature of their machine learning processes, it is impossible to identify the specific written content learned from an opt-out work. To properly consider the opt-out, the AI service providers would need to repeat the whole ingestion process from scratch. This is not practical for AI platforms. Equally, creators and artists are not able to transparently check whether an AI platform has respected the opt-out.

## Copyright for human creativity?

AI-generated works, or AI-generated elements of works, are mostly not protected by copyright; they lack key conditions of copyright protections across different territories. This is evident across different legal cases:

- In the UK, to benefit from copyright protection, the stamp of individuality reflective of the creation of the author(s) is required. Notably, in a recent High Court decision relating to patent law, the court stated that the inventor must be a "natural person"<sup>7,8</sup>.
- In the EU, copyright protects the author's own intellectual creation expressing their personality. That condition still applies in the UK despite leaving the EU, according to a 2023 legal decision<sup>9,10</sup>.
- In the US, the situation is even more direct. The US District Court for the District of Columbia stated that there is no copyright for a work generated entirely by an artificial system without human involvement. Furthermore, the US Copyright Office compendium expressly states that it does not register works created by machines<sup>11</sup>.

*"If it's AI-produced, you can't copyright, because copyright has to be a human part of human creativity, and it exists for that purpose to reward human creativity and encourage it as a concept".*

**Kevin Brennan MP**  
on the purpose of copyright

In addition to these legal cases, in the UK a specific law exists for computer-generated works, Section 9 (3) of the Copyright, Designs and Patents Act (CDPA) 1998. While this is a seemingly relevant provision it is barely understood, irrelevant in practice and only referenced in passing in one legal case two decades ago. It is therefore debatable whether this Section has any practical value in this scenario.

### Recommendation 5:

The Government should address the copyright status of AI-generated works and provide clarity, making it clear that without human creativity copyright is not afforded as a right.

References can be found on page 33





# APPG on Music Inquiry Findings: Voice and Image Likeness

## Personality rights

The APPG on Music inquiry sessions highlighted how key it is to protect the voice, image, name, and likeness – or VINL - of human creators from AI-generated output. These AI-generated creations that mimic real people are sometimes known as deepfakes, and are becoming more prevalent across music, politics and wider society; often to spread misinformation or hurt individuals.

*“Performing artists, especially, have been raising the alarm about AI-generated works that imitate their likeness, style, and voice. We’ve all seen the publicity about deep fakes including the AI-generated duet that appeared to be by Drake and the Weeknd. AI-generative versions of Tom Hanks and Taylor Swift have also been used to sell products, or for less savoury purposes”.*

**Shira Perlmutter**  
on the recent, high-profile examples of deepfakes

*“Probably the strongest example there is of publicity right in the United States... is in the state of Tennessee and the reason is Graceland. They have a financial interest in protecting anything and everything that has to do with Elvis Presley”.*

**Noam Shemtov**  
on the strongest example of personality rights in the US

The US has been particularly quick to monitor and reduce potential damage in this area. Also in the US, in March 2024, Tennessee became the first state to enact legislation directly intended to protect musicians from having their vocal likeness generated by AI for commercial purposes. The Ensuring Likeness, Voice, and Image Security Act, or ELVIS Act, will be in effect from 1 July 2024 and makes it illegal to replicate an artist’s voice without their consent. In our inquiry sessions, the APPG on Music heard about how Tennessee has been quick to act because of their financial and tourism interest in protecting the brand of Elvis Presley.

*“Currently, in the event of an AI-generated deepfake or voice clone, to bring a claim against the infringer in the UK, rightsholders are likely best trying to make a claim based on a range of rights, including “passing off”. The common law action for passing off has been used to prevent false celebrity endorsements, but it remains to be seen whether it is flexible enough to take effective action against deepfakes”.*

**Jonathan Coote<sup>12</sup>**  
on the current UK law on personality rights

In the UK, a variety of instruments exist to potentially protect the rights of individuals from misappropriation or false endorsement, including passing off rights. But as written evidence to the inquiry highlighted, it is yet to be seen if this would be effective against deepfakes. Unambiguous legislation that protects creators and artists from misappropriation and false endorsement would provide clarity and certainty for all involved, including tech providers.

Polling from UK Music found that 83% of UK adults agree that a music artist’s creative “personality” should be protected in law against being copied using AI. 62% of UK adults are concerned about the rise of so-called deep fakes of their favourite music artists.†

The protection of the human personality can be achieved through the introduction of a specific publicity or image right protecting creators and artists from misappropriation and false endorsement. This should protect their likeness, including their voice if distinctive and widely known. The resulting damages can be economic or otherwise, such as damage to the artist’s reputation, goodwill, or otherwise causing distress.

### Recommendation 6:

The Government should introduce a specific personality right to protect creators and artists from misappropriation and false endorsement. Such a right should protect their voice, image, name, and likeness (VINL).

References can be found on page 33

† Full tables can be found on Whitestone Insights website.





# APPG on Music Inquiry Findings: International Action

## International standards

The first two APPG on Music inquiry sessions both came back to the same question: how can we deal with these issues on a global scale? While discussing issues through the lens of UK legislation is clearly an important first step, it will not deal with all the issues we are currently presented with across the borders where creators, rightsholders, tech providers and policymakers intersect.

*“The whole discussion needs to be more international than national”.*

**Florian Koempel**  
on taking a more international approach

For example, it is expected AI service providers will outsource the machine learning process to territories which provide copyright exceptions to avoid having to ask for permission. We require adequate legal protection for the importation of AI applications which would constitute a breach of UK law if carried out here.

*“We need to make sure it would not be beneficial to rely on international AI training havens when you offer AI tools in the UK”.*

**Noam Shemtov**  
on ensuring the UK is protected from training models internationally

In addition to specific legal provisions in copyright law, general market access standards should apply. Such standards exist in other sectors such as pharmaceuticals, food, and drinks, and should be easily transferable to the creative sector.

The Government must introduce specific standards for LLMs, which operate and generate revenue in the UK as a condition of market access. As part of such standards, LLMs would need to comply with UK copyright provisions, notwithstanding whether their services or goods would have been created in compliance with the local rules of a third-party jurisdiction.

*“There is certainly a need to have transparency and compliance with copyright rules, and to ensure them with this type of extra-territoriality. I think it would help creators across the world to have convergence, at least on these”.*

**Burak Özgen**  
on the importance of thinking extra-territorially

### Recommendation 7:

As a condition of market access, the Government should require Large Language Models (LLMs) to comply with UK copyright provisions, even if the services or goods they have developed are created in compliance with the laws outside the UK. This could also be achieved by clarifying that when an individual or organisation create goods or services internationally which breach copyright law in the UK, that UK law would apply.

## International cooperation

The APPG on Music inquiry discussed the importance of talking and working with one another internationally. The APPG believes the UK government should take the lead on the creation of an international taskforce on AI, taking forward the dialogue across different borders and ensuring best practice is followed. At the heart of this taskforce must be a pro-copyright and pro-creative industries ethos.

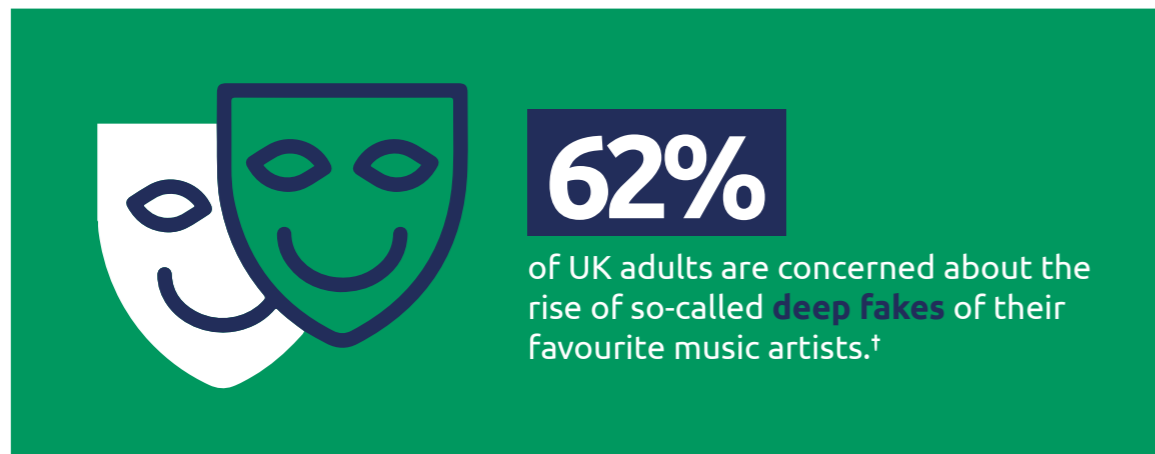
Following the AI Summit hosted in the UK in 2023, where the creative industries were notably not invited, the UK should also look to put the creative industries at the heart of any future summits or international events.

*“We’re aware that these are still early days, and it remains to be seen how these laws are going to be interpreted and applied in this new context. Clearly the approaches are not going to be identical, and they don’t need to be identical, but a high level of compatibility would be desirable for all of our stakeholders. The more we all talk to each other, the better”.*

**Shira Perlmutter**  
on the importance of working across borders

### Recommendation 8:

The UK Government should take the lead role in the creation of an international taskforce on AI, taking forward this dialogue across borders, ensuring best practice is shared and putting copyright and the creative industries at the heart of any future global AI summit.



† Full tables can be found on Whitestone Insights website.





# AI in action: DAACI

In the final session from the APPG on Music inquiry, members of the group received a practical presentation from AI-tech firm DAACI. This allowed the group to see AI in action.

## About DAACI

DAACI develops next-generation smart and AI creative music tools. Their series of patented technologies empower music makers to meet the rapidly growing demand for innovative ways to create music. Their technologies encompass tools that are designed to supercharge the creative process, dynamically composing new music in real-time, and smart editing systems that seamlessly adapt existing tracks.

Built by a world-class team of musicians and composers, DAACI's technology is based on over 30 years of research. Incorporating a growing portfolio of 75 granted patents and supported by partnerships with the UKRI Centre for Doctoral Training in Artificial Intelligence and Music at Queen Mary University of London and Abbey Road Red's The Incubator.

## About the demo

The session for the APPG on Music involved a demonstration of DAACI's patented AI tools and products made for musicians. It allowed APPG members to gain insights into the kinds of assistive technology musicians can use to enhance their creative process via a hands-on presentation and discussions with the DAACI team. CEO Rachel Lyske and the DAACI team presented an overview of the integration of AI in music creation. They also addressed industry concerns in the generative AI music space and explained how DAACI's technology protects and rewards creators.

## Asking DAACI: what should Government do?

*"Recognise the opportunity in front of you. Music isn't just a file to download. It's a whole industry. It's teachers, musicians, studio engineers, artists, producers and performers, homegrown creators and major music technology companies, festivals, venues, fans. Music is all of us. Protect this economy and allow it to thrive."*

*The UK is a world leader and exporter of quality music, recording innovation and world-class artists. There is a window of opportunity for the UK to also be the world leader and exporter of generative AI. These two things do not have to be separate.*

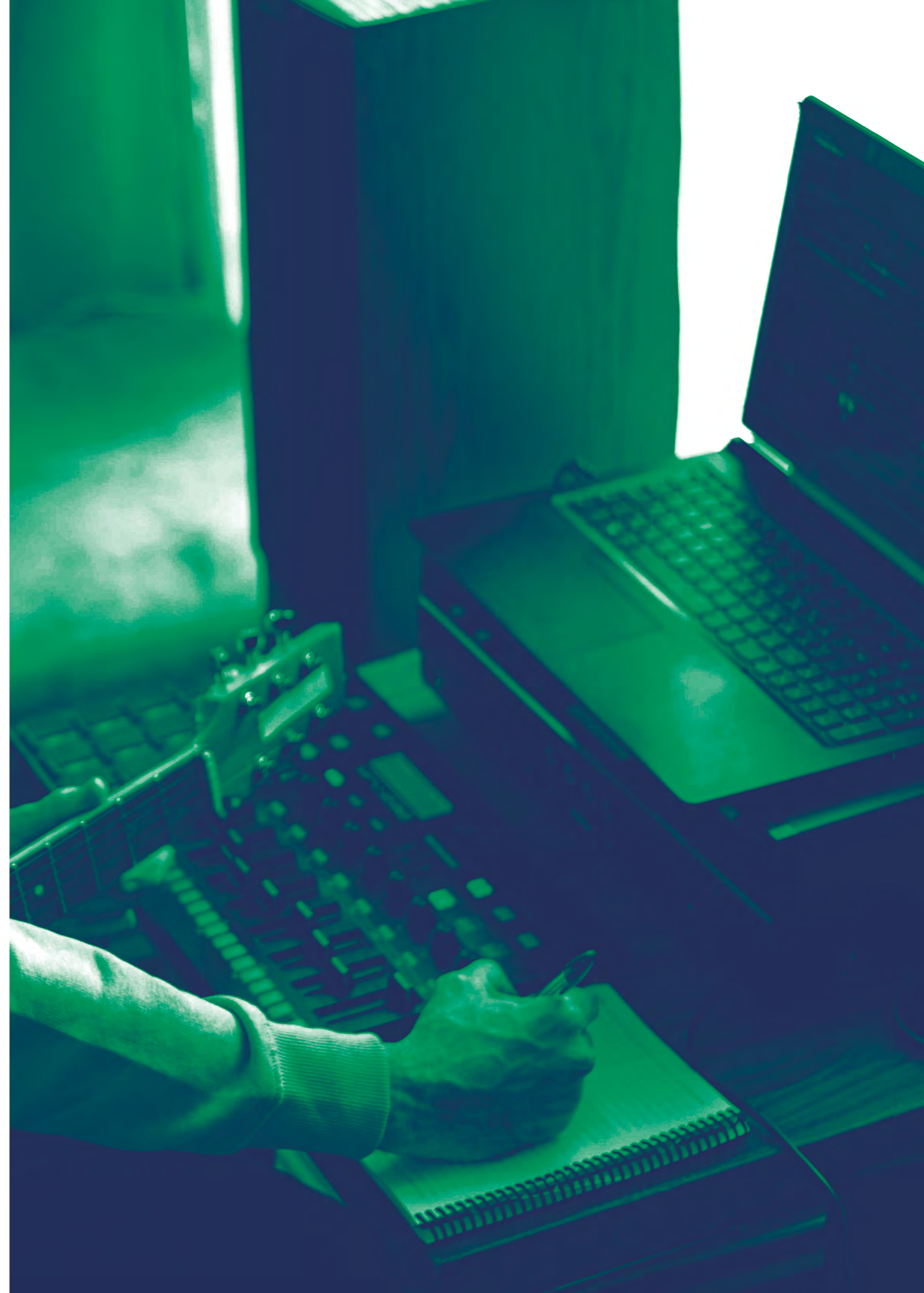
*The UK government must and can give the homegrown UK music and UK music technology industry a chance to get it right. We can provide a high-quality, fair, human-led AI system that protects human artistry and acknowledges every part of the value chain if we demand that approach together.*

*Do not be railroaded by big technology companies pushing their own agenda saying that attribution and artist recognition 'can't be done'. Do not accept 'it doesn't work like that'. Do not accept an 'ask for forgiveness later' approach. It can be done legally, ethically and properly and DAACI has shown it can".*

Rachel Lyske, DAACI CEO



APPG on Music Chair Kevin Brennan MP with the DAACI team







# Hopes and Concerns of the Music Industry on AI

## AIM

Independent music has a long history of innovation and adapting to new technologies, creating new deal structures to ensure mutual benefit and fair returns to artists. Sadly, many generative AI models seem to have decided to 'scrape first and apologise later'. An internet search will reveal myriad AI engines that have "trained" on anything they can find online, whether or not within the terms of use of legitimate sites and platforms. This will continue to happen until governments ensure that copyright works, data and artistic identities are protected, with international collaboration, a clear and cost-effectively enforceable framework and serious penalties to deter bad actors from ruining AI's creative potential. Our community already engages with some great AI tools and we look forward to working with more developers who are as passionate about music as we are, who prioritise human artistry and respect copyright, build in transparency and build out bias, and who develop to promote public safety and shared success.



## FAC

The music industry, and in particular, artists have always been at the forefront of emerging technologies. Indeed, today, artists are driving forward the use of AI technologies in exciting and innovative new ways. However, as the AI revolution enters the mainstream, it is essential that measures are taken to ensure that these powerful technologies are not used in a manner that undermines human creativity. This means making sure that artists must retain control, provide consent, receive fair remuneration and be credited for use of their works, and rightsholders must seek this permission for AI-related uses. Furthermore, the UK government must catch up and take steps to ensure the law is extended to protect artists' image, likeness and identity as well as their work.



## BPI

AI offers tremendous opportunities to the music industry when used to support the creative process. It also presents real and pressing risks to creators and rightsholders if our world-leading intellectual property rights are undermined. To support human artistry and ensure that our successful industry can continue to grow and add value to the economy, we need a clear commitment from AI developers and policymakers that training using music protected by copyright and the rights of individuals requires permission and payment. We need acknowledgement that it's unacceptable to take someone's music or identity without their consent. AI companies must keep detailed records of inputs so rightsholders can verify them and, if licensed, ensure creators are remunerated. AI-generated content should be clearly labelled. These measures will ensure that artists experience the benefits of AI and we maintain the flow of investment into human-created music: this is central to supporting future talent and the success of our industry.



## Ivors Academy

Music makers have always been at the forefront of using new technologies in their craft. The Beatles explored the potential of multitrack recording. MIDI and digital sampling were crucial to the development of hip-hop in the '80s. AI is no different. As the representative organisation for songwriters and composers, we want to ensure that AI can be used by creators to explore new genres and creativity but is not being developed at the expense of creators and their rights, upon which their future ability to create relies. To ensure that AI works in service of human-originated creativity and not against it, it is imperative to reinforce that any use of copyright works to train AI and generate derivative work requires consent and the remuneration of songwriters and composers. To support this goal, creators' rights must be strengthened, and a new personality right created to protect the personality and likeness of songwriters and artists.





## MMF

The MMF supports the principles of Consent, Control and Compensation for the use of artists' music in AI. We believe that alongside the requirement for licensing the music copyrights, express consent from music-makers should be sought, not assumed, by both AI companies and rightsholders for AI ingestion and generation. In addition, the UK needs to introduce a strong legal backing for personality rights to ensure that individuals have control over specific usage of both their face and their voice and this cannot be assigned to corporations on a blanket basis.



## MPG

As a creator personally and as the representative for Music Producers, Mixers and Recording Engineers through the Music Producers Guild (MPG) we remain hopeful about the innovative possibilities AI brings to the table, offering new tools and techniques to enhance our creativity and efficiency. However, there are crucial concerns that demand attention. Protection of music-makers publicity, personality, and personal data rights is paramount, requiring robust legislation and international collaboration. Technology companies must uphold copyright laws and secure explicit consent from individual music-makers before using their work to train AI models. Fair compensation and transparency are essential, and creators should share in the ongoing financial rewards of AI-generated music that their work helped generate. Finally, clear labelling of creator-approved AI-generated works and transparent record-keeping of datasets is crucial for accountability and integrity in the industry. In embracing AI, we must ensure it enhances, rather than undermines, the rights and contributions of music creators.



## PPL

The music industry is only too ready to embrace the power that can be delivered by artificial intelligence and we're already seeing some benefits from AI such as improving workflow efficiencies. However, when it comes to generative AI, these tools need to be used with legitimacy, and with respect for the labours of those who have fuelled them. It is critical that the rights of those who invest their time, talent and money into making music are protected. Regulators need to spend less time worrying about AI of the future and focus on the actual harms taking place today. Technology companies need to seek appropriate permissions and pay appropriate value to the creators whose very essence fuels their large language models. Legislators must create an environment where legitimate AI companies can show their compliance with a fair business model. A Fairtrade for AI, if you will.



## MPA

Granting copyright for AI-generated music would provide a material risk of displacing human-created music, and lead to market distortion based on likely oversaturation by machine-generated music. The dilution of revenues payable for the use of copyright-protected works by the inclusion in that pool of billions of works generated at the press of a button would have a devastating impact on the businesses supporting the ecosystem that sustains creators. As has been recognised in many jurisdictions as diverse as the European Union and China, transparent record keeping is vital for a secure and confident operation of AI applications. Knowledge of the ingested musical/ literary works is key for potential remuneration mechanisms, infringement procedures, and bias eliminations. Record keeping should be introduced as a mandatory requirement for providers of AI applications that release AI music in the UK regardless of the territory of origin of the AI application or AI creation.



## Musicians' Union

The MU's main hope is that the Government introduce a new unwaivable individual creator consent requirement for AI training, separate to existing performers' rights. This would give creators control of their creations in relation to AI training and prevent rights historically granted to rightsholders for the physical and digital reproduction of music to sell to the public, long before AI training was even known or understood, being used to grant licences to tech firms without consultation, to the potential detriment of the creator. Our main concern is the use of creators' performances and compositions to train AI (whether that use be through unregulated and unlicensed scraping of content by tech firms, or by agreed licensing of works by rightsholders without contemporary, specific consent being first gained) and the effect the resulting output of AI systems may have on future work opportunities for music creators.



## PRS for Music

AI has the potential to transform the music industry, bringing with it great opportunities and great challenges. Many music creators have integrated AI into their working lives, finding new ways to enhance their creativity. But enthusiasm is often surpassed by concerns that AI-generated works will directly compete with human-created compositions, negatively impacting creators' livelihoods. The assumption that our collective musical history is merely another dataset for consumption by AI must be unequivocally opposed. Now more than ever, copyright's core tenets of authorisation, and moral and economic rights, remain vital: after all, that is what it means to own one's work. Transparency is also essential to those principles being upheld. The onus must be on tech firms to produce accessible information so that creators can monitor the use of their works and, where necessary, enforce their rights. The pathway to a robust framework for the safe development of AI is not an aspiration, it is a necessity.





# Conclusion

The APPG on Music inquiry into AI and music has shown how pivotal action, legislation and education is in this area. Across the four themes of consumer protection, fair market access, voice and image likeness and international action this report has highlighted nine recommendations, underpinned by the need for a UK AI act.

On consumer protection, we heard of the need for consumers to be able to make an informed decision on the music they consume and whether it's generated by AI. To make this choice, AI-generated music must be labelled. For music to be labelled, tech providers must keep a record of what music their platforms are ingesting.

*"I actually don't think that this is the opposite of being pro-tech. What tech companies appreciate more than anything else is certainty and predictability. They know where they stand".*

**Noam Shemtov**  
on the strength of certainty

On fair market access, creators' choice is fundamentally important, so that the people who create and make the music we love and listen to can decide how their work is used. The APPG on Music heard about exceptions and opt-outs, and why they do not work.

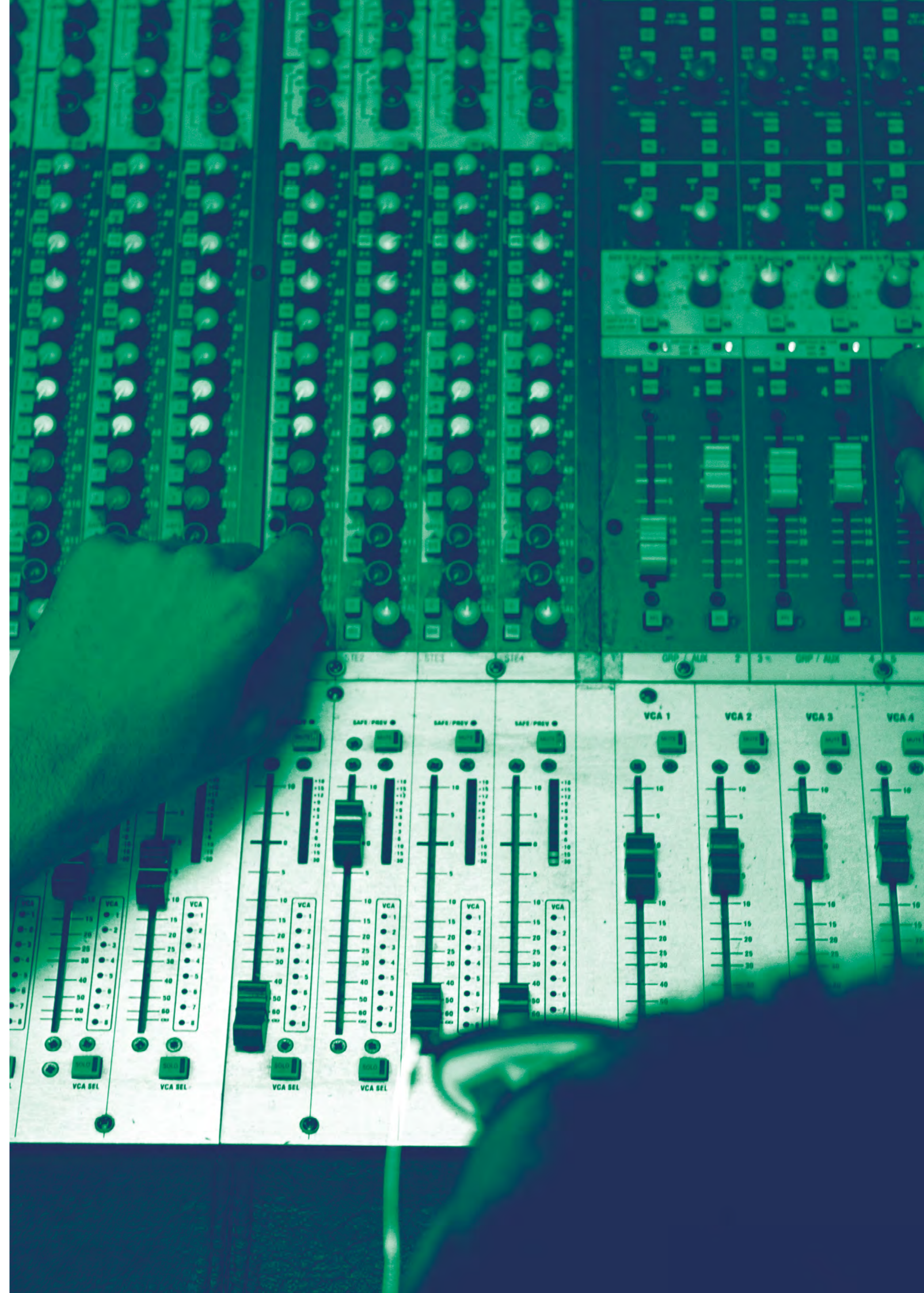
On voice and image likeness, the inquiry highlighted examples from the US where strong personality rights have been proposed and introduced at the federal and state level since 2023. This showed the case that the UK should introduce a personality right to protect the individuality of creators in the UK and not fall behind our international competitors.

Finally, on international action the APPG on Music considered how we can deal with these issues on a global scale, both from the perspective of copyright and international cooperation. The suggestion of a pro-creative industries international taskforce on AI supports what we heard from international counterparts in the EU and US on the need to work closely together in the future.

The APPG on Music looks forward to working with policymakers and industry stakeholders internationally to bring these recommendations to action.

*"I certainly like to believe that human creativity cannot be replicated by a machine. Combining bits of everything that came before seems unlikely to result in something as truly original as impressionism or cubism or twelve-tone music".*

**Shira Perlmutter**  
on the strength of human creativity





# Acknowledgments

The APPG on Music would like to thank all of the participants, individuals, and organisations who gave their time to support the inquiry. In particular, we would like to thank Florian Koempel, Burak Özgen, Noam Shemtov, Shira Perlmutter, Rachel Lyske and the wider DAACI team for their contributions to the virtual and in-person sessions they attended. These contributions have been invaluable to the recommendations and narrative of the wider report.

The APPG on Music thanks all the MPs and Peers who attended and engaged with the sessions. Thank you for joining, asking questions and showing an interest in this area at a pivotal time. Thank you to the APPG on Music Chair, Kevin Brennan MP, for leading on this work.

The APPG on Music would also like to thank UK Music, for supporting with the sessions and help with drafting this report.



# Glossary of Terms

Provided by the UK Parliament POST summary AI glossary<sup>13</sup>

## Algorithm

A set of instructions used to perform tasks (such as calculations and data analysis) usually using a computer or another smart device.

## Artificial Intelligence

The UK Government's 2023 policy paper on 'A pro-innovation approach to AI regulation' defined AI, AI systems or AI technologies as "products and services that are 'adaptable' and 'autonomous'". The adaptability of AI refers to AI systems, after being trained, often developing the ability to perform new ways of finding patterns and connections in data that are not directly envisioned by their human programmers. The autonomy of AI refers to some AI systems that can make decisions without the intent or ongoing control of a human.

## Deepfakes

Pictures and video that are deliberately altered to generate misinformation and disinformation. Advances in generative AI have lowered the barrier for the production of deepfakes.

## Deep Learning

A subset of machine learning that uses artificial neural networks to recognise patterns in data and provide a suitable output. Deep learning is suitable for complex learning tasks and has improved AI capabilities in tasks such as voice and image recognition, object detection and autonomous driving.

## Generative AI

An AI model that generates text, images, audio, video or other media in response to user prompts. It uses machine learning techniques to create new data that has similar characteristics to the data it was trained on. Generative AI applications include chatbots, photo and video filters, and virtual assistants.

## Large Language Models

A type of foundation model that is trained on vast amounts of text to carry out natural language processing tasks. During training phases, large language models learn parameters from factors such as the model size and training datasets. Parameters are then used by large language models to infer new content. While there is no universally agreed figure for how large training datasets need to be, the biggest large language models (frontier AI) have been trained on billions or even trillions of bits of data. For example, the large language model underpinning ChatGPT 3.5 (released to the public in November 2022) was trained using 300 billion words obtained from internet text. See also natural language processing and foundation models.

## Responsible AI

Often refers to the practice of designing, developing, and deploying AI with certain values, such as being trustworthy, ethical, transparent, explainable, fair, robust and upholding privacy rights.

## Transformers

Transformers have greatly improved natural language processing, computer vision and robotic capabilities and the ability of AI models to generate text. A transformer can read vast amounts of text, spot patterns in how words and phrases relate to each other, and then make predictions about what word should come next. This ability to spot patterns in how words and phrases relate to each other is a key innovation, which has allowed AI models using transformer architectures to achieve a greater level of comprehension than previously possible. See also artificial neural networks and generative adversarial networks.

References can be found on page 33



# Annex

As part of the inquiry, the APPG welcomed written evidence from the public. The following questions were shared with the public to answer:

1. Are you currently using any AI tools or technology to help you create music? If yes, please explain how you use AI in your music-making process. If no, why not?
2. To what extent do you agree or disagree with the idea that legal ownership should only apply to creative works made by humans?
3. Do you think artists should have the choice to decide if their music is used to train AI systems?
4. How important is it, in your opinion, for tech companies to keep a record of the music they use to train AI systems?
5. Should music created with the help of AI be clearly labelled as such? If so, how should this labelling be implemented?
6. Do you believe a new legal right should be established to safeguard the personality, image, and likeness of songwriters, artists, and performers, to protect from things such as visual and audio deepfakes?

The APPG on Music thanks the individuals and organisations that took the time to respond.

In summer 2023, UK Music published five key principles that the government should adopt in relation to AI and music. This is available here: <https://www.ukmusic.org/wp-content/uploads/2023/07/UK-Music-Policy-Position-Paper-on-Artificial-Intelligence.pdf>.

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- 11 <https://www.copyright.gov/comp3/docs/compendium.pdf> n.b. appeal
- 12 Jonathan Coote, Music and IP Lawyer at Bray & Kraiss, submitted written evidence to the inquiry.
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