

# Management Agreement Checklist

This is a checklist of key deal points and issues in an artist management agreement. It is not exhaustive. It is not a substitute for legal advice. Every deal is different in some way. Almost all deals can be improved by professional analysis and negotiation. Management agreements are onerous and far-reaching agreements. You should get competent and specialised legal advice on the subject matter and terms of the agreement before you sign anything. However, this checklist sets out the issues you should be on the look-out for.

## 1 Manager Details

Company or individual? (If company, can artist terminate if key individual moves on?)

## 2 Artist(s) Details

Contracted as group or as individuals (or both)

## 3 Territory

Australia, Australasia, World?

## 4 Term

- a. Initial period (\*up to 3-4 years. Probation period?)
- b. Options to extend (and if so, at manager's option or by agreement?):
  - i. Number
  - ii. Length
  - iii. Performance triggers (\*Record deal? Publishing deal? Income turnover figure?)

## 5 Management Outside "Home" Territory?

- a. Who selects (requires artist consultation or approval?)
- b. Who pays (manager normally pays, out of commission)

## 6 Remuneration

- a. Commission percentage (\*10-20%)
- b. On what? Are the following excluded?
  - i. Recording & Video costs
  - ii. Live performance costs (agents, supports, sound and lights? Accommodation, trucking etc?)
  - iii. Merchandising costs
  - iv. Other

## 7 Services Of Manager

- a. Exclusive manager?
- b. Role
- c. Powers
- d. Restrictions
  - i. What types of deal require artist's personal signature?
  - ii. How much of the artist's money can manager spend at any one time?
- e. Reporting of actions/activities

## 8 Arrangements For Banking And Accounting

- a. Bank account
- b. Signatories/Authorised Operators
- c. Accountant
- d. Who keeps books & where? Business management (manager or outside book-keeper)?
- e. Right to Audit

## 9 Remuneration Upon Termination

- Sources of income:
- i. Recordings (released during Term or within period following)
  - ii. Publishing (songs released during Term or within period following)
  - iii. Live work (gigs booked during Terms, occurring after term)
  - v. Other

## 10 Post-Termination Commission

- a. Period (2-5 years) (other than where terminated for manager's breach)
- b. Percentages (decreasing each year)

## 11 If Working In NSW, Is The Manager Licensed Under Nsw's Entertainment Industry Act 1989?

*For further information consult your local Industry Association, Arts Law, or a legal professional.*