

Market Study on Transactions Between Performers and Entertainment Agencies
in the Music and Broadcasting Industry
(Market Study on Ensuring Fair Transactions to Support Creators)

December 26, 2024
Japan Fair Trade Commission

1. Purpose of the Market Study

Content such as animation, music, broadcasting programs, films, games, and manga are proud assets of Japan. With advancements in technology, the source of competitiveness in content creation is increasingly shifting to individual creators. On the other hand, there is a growing demand to address transactional practices that hinder appropriate return of earnings to creators, in order to establish an environment where individual creators can fully realize their creative potential.

The Japan Fair Trade Commission (JFTC) has undertaken various initiatives to promote fair and free competition in the human resource and entertainment fields. These efforts include the publication of the “Report of Study Group on Human Resource and Competition Policy” by the Competition Policy Research Center in February 2018 and the release of “Examples of Practices in the Entertainment Sector That May Violate the Antimonopoly Act” in September 2019.

Subsequently, the Content Industry Revitalization Strategy (formulated and specified in the “Grand Design and Action Plan for a New Form of Capitalism 2024 Revised Version,” approved by the Cabinet on June 21, 2024) stated “It is essential to correct trade practices in order to create a comfortable working environment for performers and others. In light of the current technological innovation, the content industry is shifting its emphasis to individual creativity. With the cooperation of the Japan Fair Trade Commission, we will conduct a fact-finding survey on trade practices in the music and broadcast program fields with an emphasis on preventing abuse of a superior bargaining position and protecting individuals,”

In light of these circumstances, the JFTC conducted a market study on contracts and other arrangements between performers in fields such as music and broadcasting (including artists, actors, and talents) and the entertainment agencies or production companies they are affiliated with (hereinafter referred to simply as “entertainment agencies”). This initiative aims to establish a transactional environment where individual creators can fully realize their creative potential.

2. Methods of Study

(1) Questionnaire

From August to November 2024, a questionnaire was conducted targeting 2,628 entertainment agencies. A total of 810 responses were received, resulting in a response rate of 30.8%.

(2) Voluntary Interview

From April to November 2024, interviews were conducted with a total of 95 persons and entities, as outlined below.

Performers: 29 persons

Entertainment Agencies: 37 entities

Broadcasting Companies and Program Production Companies: 10 entities

Record Companies: 8 entities

Industry Organizations: 9 entities

Experts (Lawyers): 2 persons

(3) Information Submission Form

In April 2024, the JFTC launched an information submission form on its official website. By November 2024, a total of 901 submissions were received.

3. Study Results

Please refer to the main report, summary, and key points for details.

* This announcement is a tentative translation. Please refer to the original text written in Japanese.

https://www.jftc.go.jp/houdou/pressrelease/2024/dec/241226_geinou.html

* English translation of the main report and summary will be posted at later date.