



MUSIC MANAGERS FORUM CANADA
MEMBERS CODE OF CONDUCT
(updated June 2021)

INTRODUCTION

Members of MMF Canada or any of its associates are expected to act lawfully, honestly, ethically, and in the best interests of their client(s) while performing the responsibilities of an artist manager.

The purpose of this document:

- set guiding principles and code of conduct for music managers.
- set a framework for the training and education of managers and self-managed artists.

This document has been developed in consultation with MMF Canada Board, its membership, and associates.

All MMF Canada members are asked to sign the Code of Conduct (“Code”) as a condition of membership.

MMF Canada has adopted a process to enforce and assess any non-compliance with the Code. Any curriculum that seeks accreditation from MMF Canada must adhere to the principles and the Code, and demonstrate which competencies and occupational standards the course aims to meet.

The principles, Code, competencies, and occupational standards will be reviewed by MMF Canada’s board every five years with the next review in 2025.

MMF CANADA CODE OF CONDUCT

Artist Managers should *at all times and to the best of their ability*:

1. Protect and promote the interest of their clients to the highest possible standard, including, but not limited to the health and wellness of the client and the safety of the client and associated parties in all workplaces.
2. Devote sufficient time so as to properly fulfill the requirements of an artist manager in the interest of their clients.
3. Conduct all of their affairs with their clients in a transparent manner.
4. Not engage in business and personal affairs that are a conflict with the interest of the client without express written consent. Disclose all potential conflicts of interest in a timely manner, and note any conflicts of interest prior to engaging in an artist-management agreement.
5. If acting independently in other areas of the industry (publisher, agent, record producer, etc.) in addition to management, manager shall declare such interests so that the client may determine if it constitutes a conflict of interest or detriment to the client's career.
6. If acting as a representative to the client as artist manager, and also in another capacity (publisher, agent, record producer, etc) the manager will not charge multiple fees or commissions without full disclosure and agreement with the client in writing.
7. Respect and protect personal and professional confidential information and intellectual property of the artist.
8. Not engage in any acts of harassment, discrimination, or abuse of power, and actively uphold societal values of anti-racism, anti-oppression, and equality.
9. Exercise the rights and powers implied or granted to them by their clients in their written or oral agreements for the client's best interest.
10. Respect the relationships of other managers and their clients.
11. If approached by an artist who was previously the client of another manager, the manager will use best efforts to confirm that the artist has fulfilled their legal obligations to the previous manager before entering into a management relationship with the artist.
12. Ensure that a prospective client seeks and receives legal advice before signing any agreement, including an artist management agreement, or confirm in writing that they choose to not seek legal advice.

13. The Manager's share of the proceeds coming from their client's professional (artistic) activity should be commensurate to the level of investment the manager has provided, in time or financially. Fee structure should be clearly and transparently communicated in advance of commencement of the working relationship. Industry standard typically does not exceed 20% on a commission basis or 50% on a profit-share arrangement.
14. Ensure client funds (income and expenditure) are recorded and managed separately to the private assets of the manager and allow the client access to these records.
15. Endeavour to keep themselves well informed of current events, legislation and case law, both national and international, as it pertains to the proper exploitation of their client's career and the proper administration of their client's business.
16. MMF Canada shall have the right to terminate a manager's membership if they are convicted of a criminal offence involving (but not limited to) fraud, racism, sexual offence, harassment, abuse of minors or any abuse of power. Additionally, any actions that are in opposition to the values held by MMF can result in termination of membership.

MMF CANADA CODE OF CONDUCT **IN ACTION**

Introduction

MMF Canada Code of Conduct (“Code”) was developed in 2020. As a supplement to the Code, and in-line with its intentions to help support the knowledge, standing, and professional reputation of the Artist Manager, this document governs MMF Canada actions if a member is in breach of the Code.

Purpose

The Code outlines the knowledge and standards of practice that MMF Canada requires of its members and how artist managers should perform their duties and responsibilities. The Code also enables MMF Canada to assess whether an artist management development program meets standards in terms of artist manager education and performance.

The Code also gives artists and other music industry professionals a guideline to assess whether a music manager has the knowledge, skills, and values required. As in all industries there will be times when artist managers do not meet the baseline standard of knowledge and performance set out in the Code. This policy governs how MMF will address potential breaches of the Code by an artist manager member or non-member.

THE CODE OF CONDUCT IN ACTION

MMF Canada acknowledges that its membership and surrounding community of businesses and individuals come from different places of privilege. Consequently, each situation brought to the attention of MMF Canada will be dealt with efficiently, on a case-by-case basis.

Stage One

The complainant will be asked to report their concerns in writing, explaining the circumstances under which an alleged breach of the Code by one of its members or non-members has occurred. The complaint should be submitted via email to MMF Canada Executive Director amie@mmfcanada.ca. All complaints submitted will be handled in the strictest of confidence.

MMF Canada will check if the manager is an MMF Canada member. If the individual is not a member, MMF Canada will be unable to take formal action, but may still be able to contact the manager to discuss and potentially exert pressure to resolve the issue. If they are a member, MMF Canada will first determine how to resolve, and propose next steps to the complainant. MMF Canada will next suggest that the complainant call the manager to attempt to resolve the issue with the steps proposed by MMF Canada.

Stage Two

If the issue is not resolved via Stage 1, MMF Canada will contact all relevant parties noted in the complainants written statement to attempt to resolve. If the matter raised is subject to legal process then MMF Canada shall not be able to assist until a judgement reached.

MMF Canada member manager will be asked to respond in writing within 5 working days.

MMF Canada staff team (normally Executive Director) within 10 working days will assess all replies and respond to the complainant and the other parties with a view on whether or not a breach of the Code has occurred.

If the MMF staff determines a breach of MMF Canada Code of Conduct has not occurred, then no further action will be taken.

If MMF staff determine a breach of the Code has occurred, relevant parties will be asked to outline the actions they will take to resolve the concerns that have been raised.

At this point MMF Canada will deem that:

1 - the resolution proposed supports the spirit of the Code.

2 - the resolution proposed does not support the spirit of the Code and requires further consideration.

Stage Three

If an agreement between the parties involved cannot be reached, the case will be referred to an appeals panel comprising 3 directors of MMF Canada drawn from the Board who are not connected personally or professionally with either the complainant or defendant.

MMF Canada will review all available evidence and suggest one of three actions.

1 - The proposed actions to resolve the issues raised are in line with the Code.

2 - The proposed actions are not in line with the issues raised and further action needs to be taken to meet the Code.

3 - It is not possible to resolve the issues raised in line with Code and the MMF Canada member concerned should be advised that membership of MMF Canada may be revoked.

There are three possible outcomes: membership suspension or termination, a warning, or no change in membership status. Where suspension or termination of membership is the outcome, then following appeal the terms of censure will be published. If the decision is to warn, admonish or reprimand then an additional vote must be taken as to whether following appeal the terms of the censure will be published.

It is not within MMF Canada's jurisdiction to resolve matters pending or requiring legal action.

Summary

This procedure sets out a three-stage process that enables MMF Canada to assess and resolve issues related to MMF Canada Code of Conduct. Initially, this procedure should be reviewed on an annual basis once it has been implemented.

All determinations by MMF Canada are final.