


Event Organizer's Responsibility for Royalty Payments to Songwriters in Music Concerts

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Article Info	ABSTRACT
<p>Keywords: Event Organizer, Royalties, Songwriter, Music Concert</p>	<p>Music concerts as a form of public performance often use copyrighted works in the form of songs produced by creators. Law Number 28 of 2014 concerning Copyright and Government Regulation Number 56 of 2021 have explicitly regulated the obligation of every party that uses songs or music for commercial purposes to pay royalties to creators, copyright holders, and neighboring rights owners. Event organizers are responsible for ensuring that every song used in a concert has obtained permission from the creator or rights holder through a royalty payment mechanism. However, in practice, many event organizers still ignore this obligation, resulting in violations of the economic rights of songwriters. This study uses a normative juridical method with a legislative and literature study approach, as well as secondary data for analysis. The results of the study show that although Law Number 28 of 2014, Government Regulation Number 56 of 2021, Decree of the Minister of Law and Human Rights of the Republic of Indonesia Number: HKI.2.OT.03.01.02 of 2016, and LMKN Decree Number: 20150512KM/LMKN -Pleno/Tarif Royalti/2016 clearly regulate the payment of royalties to songwriters, their implementation has not been maximally effective. Lack of legal awareness, production cost considerations, minimal supervision and law enforcement, the assumption that royalties are already included in artists' payments, and administrative processes that are considered difficult pose challenges to royalty payments. Therefore, it is necessary to strengthen law enforcement, increase awareness, and promote collaboration between the government, LMKN, and entertainment industry players so that royalty payments can run smoothly.</p>
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INTRODUCTION

In the era of the country's growing entertainment industry, music concerts are one of the shows that are in great demand by the public. Behind the success of music concerts, there is the involvement of various parties, including songwriters whose work is used to entertain the audience. Songs performed in concerts are intellectual works protected by copyright. In the provisions of Article 1 paragraph (1) of Law No. 28 of 2014, what is meant by copyright is the exclusive right of the creator that arises automatically based on the declarative principle after a work is realized in a tangible form without reducing restrictions in accordance with the provisions of laws and regulations (Jaman, 2021). Copyright is part of intellectual property that has the broadest object of protection, because it covers science, art and literature (art

and literary) including songs and musical instruments. Within the scope of copyright, the use of songs in music concerts should be accompanied by royalty payments to their creators. Royalties are compensation that creators must receive as a form of appreciation for the commercial use of their works (Rogate, 2024).

The role of the Event Organizer is very crucial in organizing music concerts. Event Organizers are not only responsible for the technical aspects of music concerts, but also for the legality of using other people's copyrighted works at the time of the music concert. Event Organizers have an obligation to ensure that every song performed (performing rights) and played by singers in a concert has received permission accompanied by royalty payments through the Collective Management Institution (LMK) appointed by the songwriter. In this case, the Event Organizer should not ignore the payment of royalties to the songwriter so as not to cause legal consequences in the form of copyright disputes, compensation claims for the use of songs without the author's permission, to criminal threats as stipulated in Law No. 28 of 2014 concerning Copyright.

Problems regarding royalty payments in music concerts often occur due to the Event Organizer's non-compliance with applicable regulations. Many Event Organizers assume that royalty matters are not part of their responsibility, but rather the artist or musician who performs. The Chairman of the National Collective Management Institute (LMKN), Dharma Oeratmangun, said that there were 400 (four hundred) Event Organizer rosters that did not pay royalties in organizing music concerts (Anggraini, 2025). In fact, in accordance with Law Number 28 of 2014 concerning Copyright, the use of creations in public spaces, including music concerts, must obtain the author's permission and pay royalties (Widyaningtyas, 2021).

Based on Article 1 number 24 of Law No. 28 of 2014 concerning Copyright states that commercial use is the utilization of creations and/or related rights products with the aim of obtaining economic benefits from various sources or for a fee. This means that creators have economic rights over their creations used by performers in music concerts, which means commercially utilizing the work. Further provisions are contained in Article 23 paragraph (2) letter a which contains the rule that the economic rights of the performer as intended also includes the right to grant permission for the performance to the performer.

Songwriters as creators of intellectual works have copyrights to the works they produce. There are obligations that should be fulfilled by the Event Organizer at the concert as part of the use of a musical work by asking prior permission from the copyright holder. Related to this, the regulation of royalties is regulated more specifically through Government Regulation No. 56 of 2021 concerning the Management of Royalties for Copyright of Songs and / or Music published on the basis of the interests of copyright owners that must be protected.

Research on the responsibility of Event Organizers in paying royalties at music concerts is important to answer various problems that still occur in the field. This research is expected to make an academic contribution to the development of copyright law as well as input for policy makers and industry players. With a normative approach and case study, this study will describe how the laws and regulations apply and are implemented in the practice of organizing music concerts.

By clarifying and affirming the responsibilities of the Event Organizer in the context of royalty payments, it will create legal protection for songwriters. This legal protection is important to encourage the productivity and creativity of creators in producing new musical works. Without effective legal protection, the Indonesian music scene could lose the ecosystem that supports the progress of the creative industry. Therefore, the protection of song and/or music copyrights through royalty payments should be a priority in every music concert in Indonesia.

METHODS

This type of research is normative legal research, which focuses on analyzing applicable legal regulations or norms. This research is a library research where data collection techniques are carried out by collecting secondary data derived from laws and regulations, books, journals, and documents related to the research (Marzuki, 2014). The approach method used is a statutory approach by understanding and conducting a study of existing laws and analyzing reading sources related to the issue.

RESULTS AND DISCUSSION

Copyright is an exclusive right based on the declarative principle, as stipulated in Article 1 paragraph (1) of Law Number 28 of 2014 concerning Copyright. This declarative principle refers to a system in which recording obtains legal protection is not required. Although the creator does not record his work, namely the song, copyright still provides legal protection to the creator. Protection applies automatically since the creation is created, regardless of whether the recording or registration is done. The existence of such protection, the creator has the right to control the use of his work, which means that no other party uses copyright without the consent of the creator (Marchellia, 2023).

Law Number 28 of 2014 concerning Copyright also guarantees the moral and economic rights of the creator, where moral rights include the right of the creator to keep his name included in every copy, announcement, and public use of the creation. This right is permanently attached to the creator and cannot be transferred to other parties during the life of the creator and after his death until it is continued by his heirs. Meanwhile, economic rights include the right to benefit from the use of the work, such as through licensing, performance, distribution, and royalty payments.

Event Organizer is the organizer of activities or events that have legal responsibility in ensuring that every aspect of the implementation of activities in a show runs according to the provisions of laws and regulations. In music concerts, Event Organizer acts not only as a technical executor but also as a party responsible for all utilization of copyrighted works of songs and music performed by singers and bands. Any use of songs in commercial public performances, including music concerts, is a form of economic utilization of the work that must be accompanied by royalty payments to the creator or related rights holder.

One concrete example of a song royalty issue is the case between Ari Bias and Agnes Monica. The case began when Ari Bias filed for his rights to royalties from the song "Bilang Saja" sung by Agnes Monica in 3 (three) music concerts organized by the HW Group Night

Club. Finally, on September 11, 2024 Agnes Monica was sued civilly at the Central Jakarta Commercial Court by Ari Bias for violating Article 9 paragraph (2) and paragraph (3) of the Copyright Law by performing the song "Bilang Saja" commercially without permission. Agnes Monica was found guilty and required to pay a fine of Rp 1.5 billion (Setyaningrum, 2025).

In her statement, Agnes Monica argued that song royalties should be paid by the Event Organizer or music concert organizer. However, this was denied by Minola Sebayang as Ari Bias's attorney who explained that it should be the singer who wants to use the song and not the event organizer who asks permission from the songwriter. Based on Law No. 28 of 2014 concerning Copyright, the meaning of the performer in question is a person or several people who use copyrighted works. According to Minola Sebayang, Event Organizer is not a user of copyrighted works. Event Organizer is only a person who helps prepare singers to perform copyrighted works, so if anyone argues that the Event Organizer is the party responsible for royalty payments then it is wrong (Tionardus, 2025).

Based on this case, the Event Organizer actually has an obligation to request permission in every use of songs or music as stipulated in Article 9 paragraph (2) of Law Number 28 of 2014 concerning Copyright which expressly states that everyone who exercises economic rights must obtain permission from the creator or copyright holder. This means that any Event Organizer who wants to use songs or music in commercial activities including concerts, festivals, exhibitions, and other entertainment events must first obtain permission or license from the creator or copyright holder, as a form of exercise of economic rights. Thus, the use of copyrighted works cannot be done freely without consent. The license becomes the legal basis for the Event Organizer to then pay royalties as a form of appreciation and protection of the economic rights of songwriters.

Without permission or license from the creator or copyright holder, a person is prohibited from duplicating and/or making commercial use of the work as stipulated in the provisions of Article 9 paragraph (3) of Law Number 28 of 2014 concerning Copyright. In the provisions of Article 80 of Law Number 28 of 2014 concerning Copyright states that copyright holders can give written permission to Event Organizers to use their creations. This article states that, unless there is another agreement, the licensee, namely the Event Organizer, is obliged to pay royalties to the copyright holder during the license period, and the agreement must include a fair and customary determination of the amount of royalties. In addition, the license agreement must also have a term that does not exceed the validity period of the copyright or related rights.

Law Number 28 of 2014 concerning Copyright has clearly regulated the responsibility of Event Organizers or performers to pay royalties to songwriters for every use of copyrighted works in music concerts. However, in practice there are still many Event Organizers who do not comply with these rules. Many Event Organizers assume that royalty matters are not part of their responsibility, but the artist or musician who performs. Finally, there are cases where songwriters feel disadvantaged because their works are used for commercial purposes without clear royalty payments. Not infrequently, such cases lead to copyright infringement lawsuits in the Commercial Court as in the case of Agnes Monica who was proven to have used Ari Bias's song in 3 (three) concerts without the author's permission (Yanuar, 2025).

The Chairman of the National Collective Management Institute (LMKN), Dharma Oeratmangun, said that there are 400 (four hundred) Event Organizer rosters that do not pay royalties in organizing music concerts (Anggraini, 2025). Dharma added that many Event Organizers do not understand and realize the obligation to pay royalties for songs used by other singers for commercial use. In fact, in accordance with Law Number 28 of 2014 concerning Copyright, the use of creations in public spaces, including music concerts, must obtain the author's permission and pay royalties (Widyaningtyas, 2021).

There are other reasons why many event organizers are reluctant to pay royalties to songwriters at music concerts, including:

1. Lack of Legal Awareness

Many event organizers do not have sufficient knowledge about copyright provisions, especially regarding royalty payment obligations. They often assume that copyright only applies to recordings and not to live performances. This makes Event Organizers consider royalties not to be a legal obligation, but merely an additional administrative cost without serious legal consequences if ignored. As a result, many event organizers are more focused on the commercial and profit aspects of the event, without paying attention to the economic rights of the songwriters used in their activities.

2. Production Cost Considerations

Organizing a music concert requires a lot of money, from renting a concert venue, paying artists, crew, equipment, promotion, to licensing. Due to limited budgets, Event Organizers usually try to keep costs to a minimum to make a profit. Royalties are considered an additional expense that is not urgent, so they are often ignored.

3. Lack of Supervision and Law Enforcement

The obligation to pay royalties is actually regulated in Law Number 28 of 2014 concerning Copyright. However, the weak supervision of the Collective Management Institution (LMK) and law enforcement officials makes Event Organizers easily avoid paying song royalties. When the sanctions in Law Number 28 of 2014 concerning Copyright are not strictly enforced, the tendency not to pay royalties to songwriters in music concerts will be even higher.

4. The Assumption that Royalties Are Included in an Artist's Pay

Event Organizers assume that by paying honorarium to the singer or band that performs, automatically the song copyright has also been paid. In fact, the artist's fee is a reward for performance services, while royalties are the economic rights of the songwriter who may be different from the artist who performed the song. This misunderstanding makes Event Organizers feel that they no longer need to pay royalties separately.

5. Administrative Processes Considered Complicated

The royalty payment mechanism is usually done through LMK or LMKN, with certain administrative procedures. Some Event Organizers consider this procedure impractical, less transparent, and time-consuming. The lack of clarity in the distribution of royalties also often creates distrust, so Event Organizers prefer to avoid these obligations rather than face a bureaucracy that is considered complicated.

In this case, the provisions regarding the management of song copyright royalties are regulated in Government Regulation Number 56 of 2021 concerning the Management of Song and/or Music Copyright Royalties. Article 3 paragraph (1) of Government Regulation Number 56 of 2021 concerning the Management of Copyright Royalties for Songs and/or Music stipulates that every person who makes commercial use of songs and/or music in the form of commercial public services is obliged to pay royalties to creators, copyright holders, and/or owners of related rights. The provision basically emphasizes that the use of songs and/or music cannot be done freely without a license and royalty payment to the creator, especially when the work is used in activities that generate economic benefits for the Event Organizer.

Furthermore, it is explained about the forms of commercial public services in Article 3 paragraph (2) of Government Number 56 of 2021 concerning the Management of Royalties for Copyright of Songs and/or Music, including seminars and commercial conferences, restaurants, cafes, pubs, bars, bistros, nightclubs, and discotheques, music concerts, airplanes, buses, trains, and ships, exhibitions and fairs, cinemas, telephone waiting tones, banks and offices, shops, recreation centers, television broadcasting institutions, radio broadcasting institutions, hotels, hotel rooms, and hotel facilities, and karaoke businesses. Music concerts as explained in Article 3 paragraph (2) of Government Number 56 of 2021 concerning Management of Royalties for Copyright of Songs and/or Music are a form of commercial public service. Therefore, as a party that organizes commercial music performances, the Event Organizer is responsible for managing the license by reporting the list of songs used and making royalty payments through LMKN (Situmeang, 2020).

The amount of royalty payments in music concerts has also been regulated through the Decree of the Minister of Law and Human Rights of the Republic of Indonesia Number: HKI.2.OT.03.01.02 of 2016 concerning the Ratification of Royalty Rates for Users Who Perform Commercial Utilization of Creation and / or Rights Products Related to Music and Songs, and refers to LMKN Decree Number: 20150512KM/LMKN-Pleno/Tarif Royalty/2016 concerning Provisions on Royalty Rates for Music Concert Organizers. In the provisions of Article 1 paragraph (4) and (5) that the calculation of royalty rates for paid concerts is carried out by multiplying 2% of the total gross ticket box revenue and adding the results of multiplying the number of complimentary tickets by 1%. Meanwhile, for music concerts that do not charge admission, the royalty rate is determined based on 2% of the total cost of music production (Samatha, 2025).

This provision shows that the mechanism for determining royalties in music concerts has been regulated in detail and measurable, so there is no longer a reason for Event Organizers to ignore royalty payment obligations on the grounds of unclear rates. This regulation also provides legal certainty for Event Organizers to be able to calculate the amount of royalties transparently since the event planning stage. With a clear and transparent calculation, Event Organizers can accurately estimate the cost of event production, including royalty obligations as part of the expense component that must be met.

In addition, the proportional tariff setting based on gross revenue and production costs reflects the principle of fairness in the protection of songwriters' economic rights. The use of

percentages of revenue and production costs ensures that royalty payments are proportional to the scale and profits earned from organizing concerts. Thus, both large and small-scale concerts are still obliged to provide honest, fair and transparent compensation to songwriters as owners of economic rights.

If it is associated with Satjipto Rahardjo's theory of legal protection, the songwriter is actually a party that must be protected because his work is a source of economic value in music concerts. Satjipto Rahardjo emphasizes that the law must side with the protection of humans and their rights, not just formally enforcing the rules. The Event Organizer, as the party that utilizes the work for profit, has a legal responsibility to provide proper compensation. Royalty payments become an instrument of legal protection that ensures creators are not harmed.

Legal protection is an effort to protect the government or authorities with a number of existing regulations to create substantive justice, not just formal justice. This means that the obligation of the Event Organizer to pay song royalties should not be understood as a fulfillment of administrative procedures, but as a form of appreciation for the creativity of the creator. Copyrighted works of songs have personal, moral, and economic value so that the use without permission from the creator is a form of violation of copyright law. In this case, legal protection must be progressive in order to be able to answer the real needs of society and protect parties who are in an unfavorable position.

Songwriters are often in a weak position because they do not know and understand that any commercial use of copyrighted works should obtain permission or license from the creator and the use and utilization in public spaces is mandatory for the Event Organizer to pay royalties. Event Organizers who do not pay royalties create inequality between entertainment industry players and songwriters. Satjipto Rahardjo also emphasizes that the law must be responsive and become a tool to serve humans (Fitriani, 2025). The fact that many Event Organizers do not comply with royalty payments shows the problem of legal awareness and weak law enforcement in the field of copyright. This condition indicates that the law has not been able to work effectively in protecting creators. Therefore, legal protection should involve preventive, repressive and educative approaches.

An educative approach is needed to increase the Event Organizer's understanding of the importance of royalties, while supervision and sanctions are needed to force compliance. The responsive approach allows the law to function in accordance with what is mandated in the legislation, namely through law enforcement. The government through DJKI, LMKD, and law enforcement officials are expected to also play an active role in ensuring that Event Organizers comply with their obligations in royalty payments to songwriters. Firm and consistent law enforcement will create a deterrent effect for Event Organizers who do not want to pay royalties to songwriters.

CONCLUSION

From the research conducted, based on the provisions of Law Number 28 of 2014 concerning Copyright and Government Regulation Number 56 of 2021 concerning Management of Royalties for Copyright of Songs and/or Music, the Event Organizer has a clear legal

responsibility to pay royalties for every use of songs or music in music concerts. This obligation is a form of protection of the economic rights of creators, copyright holders, and owners of related rights. The regulation of royalties to be paid through the Decree of the Minister of Law and Human Rights of the Republic of Indonesia Number: HKI.2.OT.03.01.02 of 2016 on the Ratification of Royalty Rates for Users Who Perform Commercial Utilization of Creation and / or Rights Products Related to Music and Songs, as well as referring to LMKN Decree Number: 20150512KM/LMKN-Pleno/Tarif Royalty/2016 on the Provision of Royalty Rates for Music Concert Organizers also provides legal certainty for songwriters regarding the amount of fees that must be paid by the Event Organizer. All of these regulations show that the use of copyrighted music cannot be done without permission and without clear compensation. The implementation in the field shows that many Event Organizers still do not comply with royalty payment rules, either due to lack of legal awareness, consideration of production costs, lack of supervision and law enforcement, the assumption that royalties are included in the artist's pay and the administrative process which is considered difficult. Such non-compliance causes songwriters to not get the economic rights they should receive and creates inequality in the music industry. This violation also has the potential to cause legal disputes between Event Organizers, creators, and Collective Management Institutions. These conditions show a gap between legal norms and implementation practices in the field. So that serious steps are needed to improve Event Organizer compliance with royalty payment obligations to songwriters. Therefore, the responsibility of the Event Organizer towards royalty payments is an important aspect in realizing legal protection and justice for songwriters. Event Organizer compliance not only impacts the fulfillment of the creator's economic rights, but also supports the creation of a healthy, transparent, and sustainable music ecosystem. To achieve this, strengthening law enforcement, increasing socialization, and collaboration between the government, LMKN, and entertainment industry players are needed. Through these efforts, it is hoped that the Event Organizer's awareness and compliance with royalty payments can increase so that all copyrighted works produced by songwriters can be well protected.

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