IMPF

the global trade body for independent music publishers

IMPF Response to Singapore's Ministry of Law and IPOS Public Consultation on Artificial Intelligence and Copyright (2026)

23 October 2026

Introduction and overall position

IMPF submits this response to the Ministry of Law and IPOS Public Consultation on Artificial Intelligence and Intellectual Property (August 2026). This submission focuses on the questions raised in Part III: Copyright of the Consultation Paper and addresses, altogether, the key issues of AI training and exceptions, transparency and enforcement, the development of a workable licensing market, the impact of AI-generated outputs on rightsholders, and the definition of human authorship in AI-assisted works.

IMPF is the global trade and advocacy body for independent music publishers. We work to promote a favourable business environment across territories and jurisdictions, supporting artistic, cultural and commercial diversity for songwriters, composers and independent music publishers worldwide. Independent music publishers are essential partners to songwriters and composers, contributors to cultural diversity and custodians of musical works.

Independent music publishers support technological development and the responsible use of AI. AI innovation and copyright protection are not opposing forces. A sustainable, ethical and competitive AI ecosystem depends on respect for copyright, transparency and licensing. Weakening copyright protection would not accelerate innovation. It would simply transfer value from rightsholders to technology companies. The development of AI should be supported through voluntary, market-led licensing. Licensing can provide legal certainty for AI companies while enabling rightsholders to determine how their works are used and negotiate appropriate terms and remuneration.

Independent music publishing and the impact of generative AI on remuneration

IMPF's Global Market View 2025[1] shows a sector that is growing, investing and delivering sustained value for songwriters and composers. Independent music publishers generated €2.7 billion in revenue in 2024, an increase of 5.1% year on year, and held a global market share of 26.3%. Since IMPF began compiling global data in 2018, independent publishers' revenues have risen by 116%, including 60.7% growth since 2020. Digital revenues increased by 9.2%, reflecting the continued expansion of licensed digital markets.

This growth is the result of long-term investment in songwriters and composers, catalogue development and global rights management. It is also directly tied to functioning licensing

[1] https://www.impforum.org/wp-content/uploads/2025/12/IMPF_Global-Market-View-Report-6th-Edition-December-2025.pdf

markets that ensure creators participate in the value generated by the use of their works. Generative AI now poses a material risk to these revenue streams.

Musical works are among the content systematically used in AI training datasets, yet the remuneration frameworks intended to ensure that rightsholders share in the exploitation of their works are being bypassed. The central concern is not the development of generative AI technologies. The concern is the commercial practice of training AI systems on protected works without licences, without remuneration and without transparency. When AI companies rely on an exception rather than engaging with rightsholders, training can occur at scale long before rightsholders have any opportunity to negotiate. By the time a model is trained and commercially deployed, value may already have been extracted, leaving rightsholders to pursue litigation rather than receive payment through licensing.

Market distortion and displacement

There is also a growing concern regarding market distortion. AI-generated music can compete directly with music created by the very rightsholders whose works were used to train the models, but under licensing arrangements that involve cost, negotiation and ongoing reporting.

The result is displacement, which independent publishers and the songwriters and composers they represent, are already experiencing. AI-generated tracks can substitute for licensed music in production libraries, advertising, gaming, social media content and low-budget audiovisual uses. As these models improve, the risk of substitution increases, particularly in markets where price sensitivity is high and licensing budgets are limited.

This dynamic undermines the economic foundation that supports investment in human creativity. It risks creating a parallel market in which protected works are used to build commercial products that then compete against the original works, without remuneration flowing back to the creators.

Additionally, there are substantial losses to the legitimate music market caused by AI-enabled streaming fraud. Put simply, fraudsters use bots and false accounts to play their own tracks and collect royalties. These payments come from money that would otherwise go to rightsholders whose music people actually listen to. AI allows fraudsters to produce huge numbers of tracks cheaply and spread the artificial streams across them, making detection harder.

Limiting the CDA exception to defined, non-commercial uses

IMPF considers it essential that the CDA exception be confined to clearly defined, non-commercial purposes. AI training is not a purely technical or non-consumptive activity. It involves copying, extracting, processing and retaining large volumes of protected material. These acts engage the exclusive rights of authors and rightsholders and can support commercial products capable of generating content that competes directly with the works used in training. The fact that a work is processed by a machine rather than consumed directly does not diminish its creative or economic value. Musical works are selected for AI training precisely because of the expression, structure, patterns and creative choices they contain.

The CDA exception must therefore have a clear and limited purpose. Under Article 9(2) of the Berne Convention, exceptions must be confined to certain special cases, must not conflict with the normal exploitation of a work, and must not unreasonably prejudice the legitimate interests of authors. A broad exception permitting commercial AI training would risk undermining established and emerging licensing markets through which creators and rightsholders authorise the use of their works.

IMPF recommends that the exception be limited to educational and non-commercial research. Commercial AI training should fall outside its scope and proceed through licensing. This approach preserves a defined role for the exception while ensuring that creators and rightsholders can negotiate terms for uses that form part of commercial AI development.

The Consultation Paper places significant weight on whether a work was lawfully accessed. Lawful access is relevant, but it does not determine whether the work may then be used to train an AI system. For example, a person may lawfully access music through a subscription or authorised stream without that access extending to copying the work into a dataset for commercial model development. The legislation should make clear that lawful access alone does not bring AI training within the exception.

A clear boundary between non-commercial research and commercial development would support the growth of a functioning licensing market for AI training. It would help rightsholders and developers understand when a licence is required and provide a basis for negotiating scope, terms and reporting obligations. This would give developers greater certainty about the material used to train their systems while enabling creators and rightsholders to participate in the value generated by commercial applications.

IMPF therefore recommends that the CDA exception be defined so that it does not cover commercial AI training. Its application should be confined to educational and non-commercial research, with commercial uses addressed through licensing arrangements.

Case law can refine the application of the law to disputed facts, but it cannot alone provide predictable guidance in advance, particularly where disputes may be costly or resolved privately. Guidance cannot correct the breadth of an overly expansive exception. The preferred approach is to limit the CDA exception for commercial generative AI training of protected works and preserve licensing as the route for such uses.

A workable licensing market for AI training and AI-generated outputs

A sustainable licensing market must address both sides of the value chain:

1. the use of copyright-protected musical works as inputs for AI training; and
2. the commercial exploitation of AI-generated outputs that enter and compete within the same markets as human-created music.

IMPF's Key Principles for AI Licensing[2] provide a practical and future-proof framework for dialogue between rightsholders and AI developers. These principles include:

- A dual-pillar licensing model covering both AI training and the exploitation of AI-generated outputs;
- Value-based compensation that recognises the economic and creative role of music in AI systems; and
- Transparency and auditability of training datasets, usage logs and relevant metadata.

Transparency, evidence and enforcement in generative AI systems

For independent music publishers, transparency is not a peripheral compliance matter. It is the foundation on which any credible licensing market for generative AI must be built. Today, AI providers generally do not disclose which musical works were used in training, how those works were sourced, or how they continue to be used during model operation and fine-tuning. In such an environment, rightsholders cannot negotiate meaningfully, verify compliance or ensure fair remuneration.

IMPF therefore recommends that providers of general-purpose and generative AI systems, regardless of the application of any exception, be required to:

- maintain sufficiently detailed records of all works and datasets used for training, fine-tuning and retrieval;
- publish meaningful, accessible information about the sources of their training material and the methods used to access it, including web scraping, which often involves circumventing technological protection measures;
- disclose relevant information directly to rightsholders upon a substantiated request;
- establish clear contact points and procedures for rightsholders to raise copyright concerns; and
- retain information necessary to demonstrate that training material was lawfully acquired and used.

A generic statement that a model was trained on "publicly available data" is not transparency. Public availability does not extinguish copyright, nor does it authorise unrestricted commercial reuse. The burden must remain on AI developers to demonstrate that they have obtained the necessary permissions. Rightsholders should not be expected to identify their works inside undisclosed datasets or to opt out of uses that would otherwise require prior authorisation.

Enforcement and evidential standards

Effective enforcement is impossible when rightsholders cannot discover which works were used, by whom, for which model or product, or on what legal basis. Singapore should address this cross-cutting issue through proportionate record-keeping and disclosure obligations for providers of generative AI systems. Providers should maintain auditable records of data sources, collection methods, rights signals, licences or other legal bases, processing steps

[2] https://www.impforum.org/wp-content/uploads/2025/12/IMPF-Key-Principles-for-AI-Licensing-9-December-2025.pdf

and model versions. They should publish sufficiently detailed summaries of training material and provide a workable channel for rightsholders to make inquiries and raise claims.

Disclosure obligations can be designed to protect trade secrets while still giving rightsholders and courts the information needed to assess use and licensing requirements. Where a rightsholder establishes a reasonable basis to believe that a work was used, and a provider then fails, without good reason, to preserve or disclose records within its control, the law should allow proportionate evidential consequences, including a rebuttable presumption of use in appropriate cases. Such a presumption must be carefully scoped and rebuttable. It should not replace proof of infringement or create automatic liability merely because a model can generate similar material.

IMPF is also advancing practical solutions[3]. Together with IMPEL, IMPF is assessing attribution technologies through three pilots with different companies, examining how technology can support the identification, tracking and attribution of musical works across AI training, generation and outputs. These pilots also explore the reporting mechanisms needed for accurate remuneration.

Human authorship of AI-assisted works

IMPF agrees that human creative contribution and human judgement must remain the central indicator of protectability in copyright law. We support Singapore's intention to continue monitoring international developments rather than introducing new, untested criteria at this stage. The international landscape is still evolving, and premature codification risks creating standards that diverge from emerging global norms.

The Consultation Paper correctly observes that prompting, selection, arrangement and editing may constitute relevant forms of human contribution in certain circumstances. This reflects long-standing international copyright principles. However, using the number or complexity of prompts as a proxy for creativity, without assessing whether the human retains meaningful artistic control, would be arbitrary and inconsistent with established authorship doctrine. Copyright has always centred on the expression of human creative choices, not on mechanical metrics or technical inputs.

IMPF therefore recommends that the Singaporean government:

- continue to closely track international developments, including jurisprudence and policy work in key jurisdictions;
- avoid setting rigid thresholds or criteria at this stage, given the absence of global consensus and the risk of creating divergent standards; and
- ensure that any future framework remains aligned with international copyright norms centred on human creativity, originality and authorial control.

[3] https://www.impforum.org/impel-and-impf-to-launch-sandbox-project-with-sureel-ai/

This approach will allow Singapore to maintain coherence with emerging global standards while ensuring that creators, publishers and technology developers operate within a clear, predictable and rights-respecting environment.

Conclusion and recommendations

Singapore has an opportunity to shape an AI framework that is both innovation-ready and rights-respecting. The evidence across this submission demonstrates that independent music publishers are investing in songwriters, sustaining cultural diversity and contributing to a global creative economy that depends on predictable, enforceable copyright. Generative AI can complement this ecosystem, but only if it develops within a structure that recognises the value of protected works and the rights of the creators behind them.

A sustainable approach requires clear boundaries. AI training is not a neutral or non-consumptive activity: it involves copying and processing protected works at scale, often for commercial purposes. Exceptions must therefore be narrowly defined and limited to genuine educational and non-commercial research. Commercial AI development should proceed through licensing, ensuring that rightsholders can negotiate terms, receive remuneration and maintain control over how their works are used.

A functioning market also depends on transparency and enforceability. Without visibility into training datasets, data sources, usage logs and model versions, rightsholders cannot verify use or participate meaningfully in licensing. Proportionate record-keeping and disclosure obligations are essential to prevent opaque practices that bypass remuneration frameworks and distort markets. Effective enforcement mechanisms, including auditable records and proportionate evidential consequences where information is withheld, are necessary to uphold rights in practice.

At the same time, Singapore should safeguard the market for AI-generated outputs. Music generated by systems trained on protected works is already competing with licensed repertoire in commercial contexts, often without equivalent costs or obligations. This displacement undermines the economic foundations of professional creation and risks eroding the cultural diversity on which both the music sector and AI systems themselves depend. Remuneration mechanisms must therefore address both the use of works as training inputs and the commercial exploitation of AI-generated outputs.

Finally, clarity on human authorship is essential. Copyright must continue to protect human creative choices, not mechanical metrics or prompt complexity. Singapore should monitor international developments and avoid premature codification that could diverge from emerging global norms.

Taken together, these measures - narrowly scoped exceptions, licensing for commercial uses, meaningful transparency, enforceable obligations, safeguards for output markets and clear guidance on human authorship - will allow Singapore to support responsible AI innovation while preserving the rights, value and creative contributions of songwriters, composers and independent music publishers.



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