



Superannuation Changes and Grass Roots Live Music Industry

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ONE PAGE OUTLINE

The issue

Under section 12(8) of the Superannuation Guarantee (Administration) Act 1992, a performer paid for their work is treated as an employee for super purposes, even when they invoice through their own ABN. Since 1 July 2026, Payday Super has required contributions within seven business days of each payment, and the free Small Business Superannuation Clearing House has closed. With no minimum earnings threshold since 2022, every gig now means a separate contribution, sometimes as small as \$12.

Although the industry supports superannuation, sole traders are losing gigs, getting paid less and the industry as a whole is suffering under the weight of super administration.

The ATO's guidance

The ATO's revised guidance confirms super applies only to the performance component of a fee, real revenue shares sit outside it, agents acting for a named artist aren't liable, and commission comes off before super is calculated. ALMBC has raised inconsistent examples across the new resources, gaps on door deals and cost splits, and band leader scenarios where super can reach 20% or more of the fee. It is also arguing super shouldn't apply where a gig's costs exceed the fee.

What members are reporting

- **Performers are wearing the cost.** Since 1 July, 34% of artists have seen super taken out of the fee and only 5% have seen it paid on top. A further 20%, many of them DJs, have never been paid super.
- **Work is drying up.** Reports include the cancelled Newcastle Hunter Jazz Festival, a regional NSW venue dropping all 150 of its gigs a year and long-serving band leaders stepping back, while venues cut band nights.
- **Sole traders are being pushed out.** Venues and agents want acts to form partnerships or companies, and some are notifying sole traders in writing that they won't be booked.
- **The admin hits hardest.** Small operators and volunteer groups face hundreds of tiny payments, and clubs without an ABN can't get onto a clearing house.
- **Compliance is patchy.** Many payers still don't accept they are liable, leaving those who pay correctly carrying costs their competitors don't.

ALMBC's asks and member support

ALMBC proposes an indexed \$5,000 threshold per engagement, with anti-splitting rules. Tax law already exempts small amounts, such as GST below \$75,000 turnover and nil withholding for foreign festival acts paid \$10,000 or less per touring member and, until 2022, the \$450 a month super threshold.

Ask	Member support (to 6 October 2026)
\$5,000 minimum gig fee threshold	78% back a threshold in principle
Statement by a Supplier SGC exemption	85% rate it 4 or 5
Treat musos like tradies	89% rate it 4 or 5 out of 5
Larger super co-contribution and LISTO	66% and 59% rate them 4 or 5; awareness is very low
Amnesty for past engagements	74% support
Free clearing house and collection model	66% support
Standing industry working group	83% support

Next steps

ALMBC is inviting industry leaders to test these asks with their stakeholders, share case studies and join a combined approach to Treasury, the ATO and interested MPs.