

From:
To: [Committee, EC \(SEN\)](#)
Cc:
Subject: RE: National cultural policy inquiry: question on notice
Date: Friday, 21 April 2023 11:30:45 AM
Attachments: [image007.png](#)

Thank you for the email.

Mr Ormston has asked me to respond to the questions you have raised.

1. You mentioned the plug-in device for sampling music in commercial spaces, what is this device called?	Audoo Audio Meter
2. In what country was it designed?	The Audio Meter hardware and software were both designed in the UK by Audoo.
3. In what country is it manufactured?	Each Audio Meter is assembled in the UK.
4. What is the "listening" range of this device?	The listening range can vary depending on the loudness of music played within a given premises. It is worth noting that Audio Meters are specifically designed to focus only on music recognition and not voice or speech recognition. There is no language processing technology operating on the Audio Meters, meaning they cannot recognise/understand human speech. Further to this, Audio Meters have been designed to ensure no raw audio is ever stored or transmitted. These steps help to ensure Audio Meters remain secure and private to respect the privacy of the premises in which they are installed.
5. What privacy releases are sought by patrons and or organisations of these venues.	Participating venues sign a consent form (https://form.jotform.com/222417853403856) to authorise placement of the Audio Meter and the collection and use of music use data.
6. How long is the data collected from these devices stored for?	<p>In order to recognise music, a fingerprint of 'musical features' must be created from a short temporary clip of sound captured by an Audio Meter. This fingerprint is transmitted securely to the cloud using encryption, and is then matched against a library of over 100m songs.</p> <p>Fingerprints are stored for up to 45 days after being created. This allows Audoo to re-run the fingerprint matching process in the case that new music releases have not yet made it to the catalogue at the time the original recognition took place.</p> <p>It is worth emphasising that the fingerprints mentioned are not raw audio clips. They are a very small (<4kB) digital files designed to contain only musical features to support music</p>

	recognition – they are not audible, and speech cannot be identified from these files.
7. Is all of this stored data kept on Australian only servers?	No. The data is stored on London-based Amazon Web Services (AWS) servers where Audoo operates.
8. Who has access to this data?	Only Audoo has access to the raw fingerprint data, which is stored on London-based AWS servers.
9. Once collected, where is the data sent for analysis? Which company or companies have access, & where are they located?	Fingerprint data from Audio Meters are transmitted to the Audoo cloud securely, where only Audoo has access to the raw fingerprint data. The data is stored on London-based AWS servers where Audoo is located. It is worth noting Audoo’s business practices meet General Data Protection Regulation (GDPR) requirements and are GDPR compliant.
10. Can you confirm it contains a listening device (microphone or similar) and a communication method? What is the nature of this device & method of transmission, eg. (WiFi or Bluetooth).	Audio Meters contain a microphone array, which is necessary to capture sound for music recognition. The fingerprints that are created on the device are transmitted securely via encryption to the Audoo cloud for recognition. The fingerprints are transmitted using a cellular connection.
11. Your evidence is that is “like Shazam”. Shazam is a user operated on demand sampler, is this device user operated on demand or full-time constant sampler?	The Audio Meter is not user activated. Active times are set to match business hours of selected premises, and the Audio Meter works within those operating hours.
12. Under what parameters is the device activated?	While active during business hours, the Audio Meter generates digital fingerprints at set intervals, which are required for the music recognition to occur.
13. Is it impossible for this device to detect or transmit any conversation or part of/data from a conversation?	Yes, it is impossible. Audoo has designed the system to ensure no raw audio is either stored or transmitted from the device itself. As mentioned previously, the device is incapable of processing/understanding human speech – it has been designed for music recognition only.
14. What Australian (not overseas) compliance regulations does it adhere to?	Australian Privacy Principles (<i>Privacy Act 1988</i>)
15. Will APRA AMCOS give an undertaking not to pass any information gathered by this device to third parties except as required by law?	The fingerprint information itself is only provided to Audoo. However, that information is, after identification and matching, used by us or the following purposes (and disclosed as such to businesses using the Meters): (a) informing APRA’s distribution of payments to its members; (b) producing internal analyses and reporting; and (c) producing aggregated and deidentified insights and music

	use information to the general public, OneMusic Australia’s licensees and OneMusic Australia’s licensing partners and their members and licensors as relevant.
16. Are there any proposed penalties or less favourable terms offered to people who do not use this device?	No.
17. Are more favourable terms for licences being offered for organisations that do use this device?	No. The devices are only installed at businesses that want to use the technology on a voluntary basis to improve the accuracy of APRA’s music royalty distributions.
18. Has the use of the device been approved or reviewed by the Australian Information Commissioner or the Australian Cyber Security Centre?	No. However, Audoo has run security penetration testing and carries out regular security scanning to ensure a safe and secure system. As mentioned above, Audoo’s business practices also meet GDPR requirements and are GDPR compliant. Audoo has been issued with an ACMA Declaration of Conformity certificate from the Australian Government confirming the Audoo’s Audio Meter is compliant with required safety standards.
19. What notices are available to patrons of the venues that their own actions may be sampled and or recorded by this device?	As mentioned previously, the Audio Meter is incapable of processing/understanding human speech – it has been designed for music recognition only. No raw audio is ever stored or transmitted from an Audio Meter. It has been designed for music recognition only.

I’ve also provided below a link to a short video which explains how Audoo’s technology works to ensure security and user privacy.

<https://www.youtube.com/watch?v=Of3MH0E5XOc>

If you have any further questions, we would be happy to answer them.

Best



Richard Mallett
 Head of Music Licensing & Operations
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and pay my respects to them, their culture and their Elders past, present and future.

I also acknowledge Māori as tangata whenua and Treaty of Waitangi partners in Aotearoa New Zealand.

My favourite Australian song is *Into My Arms* by Nick Cave, what's yours?
