



20TH JANUARY 2022

PUBLIC NOTICE

In reference to the recent unwarranted and untrue public communication by the Kenya Copyright Board (KECOBO), through its official social media platforms, the Kenya Association of Music Producers (KAMP), Performers Rights Society of Kenya (PRISK) and Music Copyright Society of Kenya (MCSK) herein known as the Collective Management Organizations (CMOs) wish to confirm for the knowledge of the general public, more so the public users of copyrighted music, that Kenya Copyright Board (KECOBO) in 2021, filed a case in the High Court in which the CMOs applied for and obtained interim orders that had the effect of maintaining the status quo pending the determination of the suit.

The effect of the said orders is that the CMOs shall continue discharging their mandate under the Copyright Act, including the issuance of licenses to all users of copyrighted works of music, at the rate applicable at the time of filing of the suit, without interference from KECOBO. This matter is still active in the High Court of Kenya.

It is instructive to note that the current tariffs, which were gazetted in March 2020, are still operational until such a time when new tariffs are gazetted. Furthermore, in relation to reviewing of the new tariffs, the CMOs followed the due procedure laid out under the Copyright (CMO) Regulations, 2020 in a bid to have them gazetted accordingly. It is worthy to note that the draft proposed tariffs were presented to KECOBO last year for public participation and onward submission for gazettelement by the Cabinet Secretary. However, KECOBO is yet act on this.

In this regard, and on the strength of the current Orders of the High Court, the CMOs herein request all public users of copyrighted assigned to CMOs, to disregard misleading communication by KECOBO and continue to exploit musical works within laid down legal procedures.

It is as a result of the above that the CMOs are calling upon the music users' to fully comply with Constitution of Kenya, Copyright Act and all other related laws in the interest of the right holders.

For & on Behalf of Board of Directors of KAMP, PRISK & MCSK,

ANTHONY KARANI
CHAIRMAN - KAMP

EDUARDO WAIGWA
CHAIRMAN – PRISK

LAZARUS MULI
CHAIRMAN - MCSK