

PARLIAMENT OF UGANDA OFFICE OF THE CLERK TO PARLIAMENT

Parliament House, Plot Nos.16-18, Parliament Avenue; P. O. Box 7178, Kampala-Uganda Direct lines: +256(0)414-377150/152; General line: +256(0)414-377000, E-mail: clerk@parliament.go.ug

AB: 287/505/01

In any correspondence on this subject please quote No. October 30, 2023

The Chairman

National Association of Broadcasters

Next Media Park, Summit View Road

NAGURU, KAMPALA

RE: INVITATION FOR A MEETING WITH THE COMMITTEE ON ICT& NATIONAL GUIDANCE ON A PETITION BY THE UGANDA NATIONAL MUSICIANS ASSOCIATION ON THE AMENDMENT OF THE COPYRIGHTS AND NEIGHBOURING RIGHTS ACT

During plenary sitting held on October 3 2023, members of the Uganda National Musicians Federation represented by Hon. Nyamutoro Phiona (National Female Youth Member of Parliament), petitioned Parliament under Rule 30 of the Rules of Procedure of the Parliament of Uganda, on the copyrights and neighbouring rights Act, 2006, where they presented challenges to the current Law, and made proposals for consideration in the amendment of the above Law. (kindly find a copy of the petition herein attached)

The Rt. Hon. Speaker referred the above matter to the Committee of ICT& National Guidance for consideration, with a directive to report back to the House, its findings. The Committee commenced consideration of the above matter, observing that some of the issues and proposals raised in the petition affect the broadcasters, and can best be responded to by the National Association of Broadcasters.

Some of these issues include:

- The percentage of local content broadcast by the radio and television stations;
- ii. Enforcement of measures against broadcasters who use pirated content;
- iii. Other matters in or not included in the petition that will address the concerns of the petitioners.

This therefore is to invite you for a meeting on Thursday, November 02, 2023 in Committee Room 201, North Wing, Parliament Building at 11.30 am.

Kindly prepare a formal submission to the issues raised above, and share a soft copy of the same on email: jhodetta@gmail.com

For clarity on issues raised above, contact the undersigned on Tel: \pm 256 772 037 559, or email: \pm 16 \pm 17 \pm 18 \pm 18 \pm 19 \pm 20 \pm 19 \pm 20 \pm

Odetta Henry John

FOR: CLERK TO PARLIAMENT

Copy to: The Secretary General, National Association of Broadcasters



THE PARLIAMENT OF UGANDA

PETITION

(Moved under Rule 30 of the Rules of Procedure of the Parliament of Uganda)

THE HUMBLE PETITION of the members of the Uganda National Musicians Federation represented by HON. PHIONA NYAMUTORO, NATIONAL FEMALE YOUTH MEMBER OF PARLIAMENT.

SHOWETH AND STATES THAT:

- Your humble Petitioners are members of the Uganda National Musicians Federation, an umbrella organization established to ensure the promotion, protection and development of the music industry and to represent the interests of musicians in Uganda;
- Your humble Petitioners are aware that since the enactment of the Copyright and Neighbouring Rights Act in 2006, some aspects of the Copyright and Neighbouring Rights Act have become outdated in light of advancement in technology and emergence of international best practices;
- Your humble petitioners believe that as a result of some aspects of the Copyright and Neighbouring Rights Act becoming outdated and the emergency of international best practices, there is need to amend the Copyright and Neighbouring Rights Act;
- 4. Your Petitioners who are contributors to the creative industry, aver that the existing legal framework for distribution of revenue collected from caller back tunes disadvantages the artists as most of the revenue benefits the

telecom companies rather than the artists who should benefit more from their works;

- 5. Your Petitioners further aver that in order to encourage creativity and innovation as a way of growing the creative industry, the following proposals ought to be put in consideration by the Executive and Parliament while amending the Copyright and Neighbouring Rights Act;
 - a) revision of the charges for caller back tunes to ensure a fairer split of the revenue collected from the caller back tunes in the percentage of sixty percent to be retained by the artist and forty percent to be remitted to be shared by both the Government and telecom companies;
 - b) imposition of a copy levy on devices used in reproduction of copy right protected works to be shared equally between government and holders of copy right and neighboring right registered under this Act;
 - c) imposition of strict measures against broadcasters who use pirated content because it undermines the intellectual property rights of the artists hence causing a negative effect on their livelihood, your petitioners recommend a fine of not less than five million shillings to be paid by a person who is convicted of infringing the copyright of an artist;
 - d) embracing the digital era relating to the protection of the rights of artists in the digital domain, fostering innovation in digital content creation and facilitating fair compensation for online use of copyrighted works;
 - e) adequate capitalization of Collective Management Organizations (CMOs) in order to empower CMOs to carry out their duties such as licensing, collecting royalties and enforcing the legal framework on copyrights;
 - f) establishment of a clear and transparent structure for the CMOs that incorporates a high level of accountability including regular audits and reporting mechanisms, to ensure that royalties are distributed fairly and promptly to the rightful owners;

- g) registration and regulation of all third parties, including telecom aggregators, who are involved in the distribution and dissemination of copyrighted content;
- h) requiring broadcasters to dedicate ninety percent of airtime to Ugandan music as a way of promoting local content and supporting the development of the music industry in the country;
- i) encouraging the use of Ugandan models, actors/actresses and artists in the advertising, promotion, influencing and endorsement of products by companies in Uganda and developing Ugandan publishers though the imposition of higher charges of publishing licenses for non-Ugandans as a way of empowering the local creative industry, provide employment opportunities for local talent and help build a distinct national identity in advertising and media; and
- j) requiring aggregators of licensed Ugandan intellectual property to be domiciled in Uganda as a condition for operating to ease accountability since they will be subjected to the Country's legal framework on copyright law.

NOW THEREFORE your humble Petitioners pray that the Executive amends the Copyright and Neighbouring Rights Act, 2006 to incorporate the above proposals, among others;

AND your humble Petitioners as in duty bound will ever pray;

AND hereto your humble petitioners have appended their signatures;

List of Petitioners and signatures

No.	Name	Contact	Signature
1.	MUSUUZA EDELSA KENZO	0742477043.	Many?
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