

ANNEX

INVITATION FOR COMMENTS ON THE PROPOSED KECOBO SERVICE CHARGES AND BLANK TAPE MEDIA LEVY

The Kenya Copyright Board is in the process of reviewing its service charges and Blank Media fees as provided for under the various provisions of the Copyright Act, 2001.

This is therefore to invite written comments on the proposed rates of fees payable for KECOBO services and Blank Tape Media Levy.

The comments may be sent to the KECOBO Executive Director through:

1. Email: info@copyright.go.ke OR
2. Postal Address: P.O. BOX 34670-00100, Nairobi OR
3. Dropped at the 5th Floor, NHIF Building.

To reach him not later 12th June 2020.

Explanation to note:

- a. The fees are set in two parts; Part A, proposed KECOBO Service charges and Part B, proposed Blank Media charges;
- b. The current fees and proposed fees are set out in columns for comparison;
- c. Registration fees are per item and not per album or catalogue as currently provide;
- d. Registration fees for Individual and Corporates are now differentiated;
- e. Registration fees for software is now distinguished from other works;
- f. The charges for renewal of CMO licenses are simplified and now proposed to be based on membership rather than administrative expenditure; and
- g. Expedited services

PART A: PROPOSED KECOBO SERVICE CHARGES

The table shows current and proposed new fees for both individual and corporate categories.

S. NO.	SERVICES OFFERED	INDIVIDUAL CATEGORY		CORPORATE CATEGORY	
		Current Fees (Shs)	Proposed Fees (Shs)	Current Fees (Shs)	Proposed Fees (Shs)
1.	Copyright Registration	1,000.00	100.00	1,000.00	500.00

	Copyright Registration (Software)		500		1,000
2.	Application to amend name or address of the Copyright Holder	1,000.00	100.00	1,000.00	300.00
3.	Application for recordal of a license in the copyright register	5,000.00	5,000.00	5,000.00	10,000.00
4.	Application to have a change of ownership of a registered copyright work	5,000.00	100.00	5,000.00	100.00
5.	Application for authentication of a copyright work	4.00	Phase out	4.00	Phase out
6.	Request for a certified copies of documents pertaining to a registered work	500.00	500.00	500.00	1,000.00
8.	Request for uncertified copies of documents pertaining to a registered copyright work	500.00	300.00	500.00	500.00
9.	Request for a copy of lost or destroyed Certificate or a registered Copyright Work	500	200.00	5,000.00	500
10.	Expedited Copyright Registration within 12 working hours	0	300.00	00	500.00
11	Application for registration of a new CMO	N/A	N/A	250,000	250,000
12	Application for renewal of Registration of a CMO			Percentage of administrative costs on a	100 P for each CMO member on record at the time of making the license

				graduated scale	application subject to a minimum fee of KShs. 250,000.
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PART B: PROPOSED TARIFFS FOR BLANK MEDIA LEVY

Blank tape levy is a minor charge provided for by section 28, 30 and 30B of the Copyright Act for the purposes of compensating producers and performers of Copyright work for the loss arising from the copies made for personal uses on media that can carry the content.

The list of items coming under coverage of the levy from Legal Notice no.191 of 18th September 2015 has been expanded to take up new media.

The blank media items are categorized based on size and other similarities. In many cases, KECOBO has chosen flat rates to curb impact on businesses.

S/NO.	ITEM	STORAGE CAPACITY	PROPOSED LEVY IN KES PER ITEM
1	Audiocassette, audiocassette minidisc, audio-CD R/RW and similar devices	C60-C120	5.00
2	Video cassettes (VHS, Hi8, Mini DV, Video8) and similar devices	120 to 400 minutes	5.00
3	DVD-R,DVD+ RW, DVD+ R, DVD + RAM, DVC, mini DVD, Blu-Ray disk, PC diskettes, DDS tapes, Travan disc; CD-R, CD-RW and similar devices	Up to 8GB to 50 GB	10.00
4	DVD writer external (PC), CD-ROM recorder external (PC); and any other recording device for audio-CD R/RW whether or not integrated with a hard disc and similar devices	N/A	3% of retail price
5	Television with HD recorder, DVD-HD recorder, Video —HD recorder (cameras), Digital recorders (MP3, I-pods, MP4, etc.) and similar devices	N/A	100.00
6	VHS recorders, digital receiver with HD (PVR), hard drive media players, Blu-Ray recorder external, digital camcorders, digital cameras with SD cards, digital recorders for IPTV and VOD services and similar devices	N/A	5% of retail price
7	Game consoles, media box, minidisc, compact flash memories, memory stick, smart media memory cards, portable hard disc (external), ZIP drive, data, USB Flash disk and similar devices	Up to 8GB to 250 GB	200.00

8	Analogue audio recorders and Analogue video recorders and similar devices	N/A	4% of retail price
9	Photocopy and printing papers;	Per 500 sheets reams	20.00
10	Personal Laptops/computers, mobile phones, smart watches and similar devices	N/A	1.5% of retail price
11	Modulators, decoders/signal receivers, digital jukeboxes and similar devices	N/A	3% of retail price
12	Photocopying machine, printing plates, printers/printing machines and similar devices	N/A	2% of retail price
13	Computer external hard drives and similar devices	Under 5Tb to 10Tb	300.00