

We look forward to your positive feedback on this matter.

**MINUTES AND COMMENTS OF THE PUBLIC FORUM HELD ON 27TH AUGUST 2025 AT THE NATIONAL MUSEUMS OF KENYA –LOUIS LEAKY AUDITORIUM**

2025- 2028 CONSOLIDATED MUSIC AND AUDIO VISUAL WORKS TARIFFS-DRAFT					
Category	Parameters	Classification	Consolidated Sound and Audio-visual tariff 2023-2025	Consolidated (Music and Audio Visual works) tariff 2025 - 2028	COMMENTS /REMARKS
Aircraft - CMT 1	Seating Capacity	Passenger seat per annum	Sh. 750 subject to a minimum annual fee of Sh. 20,000 per aircraft	Sh. 900, subject to minimum annual fee of Sh. 25,000 per aircraft	Stakeholder Inputs: No objection. Proposed Way Forward: Retain draft as circulated.
Amusement Parks/Arcades and Fairgrounds -CMT 2	Flat rate per class	Cities	Sh. 30,000	Sh. 40,000	
		All Other Areas	Sh. 20,000	Sh. 25,000	Stakeholder Inputs: No objection. Proposed Way Forward: Retain draft; verify city/urban definitions.
Professional Training programmes, Dance Schools, DJ Academies and Music Schools - CMT 3	Flat Rate	Annual Rate	NEW	Sh. 20,000	Stakeholder Inputs: No objection. Proposed Way Forward: Retain draft.
Cinema theatres/Cabaret, Open Air Cinemas and or Video Shows similar establishments and -CMT 4	Flat rate per cinema theatre	Annual	Sh. 100,000	Sh. 100,000	Stakeholder Inputs: No objection. Proposed Way Forward: Retain draft.
	Per day, per county,	Cities and Urban areas	NEW	Sh. 8,000	
		All other areas	NEW	Sh. 4,000	
Private Members Clubs-CMT 5	Flat rate	Cities	Sh. 60,000	Sh. 370,000	Stakeholder Inputs: No objection. Proposed Way Forward: Retain draft.
		All Other Areas	Sh. 45,000	Sh. 200,000	

Discotheques, Night Clubs Dancehalls, and Casinos-CMT 6	Percentage of Gross Revenues	Cities	Sh. 150,000	5% of income subject to minimum of Sh. 190,000	<b>Stakeholder Inputs:</b> <ul style="list-style-type: none"> <li>Propose percentage-based tariff tied to business permit (suggested 15%).</li> <li>Request disclosure of benchmark countries used in price discovery.</li> </ul> <b>Proposed Way Forward:</b> <ul style="list-style-type: none"> <li>Option A: Maintain flat rate with transparent benchmarking dossier (countries, comparators, exchange rates, inflation indices, music-use intensity).</li> <li>Option B: Adopt a hybrid: % of Single Business Permit (SBP) with a floor (minimum) and cap, plus city/other-areas differential.</li> <li>Action: Prepare benchmark annex; model revenue neutrality against historic collections; run affordability tests for SMEs</li> </ul>
		All Other Areas	Sh. 80,000	5% of income subject to minimum of Sh. 100,000	
Medical Facilities - CMT 7	Hospital	Level 1	Sh. 50,000	Sh. 50,000	<b>Stakeholder Inputs:</b> No objection. <b>Proposed Way Forward:</b> Retain draft; circulate a level-of-care matrix to reduce classification disputes.
		Level 2	NEW	Sh. 80,000	
		Level 3	Sh. 80,000	Sh. 100,000	
		Level 4	Sh. 200,000	Sh. 200,000	
		Level 5	Sh. 500,000	Sh. 500,000	
		Level 6	Sh. 1,000,000	Sh. 1,000,000	



	Clinics, Spas, Chemists, Pharmacy Outlets	Flat rate	Sh. 25,000	Sh. 15,000	
Bars, Restaurants, Cafes, Road houses Lounges, Eateries, Taverns, Beer Gardens, Motels, Lodgings, camps, Cottages, Furnished, Serviced apartments, Airbnb and similar establishments- CMT 8	Percentage of Single Business Permit and Liquor License Annual	Cities and Urban Areas	80% of SBP and Liquor license or 100% of SBP Subject to a minimum of Sh.9,000	70% of SBP plus 70% of Liquor license or 100% of SBP, Subject to a minimum of Sh. 10,000	<b>Stakeholder Inputs:</b> <ul style="list-style-type: none"> <li>Hospitality industry proposes 10% of SBP.</li> <li>General concern that the tariff is too expensive to comply with.</li> </ul>
		Other areas		70% of SBP plus 70% of Liquor license or 100% of SBP Subject to a minimum of Sh. 7,000	
Hotels, Lodges and similar establishments -CMT 9	(STAR RATE) Flat Rate per Percentage of Single Business Permit and Liquor License	1	NEW	Sh. 200,000	<b>Stakeholder Inputs:</b> <ul style="list-style-type: none"> <li>KAHC: 10% of SBP and 25% of Liquor Licence (min KES 6,000 for wine &amp; spirits).</li> <li>MELTA: 15% of annual SBP value.</li> <li>KAHC (alternate): 20% of SBP and 30% of Liquor Licence for hotels and similar establishments.</li> </ul>
		2	NEW	Sh. 300,000	
		3	NEW	Sh. 400,000	
		4	NEW	Sh. 500,000	
		5	NEW	Sh. 600,000	
Mobile DJs -CMT 10	Flat rate annual or per event	Per Disk Jockey – Annual	Sh. 20,000	Sh. 30,000	<b>Stakeholder Inputs:</b> <ul style="list-style-type: none"> <li>Divide the tariff into classes (reflecting different financial muscle).</li> <li>Charge DJs as a % of income per event (fairer differentiation).</li> </ul>
		Per Disk Jockey - per event	Sh. 30,000	Sh. 20,000	

					<ul style="list-style-type: none"> <li>Alternative view: Scrap DJ licensing and require product promoters to license on behalf of DJs.</li> </ul> <p><b>Proposed Way Forward:</b></p> <ul style="list-style-type: none"> <li>Option A: Tiered annual + per-event matrix by event size/fee bracket; allow promoter-borne licensing where applicable.</li> <li>Option B: Promoter-only licensing for commercial events; DJs exempt where promoter license covers performance.</li> <li>Harmonize with CMT 12/13 to avoid double-licensing at concerts.</li> </ul>
<b>Motor Vehicles - All commercial vehicles PSVs, TSVs, taxis, car hire, etc. and Passenger Trains - CMT 11</b>	Flat rate per seating capacity cluster, and per passenger or train wagon	Trucks, Trailers, Lorries and similar commercial vehicles	Sh. 4,000	Sh. 8,000	<p><b>Stakeholder Inputs:</b></p> <ul style="list-style-type: none"> <li>TSVs should not be licensed (radio deemed a statutory requirement).</li> <li>Proposed increase from KES 4,000 to 8,000 for commercial vehicles is too high; cap increment at ≤50%.</li> <li>Remove tuktuks and motorcycles from the tariff list as they are already considered a nuisance for noise pollution; licensing them would amount to legalizing such nuisance.</li> </ul>
		1 - 5 seaters, including taxis	Sh. 4,000	Sh. 6,000	
		6 - 14 seaters	Sh 5,500	Sh. 7,500	
		15 - 33 seaters	Sh. 8,000	Sh. 12,500	
		34 and above seaters	Sh. 12,000	Sh. 25,000	
		Motor cycles	New	Sh. 1,500	
		Tuk tuks	New	Sh. 1,000	
		Train Coaches per wagon	Sh. 20,000	Sh. 25,000	
		Marine vessel	Sh. 50,000	Sh. 60,000	



					<ul style="list-style-type: none"> <li>Consider removal of tuktuks and motorcycles from tariff categories, aligning with noise pollution regulations, and avoid legitimizing nuisance levels of public noise.</li> </ul> <p><b>Proposed Way Forward:</b></p> <ul style="list-style-type: none"> <li>Review TSV applicability; consider exemption where use is purely statutory/safety-driven and not for public entertainment.</li> <li>Temper the increase (e.g., KES 6,000 midpoint); keep seat-capacity bands.</li> </ul>
Regular Live Band, In-House Band Shows, House Bands, Nightly Band shows, Resident Musicians' Live Sets, Regular Venue-Based Music Shows, Scheduled Live Music Entertainment, Live Band Performances or other such events -CMT 12	Flat rate, per event	Cities	Sh. 40,000	Sh. 50,000	<p><b>Stakeholder Inputs:</b> Replace flat rate with % of ticket sales.</p> <p><b>Proposed Way Forward:</b></p> <ul style="list-style-type: none"> <li>Introduce gross ticket revenue % or hybrid flat-plus-% with a minimum, and local-artist rebates to promote live culture.</li> </ul>
		All Other Areas	New	Sh. 20,000	
Concerts and Live Shows - CMT 13	Cities and urban areas	Paying Concerts	NEW	5% of Income subject to a minimum Sh. 90,000	<p><b>Stakeholder Inputs:</b> Remove non-paying concerts from the list (no revenue generated). Clarify that the income is from gate charges.</p> <p><b>Proposed Way Forward:</b></p> <ul style="list-style-type: none"> <li>Exempt bona fide non-commercial events</li> </ul>
		Non-paying Concerts		Sh. 50,000	
		International Concerts		5% of income subject to a minimum Sh 200,000	

					(charity/community) upon proof; otherwise apply reduced minimum instead of blanket removal to deter disguised commercial events.
	Other areas	Paying Concerts	NEW	5% of Income subject to a minimum Sh. 50,000	
		Non-paying Concerts		Sh. 30,000	
		International Concerts		5% of Income subject to a minimum Sh. 100,000	
Roadshows -CMT 14	Per Brand, Daily Rate, Per County	Per truck/event	Sh. 50,000	Sh. 50,000	<b>Stakeholder Inputs:</b> Per-county payment is not sustainable; remove. <b>Proposed Way Forward:</b> <ul style="list-style-type: none"> <li>Replace per-county structure with a national pass (tiered by days/vehicle type) or regional clusters; maintain event-day rates for short activations.</li> </ul>
		Other vehicles/event	Sh. 20,000	Sh. 22,000	
		Annual Rate Per Brand, Per County	Sh. 990,000	Sh. 1,600,000	
Promotional Activities and Activations - CMT 15	Chain businesses, Event per day, per County	Per Brand, Per County	Sh. 50,000	Sh. 30,000	<b>Stakeholder Inputs:</b> No objection. <b>Proposed Way Forward:</b> Retain; ensure brand-based licensing aligns with CMT 14 to prevent overlap.
	Individual business, per event, per day, per county	Per brand, per County	NEW	Sh 10,000	
Banking Halls, Offices, and other similar establishments - CMT 16	Flat rate,	Cities	Sh. 25,000	Sh. 27,500	<b>Stakeholder Inputs:</b> <ul style="list-style-type: none"> <li>Remove offices entirely from the category (no public audience).</li> <li>For banking halls, avoid charging by number of TVs/speakers.</li> </ul> <b>Proposed Way Forward:</b>
		All Other Areas	Sh. 15,000	Sh. 16,500	



					<ul style="list-style-type: none"> <li>Clarify public communication vs. private workspace: exempt non-public office areas; license public-facing areas only.</li> <li>Use floor area or customer-service points as a simpler basis for banking halls.</li> </ul>
Hairdressing, salons, car wash, Barber shops, and similar establishments -CMT 17	Flat Rate	Cities	Sh. 7,500	Sh. 7,500	<b>Stakeholder Inputs:</b> No objection. <b>Proposed Way Forward:</b> Retain draft.
		All Other Areas	Sh. 5,000	Sh. 5,000	
Halls, Gyms, Shops/convenience stores/Grab&Go/ quick stops/ fuel & go/express stores etc, Retail Shops, Retail Showrooms, Workshops, Supermarkets, go-downs, and other similar establishments- CMT18	Cities and Urban Areas subject to Size	above 20,000 sq.ft	Sh. 350,000	Sh. 400,000	<b>Stakeholder Inputs:</b> <ul style="list-style-type: none"> <li>Cluster deemed too broad; subdivide into smaller classes.</li> <li>Query on parity: Why should a showroom pay KES 300,000 while a banking hall pays KES 30,000 if usage is similar?</li> <li>Propose linking tariff to SBP; call for accountability of collections vs. artist payouts.</li> </ul> <b>Proposed Way Forward:</b> <ul style="list-style-type: none"> <li>De-cluster into retail, fitness/leisure, warehousing/godowns,</li> </ul>
		15,001-20,000 sq.ft	NEW	Sh. 350,000	
		10,001-15,000 sq.ft	NEW	Sh. 200,000	
		5,001-10,000 sq.ft	NEW	Sh. 150,000	
		3,001-5000 sq ft	NEW	Sh 100,000	
		1,001-3000 sq ft	NEW	Sh.80,000	
		501-1000 sq ft	NEW	Sh 40,000	
		201-500sq ft	NEW	Sh. 20,000	
		1-200 sq.ft	NEW	Sh 10,000	
	Other Areas, subject to size	above 20,000 sq. ft	Sh. 200,000	Sh. 300,000	
		15,001-20,000 sq.ft	NEW	Sh. 200,000	
		10,001 to 15,000 sq. ft	NEW	Sh. 80,000	

		5,001 to 10,000 sq. ft	NEW	Sh. 40,000	<p>and showrooms with distinct schedules.</p> <ul style="list-style-type: none"> <li>Re-benchmark showrooms vs. banking halls (align with audience size/dwell time).</li> <li>Publish annual distribution transparency report (collections vs. payouts) to address accountability concerns.</li> </ul>
		3,001-5000sq ft	NEW	Sh. 20,000	
		1,001-3000sq ft	NEW	Sh 16,000	
		501-1,000sq ft	NEW	Sh 13,000	
		201-500 sq ft	NEW	Sh 8,000	
		1-200 sq.ft	NEW	Sh. 5,000	
Commercial Broadcasting Services (Radio and Television)-CMT 19	Percentage of Gross Revenues, less statutory taxes, subject to a minimum	Whether Radio OR TV, irrespective of classification	a.1% - 29% music content – 4.5 %	a. 1% -29%music content – 4.5 %	<p><b>Stakeholder Inputs:</b> Advertising and subscriptions have reduced; propose returning to a flat figure rather than % of gross revenue.</p> <p><b>Proposed Way Forward:</b></p> <ul style="list-style-type: none"> <li>Maintain music-content-based bands to reflect intensity of use.</li> </ul>
			b. Between 30% and 70% music content -7.25%		
			c. Over 71% - 10% Minimum 500,000 Radio and TV 300,000	c. Over 71% music content- 10%	
		Subject to an annual minimum fee			
		National	NEW	<p>Music content (Radio)</p> <p>1%-29% Ksh.600,000</p> <p>30% -70% Ksh.960,000</p>	



				71%-100% Ksh.1,200,000  TV Content 1% –29% Ksh. 400,000  30%-70% Ksh.600,000  71%-100% Ksh.700,000	
		Regional	NEW	Music content (Radio) 1%-.29% Ksh.400,000  30%--70% Ksh.500,000  71%--100% Ksh.600,000  TV Content 1%-29% – Ksh. 200,000  30%-70%- Ksh.300,000  71%-100%- Ksh.400,000	

Non-Commercial Broadcasting Services (Radio and Television)- CMT 20	Percentage of Gross Revenues, less statutory taxes subject to a minimum.	Whether Radio OR TV, irrespective of classification	a. 1% - 29% music content – 1 %	a. 1%- to 29% music content -1%  b. 30% to 70% music content -2%  C. 71% to 100% music content- 3%	<b>Stakeholder Inputs:</b> No objection.  <b>Proposed Way Forward:</b> Retain; ensure community broadcasters can access community-rate minimums with proof of registration and mandate.
			b. Between 30% and 70% music content -2%		
			c. Over 71% - 3% Minimum 400,000 Radio and TV 200,000		
		Subject to an annual minimum fee			
		National	NEW	Music content Radio  1% to 29% KSh. 200,000  30%to 70% Sh300,000  71% to 100% Sh 400,000	
		Regional	NEW	Music content Radio  1 to 29% KSh 100,000  30% to 70% KSh 200,000 71% to 100% Ksh 300,000	
Community	NEW	Minimum Sh160,000 Radio and 100,000 TV			



Shopping Arcades, Malls and Similar Large Shopping Complexes-CMT 21	Flat Rate Depending on size cities	Above 20,000 sq. ft	NEW	Sh. 600,000	<b>Stakeholder Inputs:</b> “Similar Large Shopping Complexes” is too vague; define clearly. <b>Proposed Way Forward:</b> <ul style="list-style-type: none"> <li>Introduce <b>definition:</b> enclosed multi-tenant retail complexes over <b>10,000 m<sup>2</sup> GFA</b> (or local planning equivalent), with common areas hosting music use.</li> <li>Clarify whether license covers common areas only or also tenant premises (to avoid double-charging).</li> </ul>
		10,001-20,000 sq ft	NEW	Sh. 500,000	
		1 – 10,000 sq ft	Sh. 250,000	Sh. 300,000	
	Other areas	Above 15,000 sq. ft	NEW	Sh 300,000	
		10,001-15,000 sq.ft	NEW	Sh 200,000	
		1-10,000 sq ft	NEW	Sh 150,000	
Political events/Campaigns, Launch Parties, Unveiling Candidates & Manifestos -CMT 22	Flat Rate per type of election	Presidential candidate	Sh. 400,000	Sh. 500,000	<b>Stakeholder Inputs:</b> No objection. <b>Proposed Way Forward:</b> Retain draft.
		Gubernatorial Candidate	Sh. 150,000	Sh. 200,000	
		Senatorial Candidate	Sh. 100,000	Sh. 150,000	
		Member of the National Assembly	Sh. 50,000	Sh. 100,000	
		Member of the County Assembly	Sh. 12,500	Sh. 15,000	
Elevator Cars and Lifts-CMT 23	Carrying Capacity per car	Up to 4 persons	NEW	Sh. 4,000	<b>Stakeholder Inputs:</b> No objection. <b>Proposed Way Forward:</b> Retain; issue guidance on music-on-hold vs. elevator music to avoid overlap.
		5 - 9 persons	NEW	Sh. 6,000	
		10 persons and above	NEW	Sh. 8,000	

<b>Public Transport Termini-CMT 24</b>	Flat Rate per terminus classification and location	International Airport Nairobi	Sh. 400,000	Sh. 500,000	<b>Stakeholder Inputs:</b> No objection. <b>Proposed Way Forward:</b> Retain draft.
		International Airport in Other Cities	Sh 300,000	Sh. 400,000	
		Other Airports	Sh. 200,000	Sh. 300,000	
		Airstrips	Sh. 100,000	Sh. 200,000	
		Railway Stations	Sh. 50,000	Sh. 100,000	
		Bus Stations	Sh. 20,000	Sh. 50,000	
<b>New Media Services-( digital and internet-based platforms that allow the creation, distribution, and consumption of content in non-traditional formats) Digital/ Online Broadcasters Services-CMT 25</b>	Percentage of Gross Revenues	Caller Ring Back Tones, Ringtones, Downloads, Streaming, Simulcast and Webcasting, Including Content Service Providers and Telecommunication Companies.	15% Subject to a minimum of Sh. 500,000	15%, subject to a minimum of Sh. 500,000	<b>Stakeholder Inputs:</b> The minimum amount payable should depend on usage. <b>Proposed Way Forward:</b> Ensure simulcast treatment aligns with linear broadcaster payments to prevent arbitrage.
<b>Schools (Kindergarten/Elementary, Primary &amp; Secondary) Universities, Colleges &amp; TVET Institutions – CMT 26</b>	Either public or private running the national or international curriculum	Tariff covers; exercise to music aerobics etc, Background Music Special Featured Entertainment Events & Music on Hold.	NEW	<b>Kindergarten/Elementary, Primary &amp; Secondary Schools</b>  Public Kindergartens/Elementary, Primary & Secondary Schools Kshs. 5,000/-  Private Kindergartens/Elementary, Primary & Secondary Schools Kshs. 12,000/-	<b>Stakeholder Inputs:</b> No objection. <b>Proposed Way Forward:</b> Retain draft.



				<p>International Kindergartens/Elementary, Primary &amp; Secondary Schools Kshs. 25,000/-</p> <p><b>Universities, Colleges and TVET Institutions</b></p> <p>Public</p> <p>Colleges &amp; TVET Institutions Kshs. 25,000/-</p> <p>Universities Kshs. 50,000/-</p> <p>Private</p> <p>Colleges &amp; TVET Institutions Kshs. 36,000/-</p> <p>Universities Kshs. 75,000/-</p>	
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**NOTES:**

1. This is a consolidated tariff for music and audio-visual works
  - a. All rights in music, including Authors, Composers/Arrangers, publishers
  - b. All rights for Producers and Performers of sound recordings.
2. The rates do NOT include taxes (including VAT, etc) and other applicable levies.
3. Invoices are payable within 14 days.
4. The penalty for non-compliance shall be 5% per month of the tariff compounded for the period it remains unpaid.
5. A license shall be valid for one year from date of issue.
6. Broadcasting;

- a. National - shall mean a broadcaster with listenership/viewership beyond 5 counties
- b. Regional - shall mean a broadcaster with listenership/viewership within 5 counties
- c. Community - shall mean a broadcaster with objective to serve a community and registered as such by the Communication Authority of Kenya ( CA )
- 7. Following the 2025 validation process, the tariffs shall be automatically adjusted annually in line with the prevailing CBK inflation rate, without requiring further validation.
- 8. Definition of the following;
  - a. Cities: These refer to urban areas that have been formally granted city status under the Urban Areas and Cities Act, 2011 (Revised 2019). This includes Nairobi, Mombasa, Kisumu, Nakuru, and Eldoret, which are characterized by a high population (minimum of 250,000), developed infrastructure, and enhanced service delivery capacity.
  - Urban Areas: This category includes towns and municipalities with a population of 10,000 or more that have not been officially designated as cities. These areas are typically peri-urban, including but not limited to e.g Ruiru, Thika, Kitengela, Kikuyu, Nyeri, and similar townships with growing commercial activity and semi-developed infrastructure.

Your participation in this statutory consultation is essential to the development of a fair, transparent, and mutually beneficial licensing framework.

Issued by:

PAVRISK & KAMP

*(Regulated and Supervised by the Kenya Copyright Board – KECOBO)*

## **ANNEXTURES**

1. **NEWSPAPER PUBLICATION CALLING FOR COMMENTS ON THE PROPOSED CMO TARRIFS DATED 12<sup>TH</sup> AUGUST 2025 AND 21<sup>ST</sup> AUGUST 2025**
2. **PROGRAMME FOR PUBLIC PARTICIPATION HELD ON 27<sup>TH</sup> AUGUST 2025**
3. **ATTENDANCE LIST**
4. **MINUTES OF THE PUBLIC FORUM HELD ON 27<sup>TH</sup> AUGUST 2025 AT THE NATLIONAL MUSEUMS OF KENYA LOUIS LEAKEY AUDITORIUM**
5. **COMMENTS RECEIVED PRIOR THE FORUM INCORPORATED IN THE REPORT, ANNEXED EMAILS AND LETTERS**