

THE MUSIC PRODUCER

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2018

DAWN OF NEW ERA

Anthony Karani Murimi: The Chairman Of Kamp Talks Music, Piracy,
Targets And His Vision For His Tenure

" YOUR RIGHTS PROTECTED "

KENYA ASSOCIATION OF MUSIC PRODUCERS
REGIONAL OFFICES

1. CENTRAL NYANZA - KISUMU

Hurleys building,
2nd floor,
Oginga odinga street

2. EASTERN REGION - MACHAKOS

Tripple m complex,
2nd floor, room b14,
behind kiamba malls

3. COAST REGION - MOMBASA

Asian motors building,
2nd floor, room c5,
haile selasie avenue, opp. Oil
libya

4. SOUTHERN NYANZA REGION- KISII

Upendo plaza
2nd floor between twin
towers building & elimu
center

5. CENTRAL & MT. KENYA REGION - NYERI

Advocates plaza,
Ground floor,
Baden powell road

6. CENTRAL & MT. KENYA REGION - MERU

Electricity house,
2nd floor opp. Alexander
building

7. NORTH RIFT REGION - ELDORET

Theluji hse,
4th floor, room 405b,
uganda road

8. WESTERN -KAKAMEGA

Triple m complex,
2nd flr,
kisumu-kakamega road

**HEAD OFFICE,
JUMUIA PLACE,
2ND FLOOR,
LENANA ROAD,
KILIMANI,
NAIROBI
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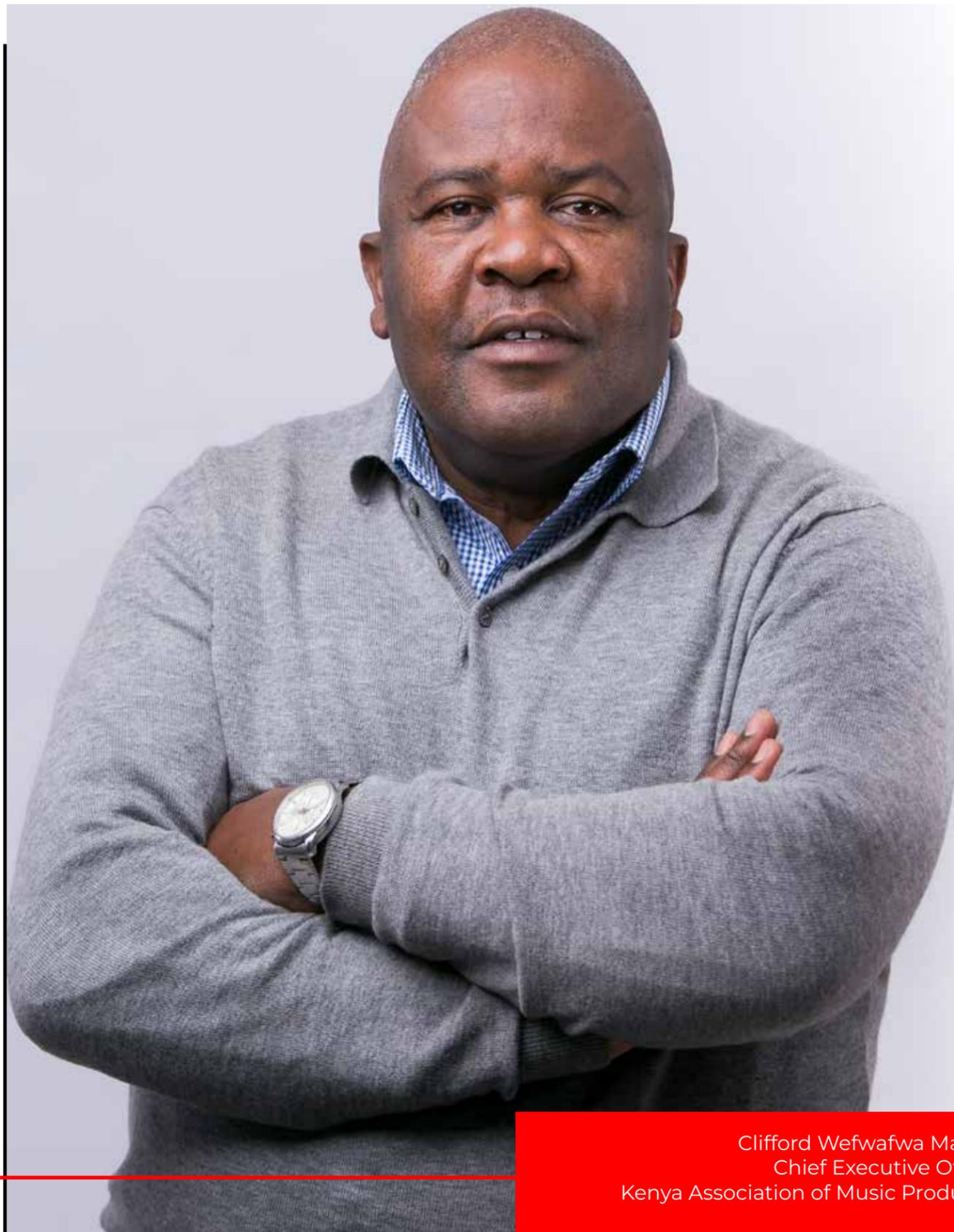
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An article may be submitted for possible publication on this Magazine in the following manner.

Send a short email message to marketing@kamp.or.ke describing

the article you would like to publish.

WORD FROM THE CEO



Clifford Wefwafwa Mabele
Chief Executive Officer
Kenya Association of Music Producers

First I wish to inform our readers that Kenya Association of Music Producers (KAMP) on 1st August 2018 exercised their governance and democratic philosophy during their Annual General Meeting where members elected the new board members to run activities of the organization for the next three years.

We are indeed privileged considering the level of experience and diversity within the new board. I take this opportunity again to welcome them and offer my cooperation together with the secretariat to work together to deliver our mandate to members. There are various challenges ahead of us what is needed is leadership and there shall be progress

In the first issue of KAMP Magazine we emphasized that the main objective then and subsequent issues is to share information with our members and the general public to raise awareness of issues affecting the industry

KAMP is a collective management organization (CMO) registered under the copy right act to exercise related rights and act in the interest of its members (producers of sound recordings). Our main function is to provide an important link between rights' owners and commercial consumers (users) of musical works in a more convenient way. The fulfillment of the link between the two is only complete when rights' owners receive payment in form of royalties for use of their works.

At this point, I wish to say that we have managed to pay royalties every year over the last five years. Our level of royalties are not yet at where we would have wished them to be due to various challenges but we are focused on the destination, we shall get there. There has been some criticism from some quarters that we should be paying more but the position is we are not yet at the optimal level of collections to significantly make huge payouts as expected.

One of the biggest challenges we have is that we are collecting from less than 15% of those using sound productions. The major users like the broadcasters & Transport sector despite various engagement sessions have defiantly refused to pay. I wish to also mention that there are various synergies that our members derive from KAMP among them;

- Administrative-; where we have built the network to collect on their behalf. It is not practical for each right holder to visit all user and collect for self.
- Legal Matters; in this case we handle all litigations pertaining to use of member works and engage in cases of infringement.
- Finance-; we have the required expertise in accounting for collections and debt management.

The year 2018 had its own peculiar challenges. We started the year upbeat when we got a new joint licensing partner on board , representing the rights of authors, composers and publishers of musical works.

The relationship did not bear the expected windfall through collection synergies attributed to joint licensing. This was due misunderstandings at Joint board level thus minimal serious strategies to grow volume were discussed and agreed upon. Another issue that may have slowed us down is the various MOU agreements that were entered into with various users that were not honored. This took us back to the drawing board where we

terminated those MOUs and decided to enforce for payment.

In collaboration with the Performers' Rights Society (PRISK) Board, KAMP has drawn up a plan aligned to joint collection to improve collection thus improve royalties payouts in the coming years. The following are the key strategies but not limited that we shall focus on from the year 2019 and beyond to turn around our operations;

i. Re-evaluation of our operational capacity: Here, we are looking to increase personnel on the ground that shall increase our current coverage to about 30,000 users in 2019. Behind the licensing teams, we intend to have field inspectors who shall ensure polices and agreed licensing parameters are followed.

ii. Facilitation of required infrastructure and tools: To reach coverage target, we intend to invest in field vehicles to assist in mobility. Currently we hire vehicles to facilitate the licensing process. We have just received applications for expression of interest to install an ERP system that shall have a digital licensing system. This will make licensing easier and minimize fraud.

iii. Quarterly Enforcement: We shall be increasing our enforcement to those users that are reluctant to pay in order to increase compliance.

iv. Joint licensing synergy: Currently KAMP is in Joint licensing agreement with PRISK and we are willing to partner with any other society representing the rights of authors, composers and publishers of musical works that shall be licensed in the year 2019 to form a strong joint collection partnership. We have learned our mistakes in previous partnerships we are now ready to engage successfully.

v. Cost Management; We have done fine in this area so far considering our costs have marginally remained the same i.e. areas like staff salaries despite their commitment to work have not had any Salary increments in the last three years.

We shall continue managing our expenses safe for those directly associated with collecting like enforcement where increase in this spent is proportionately results in increments in collections.

I personally wish to thank most of our customers/Users who have been supporting us through our license compliance. Our wish is to engage each of our users in a decent manner without having to use force or litigation but at times we are left with no option but push and at times end in courts which is costly on both sides.

I also want to encourage our staff who have been committed to the course to do more and as we raise payments in royalties to Members we shall at the appropriate time re look at their benefits.

The year is coming to an end and I take this time to send my sincere Christmas Wishes to you all and better 2019. The Future is bright.



Happy Holidays!

The festive season is finally upon us! A lot of us will be preparing to drive off to our holidays, while many musicians will be offloading their luggage from performance on to another – with myriad events, festivals and gigs to appear at this December.

In this issue, we also look at year that has been. We share with you the face of the newly elected KAMP board members and what their strategic plan for the next three years will focus on.

In our cover feature, we chat with the chairman of KAMP on his musical journey and his vision for his era. He shares on his sentiments on the year that has been and what is in store for 2019.

We also share with you the recent events that we have participated in since our last issue.

We also celebrate the distribution of royalties amounting to Ksh 12 million.

We hope you enjoy our final edition of the year, and wish you a safe and joyous festive season!

Until next year, Happy Holidays.

*Jackline Wabuko
Marketing &
communication executive*

Kamp

Kenya Association of Music Producers

About Us

The Kenya Association of Music Producers (KAMP) was incorporated in 2003 and licensed in 2008 by the Kenya Copyright Board (KECOBO) to represent the rights and interests of producers of sound recordings through collection of license fees and distribution of royalties in accordance with the Copyright Act of 2001, Laws of Kenya. KAMP is registered as a non-profit making company and the license fees collected by KAMP is distributed as royalties to members and the affiliated rights holders, as provided for in KAMP's distribution rules. A producer of sound recordings in the music industry holds the business and creative control over the production of a track-or entire works therefore owning full rights of the sound recordings.

“Protecting your rights”

HOW TO BE A MEMBER OF KAMP



ELIGIBILITY

Any person or legal entity that owns the rights in at least one (1) commercially available sound recording master is eligible to be a member of KAMP



FORMS

One must submit a duly filled Membership application and agreement form



PROOF

One must submit a Sound recording declaration form in which you declare those sound recordings for which you are the rights holder as well as any other participant in each in each declared recording. Also submit Evidence of the sound recordings i.e. copies of CDs, DVDs, VCD, or MP3



FEE

A non-refundable registration fee of Kshs. 10,000/- payable once

www.kamp.or.ke



COVER STORY

Anthony Karani Murimi, has been in the music industry for the last 15 years. He was recently elected as the chairman of the board for Kenya association of Music Producers (KAMP). He shares with us his journey.

Music and acting have always been my passion. While in school I used to participate in the music festivals and I was also in the church choir. In high school I couldn't miss the music and drama festivals. I was always a participant in plays and musical pieces. I really enjoyed being in the school plays. But things slowed down when I joined college I didn't do anything music. Back then music wasn't considered a career. I did accounts but I still had the passion for acting and music. After college I was employed in a law firm as an accountant. I worked in the law firm for 15 years starting as a junior accountant and rose to the rank of a manager.

My interest in music was re-ignited in 2003. Back then I had not considered it as commercial venture. It was more of a hobby because of my love of music. I started doing music in River Road. I used to frequent music extravaganzas and people related me with music. Certain people would approach me seeking assistance in producing albums for them. These interactions had grown because they would see me organizing music extravaganzas where we could take dances to places like Nyahururu, Murang'a, Kinangop, Nakuru. I was organizing such events not because I was getting paid, but I felt a certain kind of fulfilment when I participated in them. The musicians knew me from that and as part of those interactions, they would approach me to help them record. I didn't even have a business plan, but I found myself doing it anyway.

My involvement in music re-ignited my passion for movies. In the year 2004, I did a couple of vernacular movies and it gave me confidence to continue acting. I would act, record and edit movies that I was acting in. It was while acting that I discovered entertainment particularly music and movies can be a business venture. Back then the movies were shot within a couple of hours. They were not done professionally. One would come with a story, and within a couple of hours, we were out on location

shooting with no script. We only had a story line. The words would come automatically and the editing was done overnight and the next day the movie would be in the market. I had a shop in River Road where I could display my works. I did my first movie in 2004 and in 2005, I had the confidence to make a 90 minutes full feature movie titled "Wages of Sins" which threw me into the limelight of the film industry.

All this time, I was still a full time employee managing a law firm and engaging in conveyance which was the law firm's specialty. However, many young Lawyers had by the year 2004 discovered how lucrative conveyance was especially the making of legal documents for a borrower to secure loans from banks. The threat to our monopoly was slowly becoming real and in 2005, a big chunk of our work had been snatched by the aggressive young lawyers. I felt like I was wasting my talent sitting down waiting for a salary at the end of the month and probably after doing very little work because I would spend hours reading newspapers. I didn't like it and I felt it was also unfair to my employer. By then I was getting interviews in the newspapers, radio and TV, so I would imagine that my boss had seen the publicity I was getting and probably thought that I was stealing his time. In as much as he never said it I felt it wasn't fair as I could see him struggling paying salaries.

At the end of 2005, I convinced my boss to allow me to leave the firm to concentrate on my business on condition that I would avail myself whenever he had an assignment for me. My pay would then be pegged on the particular contract. I had concluded that I would follow my passion on full time basis. I have a belief that if you don't love what you are doing, you are in the wrong place. Though I loved my job, the fortunes were dwindling and I needed to convert my passion into a full time business. That's how I came to join my wife in River road, amid a lukewarm reception by the "river roadians".

With 5 vernacular comedies, 6 audio recordings and 4 audio visual musical recordings, I thought this was adequate stock to cater for all my needs including paying my bills, sustaining my shop etc. Little did I know that this was just an illusion. For one year, I struggled to make ends meet, at times going without food,

having my family thrown out in the cold by my Landlord of 8 years and basically living on a hand to mouth budget. Luckily, after one year, I had learnt the ropes of River road business, cut a niche in this lucrative market and installed myself as an elite of the industry.

I learnt that for me to survive, I had to operate differently from the norm in River road. I also realized that apart from publicity, films were not contributing to my budget. With a heavy heart, I had to ignore the film for a while as I concentrated more on music. With the help of the now MP for Starehe Hon. Charles Kanyi Njagua (Jaguar) of the "Kigegeu" fame, we managed to convince the so called "uptown" artists to License me to trade with their songs in River road and by extension Kenya. Starting with Banjuka by DNA, Jaguars songs, Ogopa DJs productions and a compilation of songs by various Kenya artists including nameless, Wahu, Pilipili among others which I christened "Kenya Stars Collection", I had managed to distinguish my shop as not being ordinary.

Buoyed by the success of the uptown music, I decided to move a notch higher by moving further to Tanzania. I was the person who introduced Bongo music to Kenya in the year 2006. This was during the time when Vailet by Matonya, Cinderella by Ali Kiba, Prof. J Nikusaidiaje were ruling the airwaves. Later I could acquire other songs By Ali Kiba including Nakshi Mrembo, Matonya's Anita, Prof J Hapo vipi, JI kidato kimoja, Binti Kiziwi by Z anto to mention but a few. Because of my exploits, I was a household name in the Bongo territory thanks once again to my friend Jaguar who helped me in making the first contacts to these Tanzania artists. Later on, big names would come calling, the likes of Kidum whom I signed for his video "Mapenzi".

With such a catalogue, having invested millions, two issues had to be sorted out unless I wanted to invite auctioneers. I had to design an elaborate distribution channel and two find a way of fighting pirates. As a solution, I opted to kill the two birds with one stone. Many pirates were illegally making copies of my works which they could distribute to shops across the country. I used to walk from shop to shop with my products persuading outlets to sell my authentic products while at the same



time taking advantage to check what they were offering for sale. For those with the pirated works, I would advise them they risk arrest and prosecution for engaging in illegal business. Some traders understood and bought my products, others bought some copies either to use them as masters for duplicating or just to hoodwink me while they continued selling the pirated works.

The reality is, very few people comply with the law simply by being aware. I had to be ruthless if I was to make ends meet. I formed my vigilante squad complete with investigators who could locate the illegal manufacturing locations (usually at hidden places including residential houses, bars or premises that were ever locked from outside such that if a worker wanted to move out, he had to call the owner), enforcers and bouncers. Law enforcers were also very co-operative in providing the much needed assistance. I moved from one

town to another, one estate to another and with time, I had covered almost the entire country. I was known in all police stations and courts because I used to pursue matters to conclusion. Those who were unlucky to cross my path can attest to this.

In the process, I made many friends and foes in equal measure. Majority of the friends were not genuine friends but did so for convenience, at least they believed I would spare them my wrath should they ever cross my line. I was comfortable with this arrangement since they used to buy my products to show their fake loyalty. In some instances, I could pardon an offender if he was a first offender and if he/she agreed to buy 10 times each copy of any of my product confiscated. However, the offender had to commit himself in writing that he will never again repeat the offence. This commitment was usually very useful in convicting that person if caught again, which was almost a guarantee. My escapades were now paying dividends since I had established a distribution network in the process. Orders would flock my shop from every corner of the country.

Meanwhile, my enemies and fake friends didn't like this. They were determined to make life harder for me. They applied every manner of crude ways to deter me from pursuing them. These included intimidation, physical fights (mob justice) and the use of the then dreaded Mungiki. Somehow I survived all these and even got advise from my would be tormentors. In particular, Mungiki used to hunt me all over, sending chilling messages that they are coming for my head. Those were not mere threats as had been witnessed on other people. In as much as I was scared, I couldn't give up my investment and this is the message I conveyed to them when we finally met. After listening to my side of the story, they promised to have both parties, that is me and their masters who were surprisingly people we could communicate with. Finally when we met in a meeting that lasted 4 hours, I was amazed by their solomonic wisdom. Today, as a result of this meeting, the then pirates are doing honest business and we have an inseparable bond. More details of these encounters shall be available in a book am writing about this drama with a possibility of making a movie out of this when funds are available.

On the business side, as my wars continued, so did my Times square label grow. Many

producers believed in me including Cinematic Solutions, the producers of "Churchill Live", Sound Africa and many individual artists were daily trooping with their wares to my shop. Now I had a variety that lacked in many shops which made the shop a first stop for any music dealer.

In the year 2010, my friend the late Mrs. Masinza (once a Kamp board member) impressed on me to bring together all producers who were adversely affected by piracy to forge a common path on combating the menace. It was as a result of several meetings at Mr. Kassanga's office that we formed Recording Industry Association of Kenya (RIAK) which had an agenda of self regulation, zero tolerance on piracy and setting industry standards. Big names like Masinza Production, Verony Productions, Copy bird, KMC, Wisdom, Sound Africa, and others were the first members. With RIAK, we could appoint an operations manager who could organize raids and adduce evidence in court on our behalf. This significantly reduced our costs of operation since we didn't have to travel just to give evidence in court which was what the pirates were suppressing us with.

Slowly we were having an upper hand on the pirates. Their leaders who were once my tormentors would approach me to strike a deal that would be a win win for both parties. We agreed to have all local works authenticated and for them to be allowed to sell international works on condition that a quarter of their shops should be stocked with local products. Since pirates don't understand any other language except force, we had to do a manger raid that netted 30 of the big fish before any negotiation. It was while the matters were in court that we agreed that no piracy shall be condoned in their shops henceforth, that there will be constant random checks to confirm compliance, that we shall brand all compliant shops for ease of identification and that all must sign a code of conduct. All this was done under an umbrella body we registered called Entertainment Dealers Association of Kenya where I am the Secretary. The association comprises of all registered bodies dealing with entertainment products including some pirate groups which were ready for transformation. This time we won the battle except in Muthurwa market which became a safe haven for the pirates. We have tried fighting Muthurwa with little success but I think technology is dealing with the market

such that I can see the piracy business dying a natural death soon.

With current times, I had to close my shop because it became difficult to sell hard copies because technology had taken over. People are consuming music digitally. The money currently set for producers isn't as big as it was in yester years because back then physical copies sold very well. Previously you could have a turnover of 70,000/- per day just by selling hard copies now it's not even possible. Digital sales like Skiza generate money because the element of piracy is nonexistence. One is getting every coin that is being sold. We need to take advantage of the digital world because it's locking out pirates. Music is still paying even up to date. Right now there are several opportunities. As a producer one has to be innovative and adapt with current times in order to survive. There are so many ways of making money from downloads to receiving royalties, to music and video production. The royalty collection is now becoming a crucial aspect in sustaining rights holders who have limited sources of livelihoods. The onus is on the licensed CMO's to maximize on collections while minimizing expenditure.

To understand this industry, I have participated in dozens of workshops and seminars related to the industry. I have been very instrumental through RIAK and now Kamp in pressurizing for amendments of copyright in areas where there are loopholes and/or deficiencies. Further, I have spared time to study the Wipo Copyright course and recently I excelled in the Havard University CopyrightX course sponsored by Code IP. My thirst to learn more on copyright is unquenchable.

This year I was elected to be the chairman of the Kenya Association of Music producers. I just say it is truly a privilege and I thank GOD for this milestone. I have been a director for the last four years at KAMP. When I joined KAMP I was really green in the happenings in the collective management organizations. So it was a learning process for me. I found people who had several years of experience in CMO's. Naturally, I became a student and I must confess I had good teachers both in morality and good governance. During



those four years we did commendable things with the former directors. They had a culture of good governance and transparency. One of the milestones that I remember we achieved was the unlocking of the SKIZA mystery. For the directors we did our part. Right now artists are able to know how much they earn from their Skiza and get the statements to show how the money was generated.

I'm extremely proud of KAMP. We have been on a climbing path. Our distribution has increased. The industry is growing, and people understand the role of CMOs, Users are paying and the money is getting back to the rights holder.

My vision for KAMP as the chairman is that I intend together with my board, to see KAMP distributing 70% of amounts collected. This can be attained by increasing compliance and making it easy for a user to self license. I also want to see rights holders enjoying the fruits of their labor by adhering to the pay for play rule. This will be done in a transparent manner where each member will be able to monitor how his/her works are being used on a real time. Politics of distribution will be a thing of the past. My prayer is media houses and other users will cooperate this time in making timely payments without resulting to court

battles as has happened before.

I want to leave KAMP operating from their own office. I want to see members getting paid quarterly, this can ensure members have a good life. I want to see them having a medical cover such that we do not have to do harambees every now and then. We will partner with financial institutions that can advance loans to members with our guarantee being sufficient. I want to see CMOs working together in licensing to cut costs and for transparency.

Kenyans know the value of Music but they take it as just a form of entertainment but fail to see it as a commercial venture. That's why it becomes difficult even for parents to understand that one can choose music as a career. When you tell people that you are a musician, they will most likely ask you what else you do for a living. It's sad to see people who have contributed immensely in music living in deplorable conditions while pirates enjoy the best fruits from music. Together with other stake holders we shall endeavor to change this analogy by making sure 90% of music exploitation earnings go back to the rights holder.



CHAIRMAN

Music has always been part and parcel of Anthony Karani's life journey. Due to his love for music, he ventured into music production as a hobby in the year 2003. This was the year when the industry was undergoing a transformation from cassettes to CDs. In benga genre, he was among the first producers to produce the then famous "one man guitar".

Being an adventurous man, coupled with his business acumen, he was always ready to venture into virgin territory. This is how he introduced, promoted and made available for sale Bongo music in Kenya in the year 2006 working with great artists like Ali Kiba, Prof. J. Z. Anto, Matonya, A.Y., Mwana F.A., Marlow among others. As a patriot, he brought the "up town" local music to river road working with the likes of Nameless, Ogopa DJs, Amani, Wahu, Jaguar, Pilipili, D.N.A. among many others. This is the same year he formally registered Times Square Entertainment Ltd together with Linet Rose Wanjiru as his co-director.

Karani had some unutilized talent as an actor. Actually he was passionate and fascinated by movies. In the years 2004-2006, he made and acted in 6 vernacular films culminating in his best selling movie "Wages of sins" which still cuts a niche in media houses today in spite of the advancement in technology since the year it was released.

In the years from 2007 onwards, piracy had reached unprecedented levels occasioned by the ease with which copying of CDs was. In corroboration with KECOBO, he crisscrossed the country fighting the pirates, adducing evidence in various courts and eventually leading to convictions where offenders were either jailed or parted with hefty fines. As the days went by, life became harder with threats, maiming and all sorts of tricks were deployed to silence him. Luckily, there were other producers who were faced with the same wrath. Two are better than one and so he took the initiative together with the likes of the late former Kamp Director Indechi Masinza, Kamp Chairman Kassanga, Rehema Lungoze, the late Mami Matondo, Mary Githinji, Sammy Joffa, Samuel Itotia, Crispin Muriuki and George to mention just a few, to form the Recording Industry Association of Kenya (RIAK). With this unifying bond, they were able to contain the pirates. Today, RIAK is an affiliate of the industry umbrella body Entertainment Dealers Association of Kenya (EDAK) which comprises even transformed pirates bodies. The mission of these bodies is to self regulate the industry for maximum benefits to all their members. Karani is the Secretary of EDAK.



VICE CHAIR PERSON

Angela Ndambuki is a highly accomplished, results-oriented executive with several years of experience and vast knowledge in strategic decision making and leadership. She holds a Master of Law in Intellectual property Law from University of Edinburgh, United Kingdom and a Bachelor of Laws degree from the University of Nairobi.

Most recently, she was the Chief Executive Officer at Kenya National Chamber of Commerce and Industry (KNCCI) where she provided visionary leadership, coordinated programs and activities for the organization and advanced relations with the government, stakeholders and the donor community. Her passion for intellectual property saw her secure collaboration with the World Intellectual Property Organisation (WIPO) on Intellectual Property Rights advancement in the business community through training and creation of an IP Policy. Her hard work and resilience saw her nominated as a member of the Advisory Panel for the UK based African Financial & Economic Crimes Academy to tackle financial and economic crime in Sub-Saharan Africa.

Previously, she served as the Chief Executive Officer at Performers Rights Society of Kenya (PRISK) where she was nominated by WIPO in collaboration with the African Regional Intellectual Property Organization (ARIPO) as a Speaker in the sub-regional meeting in Zimbabwe on Economic Impetus in the Creative Industries. She also facilitated the implementation of the first local monitoring and distribution software for collective management of neighboring rights in Sub-Saharan Africa and successfully steered PRISK to become the first African CMO to member of the international performers rights societies umbrella body; SCAPR in 2014. She has won numerous awards including the prestigious CEO Global Awards, 2015 Africa's Most Influential Women in Business and Government in the Category of Welfare and Civil Society Organizations, Top 40 under 40 Women 2017 and listing as 100 most Reputable Africans by Reputation Poll. She also sits as a board member of the Machakos County Entertainment Centre for Film, Media, Music and the Arts



DIRECTOR

Ms Faith Nziva Kithale is currently pursuing a bachelor's degree in public management and leadership at the Management University of Africa. She became a recording artist in 1995 at the age of seventeen years. Since then she has written over 400 songs out of which over 200 are recorded and released while the rest are recorded but not yet released. Ms Kithale has so far declared over 105 songs at KAMP.



DIRECTOR

Mr. Abeddy Ngosso Sharua is an accomplished studio engineer and has worked at Studio Sawa, Andrew Crawford Studios, Hitscore Studios and Baptist Studio in Nairobi between 2002 and 2009. He established his own studio and record label known as Gamba Productions in 2009 and operates under the same to-date. Mr. Ngosso has worked with many artists including Shari Martin, Godwin Ngosso, Mary Wambui, Marion Shako, Peace Mulu, Nancy Wanja, Isaac Kahura and Annastacia Mukabwa.



DIRECTOR

Mr. Patrick Kumwaka Ndilango entered the music scene in 1997 and recorded his first album in 2000. He has so far released hundred and twelve (112) songs of which ninety four (94) have been declared at KAMP. Before joining KAMP as a Director, Mr. Ndilango served as a member of the budget committee in Eastern Region at the Music Copyright Society of Kenya (MCSK) between 2014 and 2017. He also served in Eastern Musicians Association (EMA), which among other things ensures the welfare of musicians is well taken care of.



DIRECTOR

Rev. Dr. Anthony Musembi Kivuthi holds a Bachelor's Degree from Daystar University and an Honorary Doctorate Degree from University of America. Besides being an ordained pastor, Rev. Musembi has been a director and producer of Pacato Music Productions for Audio and Video Recordings for over fifteen years. He has been involved in pastoring and church planting for more than 20 years. He has pioneered and established Pacato Music School, which has nurtured more than 150 musicians. He has also produced several music recordings including 12 personal Music Albums with over 120 songs plus other recordings of other various artists.



DIRECTOR

Rev. Gabriel Kahu Ole Torme is an ordained pastor and a holder of Diploma in Theology from the East Africa School of Theology (2010). He is an accomplished author, Publisher and Producer of Sound Recordings. He has served in different capacities in the music industry such as member of ad hoc committee on blank media levy at KAMP (2013-2014), member of Nairobi Region Committee on the amendment of the Memorandum and Articles of Association of MCSK (2010-2013) and also chaired the Kenya Music Anti-piracy Association (KEMAA), 2000 -2005.

THE NEW BOARD FIRST 100 DAYS IN OFFICE

Kenya Association of Music producers is one of the leading collective management organizations in Kenya regulated by the Kenya Copyright Board. KAMP has a major role to play in addressing the challenges that industry players and rights holders face in getting remuneration for the use of their works.

The Board of directors hit the ground running immediately after the elections that was held on 1st August 2018, taking immediate steps that ultimately will deliver results. In their First 100 Days in office, the Board of Directors have made several outreach initiatives and put member input a high priority, holding and attending events and meetings that set out to bring change to KAMP.

The new Boards of KAMP & PRISK have held their joint strategic meetings to appreciate the integration process and to approve short term strategies to increase the momentum for 2018 collection. This involved a meeting with field teams to share and refresh on issues on the ground.

The Vice chairperson, Miss Angela Ndambuki represented KAMP in the second music in Africa conference that hosted about 5,000 visitors and delegates from at least 50 countries for 2018 that was held at the Kenya National Theatre. The conference dubbed ACCES was launched in Dakar, Senegal in 2017, and has become one of the leading annual music events in the African continent, attracting a strong niche audience of music industry players from all over the globe.

The chairman and the Board of Directors have set a three year strategic plan that will provide the road map towards KAMP's Vision of Empowering our members economically through efficient and transparent leadership. The strategic planning process for KAMP was led by Rob Hooijer who is fully experienced in matters of collective management organizations having worked as the CEO of leading CMOs in South Africa and currently consulting for WIPO (World intellectual property organization) and IFPI (International Federation of the Phonograms Industry).

The Board prepared a plan building on their experience and taking account of the dynamic operating environment and the challenges posed to the CMO to provide strategies and mechanisms that respond adequately to the challenges and expected changes. This Strategic Plan expresses the future aspirations of all the

stakeholders of the organization. It is a framework through which KAMP shall apply its resources and strengths to exploit the available opportunities and confront any threats that it may face towards achieving our mission.

The Plan will help KAMP position itself strategically in its operational environment by aligning effectively to the changes taking place. In this regard, the Board has in this plan identified key strategic themes that they will focus on for the next three years and the board has made commitment to achieve the following:

- i. A commitment to increase collection, manage costs and increase royalty payments to members
- ii. A commitment to ensure joint collection works to make it easy for users to pay
- iii. Invest in capacity building and systems to increase collections. This is in form of personnel, vehicles and digital licensing systems.
- iv. Performance management for staff where all staff shall be subjected to particular goals to deliver each year and evaluated to gauge performance
- v. Collaboration. The board shall continue to pursue beneficial collaboration with local and international organizations
- vi. Commitment to serve our members



CHEZA NGOMA LIPA NGOMA

All users of sound recordings and audiovisual works are required by law as provided for in the Copyright Act 2001, Laws of Kenya, to get licenses from KAMP and PRISK for the use of Music. It is in this light that we require your vehicle to comply with the aforesaid Act by obtaining a Communication to the Public License from KAMP-PRISK. You are required to comply within seven (7) working days failure to which we shall take necessary action in accordance with the law.

Transport: Use of sound recordings and audio visual works tariffs

| User Type | Sound and musical Rights amount per year | Visual, sound and musical Rights amount per year |
|----------------------|--|--|
| Company Vehicles | Kes 2, 000 | Kes 2, 500 |
| Taxis | Kes 2, 000 | N/A |
| Tour Vans | Kes 5, 000 | Kes 6,500 |
| Vehicle 14 seater | Kes 7,000 | Kes 10,500 |
| Vehicle 15-35 seater | Kes 14,200 | Kes 17,200 |
| Vehicle 36-55 seater | Kes 24,500 | Kes 29,600 |
| Over 55 seater | Kes 30,700 | Kes 36,550 |

For more info call: 0710 309 695 or 0738645041

Payment Details

| | |
|----------------------|---------------------------------|
| Bank | Commercial Bank of Africa (CBA) |
| Account Name | KAMP-PRISK |
| Account Number | 6788330018 |
| Branch Name | Junction |
| Mpesa Paybill Number | 880101 |



Also visit www.kamp.or.ke or www.prisk.or.ke

PICTORIAL



KAMP AGM 2018





**KAMP
AGM
2018**



PICTORIAL

KAMP STRATEGIC PLAN 2018





ACCES is a pan-African event for music industry players to exchange ideas, discover new talent and create business linkages



ACCESS MUSIC IN AFRICA 2018



Timothy Mutinda, Administration manager at KAMP gets candid with us

When did you join KAMP and how have you found your space within the organization?

I joined KAMP in 2008 as an Ag. General Manager . I served as a volunteer on pro-bono basis since KAMP didn't have income then until 1st May 2009 when I was engaged on full time basis with a monthly allowance. I was employed as a full time employee for the position of Administration Manager on 1st March 2010. This is a position I have held until now.

Where did you grow up?

I was born in Mwingi, Kitui County where I started schooling but moved to Magarini Primary School, situated about 25KM North-west of Malindi in Kilifi County. After I sat my CPE in 1982, I moved to Mombasa, where I joined Mombasa Technical High School for my "O" Level in January 1983, then Shimo-La-Tewa School for my "A" Level in January 1987. I then joined Egerton University, Njoro Campus in September 1989 for my under-graduate course.

What did you do before this job?

After my graduation at Egerton University in 1993, I joined Guiding Systems (GS) Consult Ltd, a development planning and training consulting firm based in Nairobi from 1st April 1994 on a full time basis for 2 years until 31st March 1996. I was working as development planning facilitator. From 1st April 1996, I began working at the same firm as an associate consultant in development planning until April 2009, when I joined KAMP. I was involved in facilitating participatory strategic planning workshops, monitoring and evaluation, participatory training of trainers and participatory research in the Eastern Africa Region (Kenya, Tanzania, Uganda, South Sudan and South Western Ethiopia).

What did you study in school?

I studied B.A. in Sociology and Economics (Egerton University, 1993) and MBA (HR, UON - continuing)

Describe your typical day in the office.

As an Administrator, I usually start off the day with checking my emails and respond accordingly if any requires my attention and support. My work involves providing support to basically all the departments at KAMP and also KAMP-PRISK on shared activities. I mostly handle activities relating to Admin, Membership, PR & Marketing and Finance/Accounts departments. I also sit in Board's Committees and also the full Board to assist the CEO in taking the minutes. In addition to admin issues, I also respond to staff issues as part of the senior management. I am also in charge of planning and reporting at KAMP.

What are the most enjoyable aspects of your job?

Serving as the link between all department gives me an opportunity to have up to date information on the operations at KAMP. In addition, being the pioneer employee at KAMP allows me to occupy an important position of holding the "institutional memory" of KAMP. It gives me a lot of pleasure for being a reference point on historical matters of KAMP.

What or who has been your greatest influence in your work and why?

PROFILE

Before I joined KAMP, I owe my past experience to one, Stanley Mbagathi who trained and mentored me to be an expert in strategic planning using the logical framework approach. He is credited for introducing the approach in Kenya in 1989 through development programmes funded through Germany Technical Co-operation (GTZ). Then I got the inspiration to join KAMP by two of the pioneer Directors namely: Japheth Kasanga and Justus Ngemu in 2007 during an anti-corruption campaign project through religious music that we were involved in as consultants. Their encouragement has kept me going at KAMP till this day.

What one thing have you learned as an Office Administrator?

To be patient with people and to be ready to take the blame when things don't work as expected.

When you are not working, what do you like to do?

I like spending time with my family. I am married with 3 children (two daughters and a son). I also attend practice sessions at my church over the weekend. I play lead guitar for all music groups at my church in Buru Buru, Nairobi. I started playing the guitar at church in 1983 to-date.

What was your favorite job or project?

Ans: My favourite project was when I was the socio-economist expert for a rain water harvesting pilot project in Karamoja Cluster Region covering Turkana County in Kenya, NE Uganda (Karamajong area), South Sudan and South Western Ethiopia from 2004 to 2006.

What was great about it?

The experience taught me how to cope in hardship areas and appreciating where I come from. The trips to the region were very adventurous mixing with pastoralists and feeling part of them. Crossing the Omo River in S.W Ethiopia by canoes was quite a remarkable experience.

What's your biggest challenge at work now?

Coping with paper work. The expected automation of some of the administrative work e.g. with Enterprise Resource Programme will bring a lot of relief and reduce the paper work.

What do you consider one or two of your greatest accomplishments?

I remember when I joined KAMP in 2009 I was the only employee with a desk at one of the pioneer Director's Office in the CBD. Eleven years down the line, we have more than enough office space with more than ten employees and at least five departments.

What do people get wrong about you?

My age and where I come from.

Name one dead/alive celebrity you would like to have dinner with!

Internationally: Ron Kenolly, great worship leader I admire very much. Locally: Retired president Daniel Moi.

Imagine you could step in a teleport for a day and go to any place and time in history. Where and when would you travel to?

Israel through Egypt – to visit the historical sites mentioned in the Biblical.

WAYS MUSICIANS CAN MAKE MONEY



One of the biggest challenges facing musicians is generating income. Although sales of recorded music have dropped significantly, there are many new sources of income available to musicians.

CD Sales:

Having CDs on hand is still a good idea. They make great takeaway souvenirs that can easily be signed by band members.

Digital Sales:

You should be selling digital music through your own website to make the most money, but also through online retailers. Keep in mind that online retailers take a percentage of sales (ex. iTunes takes 30%).

Streaming:

Although per-stream payouts from streaming services tend to be small, they can add up over time. Keep in mind that these services also help new fans discover your music, and shouldn't be seen solely as an income

generator.

Live Shows:

Money made from live shows can vary greatly, but it's still one of the best ways to earn income. Not only can you make money from selling tickets, but it's also one of the best ways to sell merchandise.

Physical Merchandise:

Income from physical merchandise can depend heavily on the amount of live shows you play. If you go out on tour, be sure that you have some t-shirts, as well as smaller items like caps that you can sell to fans after the show.

Digital Merchandise:

You can also sell digital merchandise items like PDFs, videos, and images to your fans. Things like lyric books, live concerts, sheet music, exclusive photos, artwork and more.



Crowdfunding:

Crowdfunding can be a great way to generate income for your music career. A well-executed crowdfunding campaign can help you raise enough money to offset the cost of producing and marketing your album.

Publishing Royalties:

You should be signed up to a collective management organization so you can collect royalties on your music. This includes public performance royalties (radio, TV, live venues), mechanical royalties (sales through retailers, streaming, etc.), and sync royalties (commercials, film, TV).

Licensing:

If you get your song placed in a film, commercial, or TV show, chances are they're going to pay you a licensing fee. These fees vary greatly, depending on the budget for the project, and how badly they want your particular song.

YouTube:



On YouTube, whenever your music is used in videos that are running ads, YouTube pays a portion of that advertising money to the rights holders of the song.

Sponsorships:

If you've built up a fan base, some companies are willing to sponsor musicians to reach those fans. Sponsorships can range from cash, to free products, services, and gear.

Session Work:

Another way to make some extra money is to put yourself out there as a session musician. As a singer or instrumentalist, you could do session work for other musical projects, or even in advertising.

Songwriting/Composing: If you're a songwriter, you could write songs for other musicians, or compose music specifically for film and television.

Cover Gigs:

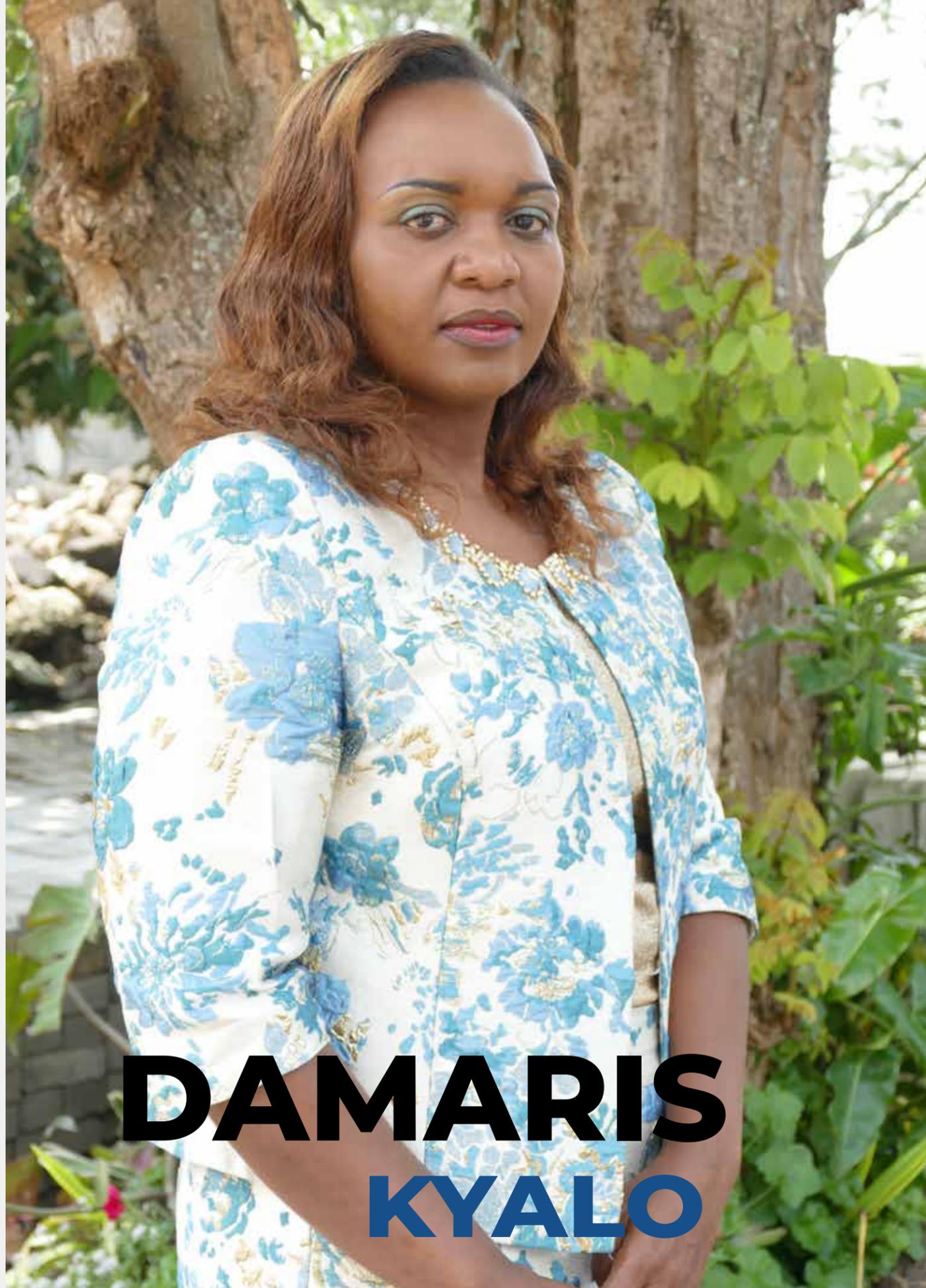
Playing cover gigs at bars, restaurants, weddings, and other private events is frowned upon by some musicians. But those shows can pay really well, and allow you to get paid to play your instrument.

Music Lessons:

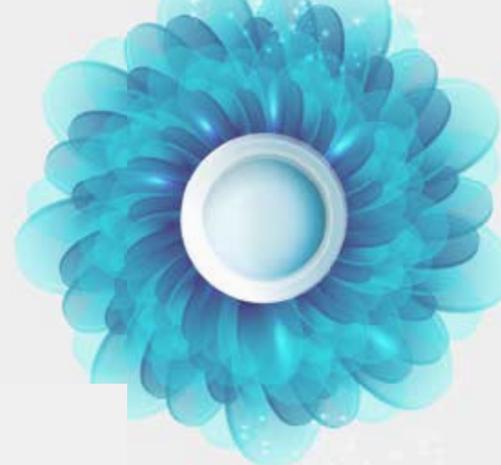


Many musicians teach their instrument to others to help generate revenue towards their own career. This can be a nice way to supplement your income, and allows you to hone your craft at the same time. If you're looking to give music lessons,

Article by Dave Cool



DAMARIS
KYALO



Name: Damaris Kyallo
Stage Name: “Ikia Muvaka”

Q: How did you start your Music career?
 I have loved music since I was young, right from Sunday school, to the church choir. When I cleared from secondary school education, I came to Nairobi, I felt like I wanted to sing and that’s how it all began.

Q What’s your genre of music?
 I sing gospel. I like preaching the gospel through music

Q. Why did you choose to do gospel music specifically?
 Personally, I’m a born again Christian. I love the word of God and I wanted to preach the word through music because you can preach in the church but through music you preach to different people in different areas, and you have a wide coverage.

Q. What made you realize that music was your path?
 Music was and has been my passion since childhood. I grew up loving music.

Q. Who influences you musically?
 I love Kenyan music especially Kamba music. I love Japheth Kassanga and Anne Kassanga. They have inspired me and they sing very well and I look up to them. I always say that one day I will reach the same heights that they have reached in music.

Q. what makes your music Unique?
 Everybody was blessed with different talents and people do their music differently. I particularly sing in my local dialect, “kamba”. I find that people understand my music more when I sing gospel messages with a language they understand and are able to relate to.

Q. Tell us about your latest album?
 My latest album is in Swahili, “Nyimo za sifa”. This album I was inspired when was in church. I attend the African Brotherhood church and we sing such music there. The music touches my heart and it inspires me immensely. So recently I decided to put the songs into an album. I got into the recording studio and decided to record them such that wherever someone goes, whether in the car or in the house I can play the music and it continues to bless their hearts.

Q. Do you write your own songs?
 Yes, I do. I also produce my own music.

Q. Tell us about your albums?
 I have six albums so far.
 My first album was “Uma Naini” that was produced by Mr. Justus Ngemu immediately I cleared my secondary school education. After that I went on to produce my own music. The second album was “**ikia muvaka**”, followed by “Uthaihaa Kyau”, then “Etikili Kivwau”, and “Ikavotu” and now **nyimbo za sifa** is the 6th one.

Q. What’s the best song you have ever recorded?
 The best song I have ever recorded is Ikia Muvaka. I love it.

Q. Has there been a particular moment in your music career that you are most proud of?
 Oh yes! In the year 2005, I really travelled a lot just within the country and mostly in Ukambani region. I preached the gospel through music and I was well received by my community and they loved my music. People would get saved through music. 2005 was my year of the lord.

Q. Is there a particular artist you would love to work with in future?
 I’d love to work with Wilberforce Musyoka. His songs really bless my heart. There is also John K. who is coming up very well.

Q. Where can one buy your albums?
 They are available at Kassangas music store

Q. What do you do aside from singing?
 I am married and I have 3 children. So you find me mostly taking care of my family. I



Damaris and her god-daughter

also assist in running the family business.

Q. Advice to someone who wants to join the music industry?
 One has to have passion. They also need to understand and be clear why they want to do music in the first place. One has to ask themselves are they pursuing music as a career, do you have a calling, what do you hope do bring out in their music? One need to understand singing is a talent and God sees the desires in our hearts and God also sees our motives. It’s good to earn a living through our talents because God has blessed us through them.

Q. Word to your fans
 To the people who listen to my music, I want to say Thank you. This far I have come is because of your support through buying my music and prayers. I love you and the Lord love you, continue supporting me and I promise to continue upholding the word of God in my songs. May the lord continue blessing you all.

IMPACT OF THE NEW CMO REGULATIONS

By
Faith Amatika,
Legal Counsel (Kenya Copyright Board)



The Kenya Copyright Board (KECOBO) is established under section 3 of the copyright Act and one of its mandates is to organize the legislation on copyright and related rights and propose other arrangements that will ensure its constant improvement and continuing effectiveness (see section 5(d) of the Act). In this regard it has come up with the Copyright (Collective Management) Regulations 2018 popularly referred to as the Collective Management Organization (CMO) Regulations 2018.

The foregoing Regulations are yet to be validated and as such they are not yet operational. A validation meeting that was to be held on the 17th of December 2018 was postponed to a later date in the new year. Pending the validation, Collective Management Organizations will be governed by the relevant sections of the Copyright Act as well as the Copyright Regulations (2004).

Section 46 of the Copyright Act provides

for the registration of a Collective Management Organization. Regulation 15 and 16 of the Copyright Regulations stipulate the details of the application, laying down the relevant forms that have to be filled in that respect.

Under the Proposed CMO regulations, a CMO will now be required to provide additional documents compared to what was required previously. One such document is a business plan showing financial infrastructure and personnel capacity for collection and distribution of the royalties (Regulation 3(i)). A business plan is a very important document because it shows a company's or institution's targets and the mechanisms that intend to be employed in achieving those targets. A CMO is expected to collect and distribute royalties for rights holders and therefore it is necessary to give a satisfactory breakdown to the board (KECOBO) on the ways in which it intends to achieve this goal.

In addition to the documents to be presented by a collective Management Organization, the Kenya Copyright Board, in considering whether the Collective Management Organization has the capacity to collect and distribute the royalties shall take the following factors into account (Regulation 3(2)):

- a) Whether there is demonstrated integrity, transparency and accountability in collection and distribution of the royalties.
- b) Whether the Collective Management Organization adheres to National values and principles of

governance provided for under Article 10 of the constitution of Kenya

- c) The particulars of the directors and their antecedents
- d) Whether membership is fully representative of the class that it claims to represent, taking into account adherence to the standard gender rules.
- e) Whether the administrative costs are as a matter of policy minimal. The administrative costs shall not exceed 30% of the royalties collected.
- f) Whether the royalties are regularly and properly distributed using the approved distribution rules.
- g) The particulars of the senior management and their qualifications.
- h) The strategies and systems put in place to ensure that the royalties are collected and distributed efficiently.
- i) The audited accounts submitted
- j) Submission of all quarterly reports before the 10th day of next quarter.
- k) Any further information and clarification that may be useful in determining the application for renewal. Where the information is not available or provided, the Executive Director shall send an auditor to the Collective Management Organization to conduct systems, forensic or financial audit as may be relevant.

The overall impact of these additional requirements is basically to ensure that CMOs carry out their function efficiently. For instance, the requirement of not



spending more than 30% (paragraph (e)) of the total collection on administrative costs is to ensure that CMOs distribute royalties to rights holders as opposed to collecting and spending on administrative expenses to the detriment of rights holders. Paragraph (k) above is also very key because it will cure the possibility of a CMO colluding with an auditor to give a doctored report in its favor. The other provisions basically relate to abiding with constitutional provisions regarding holding public offices. These provisions are laudable as they will help curb misappropriation of funds.

Regulation 3(7) and (8) of the proposed regulations also empower the Board to appoint an inspector as well as a statutory manager. The provision is as follows:

(7) 1. In relation to Sec 46 D (i) the Board shall appoint a person experienced and qualified as an accountant to undertake the inspection as may be required under the Act. Such an inspector shall not be an employee of the Board or the Collective Management Organization being inspected. The costs and fees of such an inspection shall be paid by the Board on delivery of the inspection report.

2. In relation to Sec 46 E (1)(e) such inspector may conduct the assignment for a period of not more than 3 months.

(8) in relation to Sec 46E (f), the Executive Director shall appoint the statutory manager by a letter and such appointment

shall be published in two newspapers with the largest circulation and shall be published in the Kenya Gazette.

It is however important to note at this stage that Section 46D and 46E of the copyright Act is not in force yet. It is among the new provisions in the Copyright Bill that has been pending in senate since August 2018. That notwithstanding, they are very important provisions as they will enhance optimum performance by CMOs.

The new regulations also have provisions relating to the rights of right holders. One important provision is the right of a right holder to terminate and withdraw the authorization of a CMO to manage their rights. This is provided for in Regulation 5(d). Previously, it has been difficult for a right holder to withdraw their mandates from a CMO due to lack of legislative frameworks. This provision will cure that anomaly.

On the distribution of royalties, a CMO will be required to regularly, diligently and accurately distribute and pay amounts due to right holders in accordance with the general policy on distribution decided upon in the Annual General Meeting. The payment shall be made as soon as possible and not later than the beginning of period which starts 9 months from the end of the financial year which the rights revenue was collected. This is provided for in Regulation 13.

The Regulations also provide for User License agreements and the way negotiations between users and CMOs ought to be conducted to ensure mutual understanding and compliance. (Regulations 15 & 16)

In conclusion, the Proposed CMO Regulations are meant to ensure that collective administration of copyright is done in a better way. They are meant to cure the anomalies and grey areas that have hitherto not been provided for. If validated, the collective administration of Copyright in Kenya will have reached a new, higher level.

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