

LEGAL NOTICE No. 9

THE COPYRIGHT REGULATIONS, 2004

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[THE COPYRIGHT ACT](#), 2001

(No. 12 of 2001)

IN EXERCISE of the powers conferred by section 49 of [the Copyright Act](#), 2001, the Attorney General makes the following Regulations:–

PART I - PRELIMINARY

1. Citation and commencement.

These Regulations may be cited as the Copyright Regulations, 2004.

2. Interpretation.

In these Regulations, unless the context otherwise requires –

“Authority” means the Competent Authority established under section 48 of [the Act](#).

“exclusive licence” means a licence in writing signed by or on behalf of an owner or prospective owner of copyright or related rights, authorizing the licensee to the exclusion of all other persons, including the person granting the licence, to exercise a right which by virtue of [the Act](#) would (apart from the licence) be exercisable exclusively by the owner of copyright or related rights and “exclusive licensee” shall be construed accordingly.

“public display” means the showing of original or a copy of a work –

(a) directly;

(b) by means of a film, slide, television image or otherwise on screen;

(c) by means of any other device or process; or

(d) in the case of an audio-visual work, the showing of individual images consequentially at a place or places where persons outside the normal circle of a family and its closest social acquaintances are or can be present, irrespective of whether they are or can be present at the same place and time or at different places or times, and where the work can be displayed without communication to the public;

“public performance” means –

(a) in the case of a work other than an audio-visual work, the recitation, playing, dancing, acting or otherwise performing the work, either directly or by means of any device or process;

(b) in the case of an audio-visual work, the showing of images in sequence and the making of accompanying sounds audible; and

(c) in the case of a sound recording, making the recorded sounds audible at a place or at places where persons outside the normal circle of the family and its closest acquaintances are or can be present, irrespective of whether they are or can be present at the same place and time, or at different places or times, and where the performance can be perceived without the need for communication to the public.

“related rights” mean rights neighbouring on copyright, including those subsisting under sections 27 (2), 28, 29, 30 of [the Act](#);

3. Forms.

The forms referred to in these Regulations are the forms set out in the First Schedule.

4. Fees.

(1) The fees set out in the Second Schedule shall be the prescribed fees for the purposes of these Regulations.

(2) If, for a fee, a corresponding form is referred to in the Second Schedule, the fee is payable when the form is used.

(3) Any fees paid in error shall be refunded upon proof of the error to the satisfaction of the Executive Director.

PART II - ADMINISTRATION

5. Training, competitions and awards.

In carrying out its functions under paragraph (c) and (e) of section 5 of [the Act](#), the Board shall –

(a) organize and conduct training relating to copyright matters at all levels, in collaboration or association with other relevant institutions, if necessary; and

(b) among other activities, organize competitions and contests and give prizes and awards.

6. Office hours of the Board (Copyright Office).

The offices of the Board shall be open to the public each day, other than on a Saturday, Sunday or public holiday, from 9.00 am to 1.00 p.m. and from 2.00 p.m. to 4.00 p.m.

7. Appointment of advisors.

(1) The Executive Director may, in consultation with the Board, appoint such experts, advisors or consultants in relation to any matter before the Board or to perform any other function or functions specified by the Executive Director.

(2) In exercise of his powers under paragraph (1), the Executive Director shall not make an appointment that the Board is authorized to make under section 12 of [the Act](#).

8. The Copyright Register.

(1) Pursuant to the provisions of paragraph (f) of section 5 of [the Act](#), the Executive Director shall open and maintain a register known as the “Copyright Register” wherein the following particulars shall be recorded in respect of any copyright work that the owner elects to register –

- (a) the number and title of the copyright work;
- (b) the name, address and nationality of the copyright holder;
- (c) the date of the application for registration of a copyright work;
- (d) address for service of the copyright holder;
- (e) a licence granted by the copyright holder;
- (f) a notice of every document affecting a change in address or ownership of the work or purporting to give interest in it as security;
- (g) if the copyright holder dies, a notice to that effect accompanied by a copy of the death certificate; and
- (h) any other information required under [the Act](#) these Regulations or any other information that the Executive Director may consider appropriate to be recorded in the Copyright Register.

(2) The purpose of entering the particulars set out in paragraph (1) in the Copyright Register is to –

- (a) maintain a record of copyright works;
- (b) enable the Board to establish and maintain an effective data bank on authors and their works; and
- (c) publicize the rights of the owners of works.

(3) The subsistence, enjoyment and enforceability of copyright shall be independent of whether or not it is registered under these Regulations.

(4) The following shall apply with respect to names of persons entered in the Copyright Register –

(a) if the person is a natural person, the person's surname shall be set out first followed by the given names; and

(b) if the person is not a natural person, the full name of the legal entity shall be set out.

(5) The following provisions shall apply to the addresses of the persons set out in the Copyright Register –

(a) the address shall be sufficient to allow prompt delivery by post, fax, e-mail and hand;

(b) only one set of address shall be set out for each person; and

(c) address under this regulation includes electronic mail, postal and physical addresses.

(6) Where the owner of a work wishes to have it registered in accordance with paragraph (5), he shall submit two copies of such work to the Executive Director.

(7) An application for registration of a work under this regulation shall be made on Form

No. CR 1 and shall be accompanied by the prescribed fees set out in the Second Schedule.

(8) On receipt of an application in respect of any copyright work under paragraph (6), the Executive Director may, after making such enquiries as he may deem fit enter the particulars referred to in paragraph (1) in the Copyright Register.

(9) A certificate of registration in Form No. CR 2 shall be issued by the Executive Director in respect of an application for registration of a Copyright work made pursuant to paragraph (7).

(10) (a) The Executive Director shall also keep and maintain such indexes of the Copyright Register as he may deem fit.

(b) The Copyright Register and indexes kept under this paragraph shall at all reasonable times be open for inspection, and any person interested shall be entitled to take copies of or make extracts from such Register or indexes on payment of the prescribed fees.

(11) The Copyright Register shall be *prima facie* evidence of the particulars entered therein and documents purporting to be copies of any entry therein, or extracts therefrom certified by the Executive Director or any other officer authorized by the Board and sealed with the seal of the Board shall be admissible in evidence in all courts without further proof or production of the original.

(12) The Executive Director may, for good cause or upon an application by any interested party, on such conditions as he may deem fit, amend the register by –

(a) correcting any error in the name, address or other particulars of the applicant; or

(b) correcting any other error, which may have arisen in the register by accidental slip or omission.

(13) The Board may, on an application of the Executive Director or of any person aggrieved, and upon hearing the parties concerned, order the rectification of the Copyright Register by –

(a) making any entry wrongly omitted to be in the Copyright Register;

(b) expunging any entry wrongly made in, or remaining on the Copyright Register; or

(c) correcting any error or defect in the Copyright Register.

(14) Every entry made in the Copyright Register or the particulars of any work entered therein under paragraph (8), and the correction of every entry made in the Copyright Register under paragraph (13), shall be published by the Executive Director in the Gazette or in such other manner as the Board may deem fit.

9. Change of ownership.

- (1) An application for change of name or address of copyright holders shall be made on Form No. CR 3.
- (2) An application for recordal of a licence or sub-licence shall be made on Form No. CR 4 and shall be supported by a certified copy of the licence contract.
- (3) Where there is a change of ownership in respect of any copyright work pursuant to these Regulations an application for change of ownership shall be made on Form No. CR 5 supported by a certified copy of the relevant instrument effecting the change.

**PART III - VERIFICATION OF ASSIGNMENT OF COPYRIGHT WORKS
FROM OUTSIDE KENYA**

10. Verification of assignment of copyright works from outside Kenya by the Board.

- (1) This regulation applies with respect to verification by the Board of an assignment of copyright work or works from outside Kenya under section 33 (3) of [the Act](#).
- (2) An application to the Board for verification of an assignment of copyright works from outside Kenya shall be made on Form CR. 6 and shall be supported by a certified copy of the deed of assignment.
- (3) A letter of verification pursuant to an application under paragraph (2) shall be in Form No. CR 7.

**PART IV - AUTHENTICATION OF COPYRIGHT WORKS UNDER SECTION
36 OF [THE ACT](#)**

11. Authentication of copyright.

- (1) Every sound recording and audio-visual work imported into Kenya, intended for sale or offered for sale, rental, hiring, lending or otherwise distributed or intended for distribution to the public for commercial purposes in Kenya shall have affixed to it an authentication device:

Provided that this regulation shall not apply to computer programs embodied in a sound recording or an audio-visual work.

- (2) The authentication device shall –
 - (a) be a tamper proof sticker to be issued by the Board;
 - (b) be serially numbered; and
 - (c) be stuck on the sound recording or audio-visual work that is displayed for sale or distribution.

12. Affixation of authentication device.

(1) The authentication device shall be affixed –

(a) in the case of sound recordings and audio-visual works produced in Kenya, at the point of production or at such other point as the Board may, from time to time, designate; and

(b) in the case of sound recordings and audio-visual works imported into Kenya, except where such works are exclusively for personal use, before they are released into the channels of commerce in Kenya.

(2) The authentication device shall be affixed to every medium, except a computer program, in which a sound recording or audio-visual work embodied except computer programs.

(3) An application for authentication of copyright works under section 36 (1) shall be made on Form No. CR 8.

(4) An application under paragraph (3) shall be accompanied by the relevant documentary evidence as proof that the author of the works or any other copyright holder of such works has authorized the manufacture or production of such sound recording or audio-visual works in Kenya.

(5) A certificate of approval issued by the Board to an applicant to purchase an authentication device from the Kenya Revenue Authority shall be in Form No. CR 9.

(6) The authentication device referred to in this regulation shall be used for –

(a) securing the right and interests of the holder of copyright and related rights;

(b) anti-piracy activities; and

(c) administering the anti-piracy security device.

PART V - FINES PAYABLE TO THE BOARD

13. Fines payable to the Board.

All fines payable to the Board under section 38 (10) of [the Act](#) shall be remitted to the Board by the Court on Form No. CR 10.

PART VI - INSPECTION

14. Appointment of inspectors.

(1) Inspectors appointed under section 39 (1) of [the Act](#) shall carry certificates of authority while executing their duties under [the Act](#) or these Regulations.

(2) The names of all copyright inspectors appointed under section 39 (1) shall be published in the Gazette.

(3) A certificate of authority issued by the Board under section 39 (1) of [the Act](#) shall be in Form No. CR 11.

PART VII - REGISTRATION OF COLLECTING SOCIETIES UNDER SECTION 46 OF [THE ACT](#)

15. Application for registration of a collecting society.

(1) An application for registration of a collecting society under section 46 (2) of [the Act](#) shall be made on Form No. CR 12 accompanied by the following documents –

(a) a certificate of registration as a company limited by guarantee and incorporated under the provisions of [the Companies Act](#); cap. 486

(b) a certified copy of a society's Memorandum and Articles of Association;

(c) where applicable, a certified copy of the society's annual return filed with the Registrar of Companies showing the corporate structure of the society during the period of January to December of the previous year;

(d) where applicable, audited accounts of the society for the five years preceding the date of its application for registration as a collecting society under [the Act](#) and these Regulations;

(e) a full list of the names and addresses of all the members of the society; and

(f) any other document or information that the Board may require the society to produce.

(2) A certificate of registration of a collecting society shall be in Form No. CR 13.

(3) An application for renewal of registration of a collecting society and certificate of renewal of registration of such society shall be in Form No. CR 14 and Form No. 15 respectively.

PART VIII - FILING OF ANNUAL REPORTS AND AUDITED ACCOUNTS BY COLLECTING SOCIETIES UNDER SECTION 47 OF [THE ACT](#)

16. Annual reports and audited accounts.

(1) This regulation applies with respect to filing of annual reports and audited accounts

under section 47 of [the Act](#).

(2) Every registered collecting society shall within three months after the end of each financial year, submit to the Board on Form No. CR 16 an annual report for that year accompanied by a copy of its audited accounts in respect of that year.

(3) The annual report referred to in paragraph (2) shall contain –

- (a) a comprehensive report of all the society's activities during the year;
- (b) a list of all its members as at the end of the financial year;
- (c) the total amount of royalties collected by the society;
- (d) the amount of royalties paid to each member;
- (e) the amount of money spent by the society on the administration of the society and for all its operations;
- (f) the name, postal and physical address of the auditors of the collecting society;
- (g) the names, addresses and occupations of current officials of the society; and
- (h) any other information that the Board may require.

PART IX - PROCEEDINGS BEFORE THE COMPETENT AUTHORITY

17. Application for compensation or payment of royalties.

An application for compensation or for payment of royalties under section 26 (1) (j), 27 (2) or 28 (2) and (4) of [the Act](#) shall be made on Form No. CR 17 and the provisions of regulation 18 shall apply mutatis mutandis to the application for compensation or payment of royalties.

18. Application or appeal to the Authority.

(1) This regulation applies with respect to an application under section 48 (2) or an appeal under section 21 (1) of [the Act](#).

(2) An application or appeal under section 21 (1) of [the Act](#) shall be in Form No. CR 18 and shall be filed with the Competent Authority.

(3) The application or the appeal shall set out the relief sought and shall be accompanied by a statement of facts being relied upon and supporting evidence.

(4) The Authority shall consider the application or the appeal and, if the Authority is of the view that a prima facie case has not been made out for the relief sought, the following shall apply –

(a) the Authority shall notify the applicant or the appellant that the Authority is of the view that a prima facie case has not been made out and that the applicant or the appellant may, within thirty days after the notification, request for an opportunity to be heard;

(b) if the applicant or appellant requests for an opportunity to be heard within the time

period prescribed in sub-paragraph (a), the Authority shall give the applicant or appellant such an opportunity and, if the Authority is still of the view that a prima facie case has not been made out, the Authority shall dismiss the application or the appeal; and

(c) if the applicant or the appellant does not request an opportunity to be heard within the time period prescribed in subparagraph (a), the Authority shall dismiss the application or the appeal.

(5) Unless the Authority dismisses an application or appeal under sub-paragraph (4) (b) or (c), the Authority shall serve a copy of the application or the appeal and the accompanying statement of facts and supporting evidence required under sub-paragraph (3), upon the Board or the collecting society within a period of 21 days.

(6) The Board or a collecting society may oppose the application or the appeal by filing with the Authority a reply in Form No. CR 19 setting out fully the grounds of its opposition.

(7) The reply shall be accompanied by a statement of the facts being relied upon and the supporting evidence.

(8) The reply shall be filed within 21 days after the date of service of the application or the appeal.

(9) The Authority shall serve a copy of the reply and the accompanying statement of facts and supporting evidence required under sub-paragraph (7) upon the applicant or appellant who made the application or the appeal within a period of 21 days of the filing of the reply.

(10) The applicant or appellant who made the application or the appeal may, within 21 days after being served under sub-paragraph (9) file with the Authority further evidence confined to matters strictly in reply.

(11) The Authority shall serve a copy of the evidence filed under sub-paragraph (10) upon the Board or the collecting society.

(12) No further evidence shall be filed except by leave or direction of the Authority.

(13) After completion of the filing of the pleadings and the evidence, the Authority shall set down the application or the appeal for hearing within thirty (30) days.

(14) Upon hearing the application or the appeal, the Appeal, the Authority shall deliver its ruling in writing within sixty (60) days.

PART X - EXTENSION OF THE APPLICATION OF THE ACT

19. Extension of the application of [the Act](#).

Pursuant to the provisions of section 49 (b) of [the Act](#), the application of [the Act](#) is extended -

(a) in respect of literary works, musical works and artistic works to –

(i) individuals or bodies corporate who are citizens of, domiciled or resident in or incorporated under the laws of a country which is a party to a treaty to which Kenya is also a party and which provides for protection of copyright and related rights; and

(ii) those works and audio-visual works first published in a country which is a party to a treaty to which Kenya is also a party which provides for protection of copyright and related rights;

(iii) a country which is a party to a treaty to which Kenya is also a party and which provides for protection of copyright and related rights; and

(iv) individuals or bodies corporate who are citizens of, domiciled in those audio-visual works and photographs, first made available to the public or first published in a country which is a party to a treaty to which Kenya is also a party and which provides for protection of copyright and related rights.

PART XI - USE OF FOLKLORE

20. Application to use folklore.

(1) This regulation applies with respect to use of folklore under section 49 (d) of [the Act](#).

(2) Any person who wishes to use any folklore for commercial purposes shall submit his application to the Board on Form No. CR 20, accompanied with the fees set out in the Second Schedule.

(3) Any person who uses folklore for commercial purposes in Kenya without the permission of the Board commits an offence.

(4) Any person who –

(a) willfully misrepresents the source of an expression of folklore; or

(b) willfully distorts any expression of folklore in a manner prejudicial to the honour, dignity or cultural interests of the community in which it originates;

commits an offence.

(5) Any person who commits an offence under this regulation is liable on conviction, to a

fine not exceeding six thousand shillings or for a term of imprisonment not exceeding six months or to both.

PART XII - GENERAL AND MISCELLANEOUS PROVISIONS

21. Copies of documents.

A person who wishes to obtain a copy of a document kept by the Board shall make a request in Form No. CR 21 for a certified copy or in Form No. CR 22 for uncertified copy upon payment of the prescribed fees.

22. Copy of lost or destroyed certificate.

(1) The Board may issue a copy of a lost or destroyed certificate.

(2) A request for a copy of a lost or destroyed certificate shall be in Form No. CR 23.

(3) A request for a copy of a lost or destroyed certificate shall be accompanied by a statutory declaration or an affidavit supporting the assertion that the certificate has been lost or destroyed.

23. Extension of time.

(1) The Board or the Authority may extend the time for doing an act or taking proceedings, other than a time expressly provided for in [the Act](#), on such conditions as it may specify.

(2) A request for extension of time shall be made on Form No. CR 24.

24. Signing of forms on behalf of certain bodies.

(1) A form that is required to be signed on behalf of a corporation shall, unless an agent signs it, be signed by a director or the secretary of the corporation.

(2) The following provisions shall apply if a form is required to be signed on behalf of a partnership -

(a) unless the form is signed by an agent, the form shall be signed by a partner or by a person who satisfies the Board or the Authority that the person is authorized by the partnership to sign on its behalf; and

(b) the form shall set out the names and addresses of the partners in full.

25. Statutory Declarations and Affidavits.

The following provisions shall apply with respect to a statutory declaration or an affidavit under [the Act](#) or these Regulations-

(a) a statutory declaration or affidavit shall have a heading indicating the matter or matters to which it relates;

(b) a statutory declaration or affidavit shall be divided into consecutively numbered paragraphs, each of which shall, if possible, be confined to a single subject-matter;

(c) a statutory declaration or affidavit shall fully identify the person making it and shall set out where the person resides; and

(d) a person signing a statutory declaration or an affidavit shall disclose his competence and authority to swear the statutory declaration or the affidavit.

26. Documents to be in English or translated.

(1) Documents provided to the Board under sections 21 (1) and 33 (3) shall be in English.

(2) If a copy of a document that is not in English is required to be provided to the Board or the Authority, the following shall apply –

(a) an English translation of the document shall be provided along with the copy of the document;

(b) the translation shall be certified to be an accurate translation;

(c) if more than one copy of the document is required, one copy of the translation shall be provided for every copy of the document required;

(d) if the Board or the Authority believes the translation is not accurate, the Board or the Authority may refuse it and require an accurate translation; and

(e) the copy of the document shall be deemed not to have been provided until the required translation and copies are provided.

27. Repeal of former Regulations.

The regulations made under [the Copyright Act](#) (Cap. 130 now repealed), are repealed.

FIRST SCHEDULE (r. 3)

FORM NO. CR 1 (r. 8 (7))

**THE COPYRIGHT ACT, 2001
THE KENYA COPYRIGHT BOARD.**

APPLICATION FOR REGISTRATION OF A COPYRIGHT WORK

Name and address of the applicant(s)	
Physical address of the applicant(s)	
Name and address of an agent (if any)	

Category of copyright work	
Date of fixation/reduction into material form	
Title of the copyright work	

I/We, the applicant(s) identified above apply for registration of the above copyright work as

I/We attach hereto two copies of the copyright work (where applicable).

We hereby declare that the copyright work, the subject of this application, is an original work.

BEFORE ME

COMMISSIONER FOR OATHS

Dated at this day of, 20

Signature(s)

Applicant(s)

THE COPYRIGHT ACT, 2001

FORM NO. CR 2 (r. 8 (9))

CERTIFICATE OF REGISTRATION OF A COPYRIGHT WORK

It is hereby certified that a copyright work in the category entitled and numbered

.....

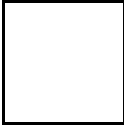
has been registered in the name of

.....

of

in respect of an application for registration of a copyright work No.

Dated at Nairobi this day of, 20



Seal of the Board

.....

The Kenya Copyright Board

FORM NO. CR 3 (r. 9 (1))

**THE COPYRIGHT ACT, 2001
THE KENYA COPYRIGHT BOARD**

**APPLICATION TO AMEND NAME OR ADDRESS OF THE COPYRIGHT
HOLDER**

Name and address of the copyright holder(s)/applicant(s)	
Physical address of the copyright holder(s)/applicant(s)	
Name and address of agent (if any)	
Application number	
Category of copyright work	
Copyright registration number (if any)	

I/We, the applicant(s) identified above apply to amend the following in the Copyright Register-

The details of the requested amendment(s) are attached:

Dated at this day of, 20

Signature(s)

Applicant(s)

**THE COPYRIGHT ACT, 2001
THE KENYA COPYRIGHT BOARD**

APPLICATION FOR RECORDAL OF A LICENCE IN THE COPYRIGHT REGISTER

Name and address of the applicant(s)	
Physical address of the applicant(s)	
Name and address of agent (if any)	
Name and address of the parties to the licence contract	
Category of copyright work	
Title of copyright work	
Title of the licence	
Date of the licence	
Copyright registration number	

The list of documents required by regulation 9 (2) is attached hereto in a separate sheet of paper.

Dated at this day of, 20

Signature(s)

Applicant(s)

FORM NO. CR 5 (r. 9 (3))

**THE COPYRIGHT ACT, 2001
THE KENYA COPYRIGHT BOARD**

APPLICATION TO HAVE A CHANGE OF OWNERSHIP OF A COPYRIGHT WORK RECORDED IN THE COPYRIGHT REGISTER

Name and address of the applicant(s)	
Physical address of the applicant(s)	
Name and address of an agent (if any)	
Application number	
Category of copyright work	

Name and address of registered owner(s)	
Name and address of new owner(s)	
Copyright registration number	

I/We, the applicant(s) identified above, hereby apply to have a change of ownership of the copyright work indicated above recorded in the Copyright Register for the above copyright work.

The change of ownership was effected by:

A deed of assignment

Any other instrument (specify).

I/We attach the documents required under Regulation 9 (3):

Dated at this day of, 20

Signature(s)

Applicant(s)

FORM NO. CR 6 (r.10 (2))

**THE COPYRIGHT ACT, 2001
THE KENYA COPYRIGHT BOARD**

**APPLICATION FOR VERIFICATION OF THE ASSIGNMENT OF A
COPYRIGHT WORK UNDER SECTION 33 (3) OF THE ACT**

Name and address of the applicant(s)	
Physical address of the applicant(s)	
Name and address of agent (if any)	
Category of copyright work	
Copyright registration number, applicable	
Application number	
Name and address of former owner(s)	
Name and address of new owner(s)	

I/We, the applicant(s) identified above, hereby apply for verification of the above copyright work under section 33 (3) of the Act.

The change of ownership was effected by:

A deed of assigning the copyright work

Any other instrument (specified in the attached sheet of paper).

I/We attach copies of the documents required under Regulation 9 (3).

Dated at this day of, 20

Signature(s)

Applicant(s)

FORM NO. CR 7 (r. 10 (3))

THE COPYRIGHT ACT, 2001

**LETTER OF VERIFICATION OF ASSIGNMENT OF A COPYRIGHT WORK
UNDER SECTION 33 (3) OF THE ACT**

It is hereby certified that upon an application filed on the day
of 20 by of

.....

for verification of the assignment of a copyright work in the category
entitled

between.....

of and

of

and given registration number

has been verified by the Board.

Dated at Nairobi this day of, 20

Seal of the Board

Signature

*Executive Director,
The Kenya Copyright Board.*

FORM NO. CR 8 (r. 12 (3))

**THE COPYRIGHT ACT, 2001
THE KENYA COPYRIGHT BOARD**

**APPLICATION FOR AUTHENTICATION OF A COPYRIGHT WORK UNDER
SECTION 36 (1) OF THE ACT**

Name and address of the manufacturer/producer or sound recording or audio-visual work	
Physical address	
Name and address of agent (if any)	
Category of copyright work for which authentication is being sought	
Copyright application/registration number (if any)	
Number of copies to which this application relates	

I/We, the applicant(s) identified above, hereby apply for authentication of the above copyright work under section 36 (1) of the Act and I/we attach a certified copy of the contract allowing me/us to sell or distribute the said works.

I/We declare that the information given above is true to the best of my/our information, knowledge or belief.

BEFORE ME

COMMISSIONER FOR OATHS

NOTE: Authentication devices are not transferable.

Dated at this day of, 20

Signature(s)

Applicant(s)

FORM NO CR 9 (r.12 (5))

THE COPYRIGHT ACT, 2001

**CERTIFICATE OF APPROVAL TO PURCHASE AN AUTHENTICATION
DEVICE UNDER REGULATION 12 (5)**

It is hereby certified that upon an application filed on theday
of, 20by

of

under Regulation 12 (5), the Board has granted its approval
to

of

to purchase the requisite authentication device(s) numbering

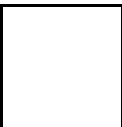
.....

in respect of the sound recording or audio-visual work(s) entitled

.....

from Kenya Revenue Authority.

Dated at Nairobi this day of, 20



Seal of the Board

Signature.....

Executive Director,

The Kenya Copyright Board.

FORM NO. CR 10 (r.13))

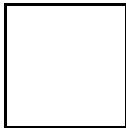
**THE COPYRIGHT ACT, 2001
THE KENYA COPYRIGHT BOARD**

**REMITTANCE OF FINES PAYABLE TO THE BOARD UNDER SECTION 38
(10) OF THE ACT BY THE COURT**

Particulars of the Court making the remittance	
Criminal Case Number	
Name and address of the convict	
Amount of the fine imposed by the Court	
Amount remitted to the Kenya Copyright Board	
Registration number, where applicable, of the copyright work infringed	
Name and address of the owner of the copyright work infringed	

I, do hereby remit the sum of Kenya shillings (KSh.) being half of the fine imposed by the above court on the convict in the above criminal case.

Dated at thisday of, 20



Stamp of the Court

Signature(s)

Designation

FORM NO. CR 11 (r.14 (3))

THE COPYRIGHT ACT, 2001

**CERTIFICATE OF AUTHORITY TO ACT AS A COPYRIGHT INSPECTOR
UNDER SECTION 39 (1)**

It is hereby confirmed that was appointed by the Board as a Copyright Inspector on the day 20

and is authorized to discharge duties of a Copyright Inspector in Kenya assigned to him by the Board under the provisions of [the Act](#) and these Regulations.

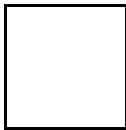
Dated at Nairobi this day of, 20

.....

*Executive Director,
The Kenya Copyright Board.*

.....

Signature and Personal Number of Copyright Inspector



Seal of the Board

FORM NO. CR 12 (r. 15 (1))

THE COPYRIGHT ACT, 2001

THE KENYA COPYRIGHT BOARD

**APPLICATION FOR REGISTRATION AS A COLLECTING SOCIETY UNDER
SECTION 46 (2) OF [THE ACT](#)**

Name and address of the society	
Physical address of society	
Name and address of agent (if any)	
Date and number of registration of the society under the Companies Act	
Number of members of the society	
Class of copyright owners represented	

||

Our reasons for making the request for registration as a collecting society are as follows:

[Empty rectangular box for reasons]

We attach herewith all the documents referred to in regulation 15 (1) in support of our application.

Dated at this day of, 20

Signature(s)

[Empty square box for seal]

Seal of the Society

FORM NO. CR 13 (r. 15 (2))

THE COPYRIGHT ACT, 2001

CERTIFICATE OF REGISTRATION OF A COLLECTING SOCIETY UNDER SECTION 46 (2) OF THE ACT

It is hereby certified that

.....

has been registered as a collecting society under section 46 (2) of the Act under registration number for the category of owners of copyright and related rights.

Dated at Nairobi this day of, 20

[Empty square box for seal]

Seal of the Board

Signature
Executive Director

The Kenya Copyright Board.

FORM NO. CR 14 (r. 15 (3))

THE COPYRIGHT ACT, 2001

THE KENYA COPYRIGHT BOARD

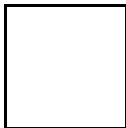
APPLICATION FOR RENEWAL OF REGISTRATION OF A COLLECTING SOCIETY

Name and address of collecting society	
Physical address	
Name and address of agent (if any)	
Date of registration	
Class of copyright owners	
Application number	
Registration number	
Any change which occurred during the past year (use a separate sheet, if necessary)	

We hereby apply for renewal of the registration of the society as a collecting society for the period

We attach hereto a certified copy of our audited accounts for the year 20

Dated at this day of, 20



Seal of the Society

Signature(s)

THE COPYRIGHT ACT, 2001

The Executive Director,
The Kenya Copyright Board

CERTIFICATE OF RENEWAL OF REGISTRATION OF A COLLECTING SOCIETY

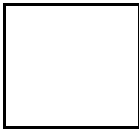
This is to certify that the registration of

.....

for the class of owners of copyright and related rights owners
of with registration number has been
renewed.

The renewed registration will expire on the day of 20

Dated at Nairobi this day of 20



Signature.....

Executive Director,

Seal of the Board *The Kenya Copyright Board*

THE COPYRIGHT ACT, 2001
THE KENYA COPYRIGHT BOARD

ANNUAL REPORT AND AUDITED ACCOUNTS FILED UNDER SECTION 47
OF THE ACT

Name and address of the collecting society	
Physical address of the collecting society	
Name and address of agent (if any)	
Class of copyright and related rights owners	
Date of registration	
Registration number	

We attach herewith all the documents referred to in Regulation 19 (3).

Dated at this day of, 20



Signature(s)

Seal of the Society

FORM NO. CR 17 (r. 17)

THE COPYRIGHT ACT, 2001

The Secretary,
Competent Authority.

**AN APPLICATION FOR COMPENSATION OR FOR PAYMENT OF
ROYALTIES TO THE AUTHORITY UNDER SECTION 26 (1) (j), 27 (2), 28 (2)
OR (4) OF THE ACT**

This is an application to the Authority

Name and address of applicant(s)
Physical address of applicant(s)
Grounds upon which the application is based
Order, other relief sought or amount of compensation sought
Names and address of the other party or parties to the application

Dated at this day of

Signature(s) of applicant(s) or agent

FORM NO. CR 18 (r. 18 (2))

THE COPYRIGHT ACT, 2001

The Secretary,
Competent Authority.

**APPLICATION OR APPEAL TO THE COMPETENT AUTHORITY UNDER
SECTION 48 (2) OR 21 (1) OF THE ACT**

This is an application under section 48 (2) or an appeal under section 21 (1) of [the Act](#) to the Authority. (Delete whichever is not applicable)

Name and address of applicant(s)/appellant(s)
Application or decision appealed against to the Authority
If only part of the decision is appealed against, description of that part of the decision (use of paper if necessary)
Grounds on which the application or the appeal is based:
Order or other relief sought:
Names and address of the other parties to the application or the appeal.

Dated at this day of 20.....

Signature(s) of applicant(s), appellant(s) or agent(s)

FORM NO. CR 19 (r. 18 (6))

THE COPYRIGHT ACT, 2001

The Secretary,
Competent Authority.

**REPLY TO APPLICATION OR APPEAL TO THE AUTHORITY UNDER
SECTION 48 (2) OR 21 (1) OF [THE ACT](#)**

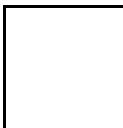
In the matter of

This is a reply to the application or appeal described above.

Name and address for service of the person filing the reply (Board or collecting society):
Physical address:
Grounds of opposition:

A statement of the facts relied upon and supporting evidence by way of a statutory declaration or an affidavit, is attached.

Dated at this day of 20



Signature

Executive Director/The Kenya Copyright Board

Collecting Society/Collecting Society

FORM NO. CR 20 (r. 20 (2))

THE COPYRIGHT ACT, 2001

The Executive Director,
The Kenya Copyright Board.

APPLICATION TO USE FOLKLORE UNDER SECTION 49 (d) OF THE ACT

Name and address of the applicant(s)	
Physical address of the applicant(s)	
Name and address of the agent (if any)	
Details/description of folklore to which this application relates	

I/We, the applicant(s) identified above, hereby apply to use the folklore specified above.

My/Our purpose for which folklore is to be used is:

The actual intended use of folklore is:

I/We declare that the folklore the use of which I/We have applied for shall not be used for any other purpose.

BEFORE ME

COMMISSIONER FOR OATHS

Dated at this day of 20

Signature(s)

Applicant(s)

FORM NO. CR 21 (r. 21)

THE COPYRIGHT ACT, 2001

THE KENYA COPYRIGHT BOARD

REQUEST FOR A CERTIFIED COPY

Name and address of person making request	
Physical address of the person making the request	
Name and address of the agent (if any)	
Description of the document requested	
Reasons for the request	

Dated at this day of 20

Signature(s)

Applicant(s)

NOTES:

1. Please use a separate form for each document requested.
2. This form may be used to obtain certified copies of documents or extracts.
3. Please describe any special requirements. If the space provided is not sufficient, please use a separate sheet of paper.

FORM NO. CR 22 (r. 21)

THE COPYRIGHT ACT, 2001

THE KENYA COPYRIGHT BOARD

REQUEST FOR UNCERTIFIED COPY

Name and address of person making request	
Physical address of applicant	
Name and address of the agent (if any)	
Description of the document a copy of which is requested	
Reasons for the request	

Dated at this day of 20

Signature(s)

Applicant(s)

NOTES:

1. Please use a separate form for each document requested.
2. This form may be used to obtain certified copies of documents or extracts.
3. Please describe any special requirements. If the space provided is not sufficient, please use a separate sheet of paper.

FORM NO CR 23 (r. 22 (2))

THE COPYRIGHT ACT, 2001

The Kenya Copyright Board

REQUEST FOR A COPY OF A LOST OR DESTROYED CERTIFICATE

Applicant's/agent's reference	
Name and address of applicant	
Physical address of applicant	
Name and address of the agent (if any)	
The registration number of the certificate	
Title of the certificate a copy of which is required	
Description of the certificate	

I/We, the above identified applicant(s), hereby apply for a copy of the above quoted certificate that has been lost or destroyed.

The statutory declaration or affidavit required under Regulation 22 (3) is attached.

Dated at this day of, 20

Signature(s)

Applicant(s)

THE COPYRIGHT ACT, 2001

The Kenya Copyright Board

The Secretary,

Competent Authority

REQUEST FOR EXTENSION OF TIME

Name and address of applicant(s)	
Physical address of the applicant	
Name and address of the agent (if any)	
Copyright registration number (if any)	

IN THE MATTER OF

.....

I/We, the applicant(s) identified above, apply for an extension of time.

The extension of time requested isdays.

The grounds or reason for the request are as follows –

[Empty rectangular box for grounds or reason]

Dated at this day of 20

Signature(s)

Applicant(s)

SECOND SCHEDULE

(r. 4 (2))

FEES

	<i>Description of fee</i>	<i>Amount of fee KSh.</i>	<i>Corresponding CR Form</i>
1.	Fee for application for registration of a copyright work under regulation 8 (7)	600	1
2	Fee for change of name or address under regulation 9 (1)	100	3
3.	Fee for recordal of a licence in the Copyright Register under regulation 9 (2)	5,000	4
4.	Fee for recordal of change of ownership of a work under regulation (3)	5,000	5
5.	Fee for verification of an assignment of a copyright work under section 33 (3) of the Act .	1,000	6
6.	Fee for authentication of copyright work under section 36 (1) of the Act	500	8
7.	Fee for authentication device for each copyright work	10	8
8.	Fee for an application for registration of a collecting society under section 46 (2) of the Act	10,000	12
9.	Fee for an application for renewal of registration of a collecting society under regulation 15 (3)	10,000	14
10	Fee for filing annual report and audited accounts under regulation 16 (2)	500	16
11.	Fee for an application for a fair compensation or royalties under section 26 (1) (j), 27(2), 28 (2) or (4) of the Act	5,000	17
12.	Fee for application or appeal to the Authority under section 48 (3) or 21 (1) of the Act	10,000	18
13.	Fee for reply under regulation 18 (6)	2,000	19
14.	Fee for application to use folklore under regulation 20 (2)	10,000	20
	(a) Films;	10,000	
	(b) Broadcasting;	10,000	
	(c) Theatre;	10,000	
	(d) Publishing for educational property;	100	
	(e) Research per piece;	1,000	

	(f) Other Public interests per event per piece; and	100	
	(g) Feature film on a cultural event per piece.	1,000	
15.	Fee for a certified copy of a document or extract under regulation 21	500	21
16.	Fee for uncertified copy of a document or extract under regulation 21	200	22
17.	Fee for a copy of a lost or destroyed certificate under regulation 22 (2)	500	23
18.	Fee for an application for extension of time under regulation 23 (2)	500	24

Dated the 29th November, 2004.

S.A. WAKO,
Attorney-General