

## **PUBLIC STATEMENT**

### **ReLPI Clarifies Position on Sound Recording Rights and Levy on Copyright Materials Administration**

The Record Label Proprietors' Initiative Ltd/Gte. (ReLPI) has noted the recent public statement issued by the Musical Copyright Society Nigeria Ltd/Gte. (MCSN) regarding the release of funds under Section 89 of the Copyright Act, 2022, described as the Levy on Copyright Materials.

ReLPI welcomes the Federal Government's activation of long-standing statutory mechanisms designed to strengthen Nigeria's creative economy, improve remuneration for rightsholders, and position the sector as a serious contributor to national economic growth. We recognise this intervention as fully aligned with the President's broader agenda of attracting both local and foreign investment into the creative industries as part of Nigeria's long-term economic transformation.

However, in the interest of public clarity, legal certainty, and industry stability, ReLPI considers it necessary to place certain issues raised by MCSN in their proper legal, institutional, and economic context.

### **Clarifying the Legal Remit**

MCSN is established and approved to administer and manage rights in musical compositions. While its public statement attempts to frame its position as one made in the interest of the wider music industry, it is important to state explicitly that its legal remit does not extend to the administration or collection of revenues on behalf of sound recording owners.

Under the Copyright Act, 2022, musical works and sound recordings are distinct categories of protected works, with different ownership structures, economic roles, and modes of administration. Sound recordings are owned by record labels and self-producing artistes, and revenues attributable to those sound recordings must be administered in a manner that is accountable to those owners.

The existence of a gap in Nigeria's collective management framework for sound recordings does not confer automatic authority on any existing collective management organisation to assume that role. Such authority can only arise through due process

and a clear, express mandate from sound recording owners themselves. Any attempt to unilaterally occupy that space or to appropriate revenues attributable to sound recordings without such a mandate undermines the very principles of legality, transparency, and accountability that collective management and government policy are meant to uphold.

### **Investment, Not Sentiment**

ReLPI is deeply concerned by the tone and framing of MCSN's publication, which leans heavily on emotional and primordial narratives rather than law, structure, and economic reality. This approach is not only misleading but also dangerous.

Nigeria's music industry does not thrive on sentiment alone. While artistes create, the commercial exploitation, global distribution, and monetisation of sound recordings require significant and sustained investment. Record labels—both local and international—finance recordings, build infrastructure, create jobs, pay taxes, export Nigerian culture, and bring foreign exchange into the country.

Any narrative that seeks to delegitimise investment, vilify lawfully operating companies, or portray globally integrated business models as hostile to national interest runs directly counter to the Federal Government's stated policy of encouraging investment in the creative economy. More importantly, it risks undermining Nigeria's ambition to build globally competitive industries capable of contributing meaningfully to long-term economic growth. Indeed, some ReLPI members are Nigerian creatives who are becoming global entrepreneurs through investments in sound recording.

If there is any conduct that threatens government policy in this context, it is the attempt to hijack funds attributable to sound recording owners, exclude the rightful beneficiaries, and justify that exclusion through divisive and emotionally charged rhetoric rather than legal mandate and institutional competence.

### **Who ReLPI Represents**

ReLPI is a duly registered Nigerian company limited by guarantee that represents record labels, self-producing artistes, and owners of sound recordings, who have expressly mandated it to act on their behalf. While ReLPI's active membership currently comprises a defined number of entities, those members collectively account for over 55% of Nigeria's recorded music market and represent hundreds of Nigerian

artistes, sound recording owners, and companies that provide critical services across the music ecosystem.

The sound recordings owned, financed, and commercially exploited by ReLPI members include works by some of Nigeria's most significant cultural exports, including Davido, Wizkid, Burna Boy, Tems, Rema, Ayra Starr, Johnny Drille, Ladipoe, Crayon, Magixx, Adekunle Gold, Omah Lay, ODUMODUBLVCK, 2Face Idibia, Young Jonn, Blaqbonez, Candy Bleakz, Oxlade, Simi, CKay, Mayorkun, Andre Vibe, Jim Rex Lawson, Bobby Benson, Osita Osadebe, Victor Uwaifo, Celestine Ukwu, and many others.

These sound recordings are Nigerian-owned economic assets. They generate employment, tax revenues, foreign exchange inflows, and global visibility for Nigerian culture. Any system that sidelines the owners of these assets from revenues legally attributable to them weakens the industry.

### **On “Foreign Interest” Claims**

Assertions that ReLPI's membership is “foreign-interest dominated” ignore the realities of modern creative industries. Nigeria's recorded music sector operates within a globalised commercial environment. Nigerian-incorporated entities and lawfully operating affiliates of international record companies invest heavily in Nigerian talent, employ Nigerian professionals, pay taxes locally, and export Nigerian culture worldwide. This persistent appeal to primordial sentiment by MCSN must be sharply deprecated by well-meaning Nigerians. It suggests that foreign investors are unwelcome in Nigeria, a position diametrically opposed to that of President Ahmed Bola Tinubu GCFR.

Far from undermining Nigeria's interests, these investments are essential to building a globally competitive industry. Attempts to weaponise nationality or ownership structure as a basis for excluding legitimate rightsholders from their lawful revenues are inconsistent with both the Copyright Act and Nigeria's economic development objectives. In any event, a significant number of ReLPI's membership is Nigerian.

### **Collective Management Done Right**

In jurisdictions where collective management systems function effectively, it is because rights are clearly separated, mandates are explicit, and administration is

transparent and accountable. Musical works and sound recordings are typically managed through distinct, rights-specific structures, each answerable to the right owners it represents.

ReLPI is calling for nothing more—and nothing less—than the same clarity, fairness, and effectiveness within Nigeria’s copyright ecosystem.

### **On the Levy on Copyright Materials**

ReLPI’s concern regarding the Levy on Copyright Materials is not its legality, but the architecture of its disbursement. Allocations attributable to sound recordings must be distributed through transparent, auditable, and sound recording-ownership-mandated mechanisms. Any other approach risks eroding trust, distorting incentives, and discouraging the very investments the policy is meant to attract. Given MCSN's stance against the interests of sound recording owners, the risk that ReLPI members will not receive their share of the Levy on Copyright Materials is heightened.

### **Conclusion**

ReLPI has not rejected collective management as a framework. On the contrary, it has consistently and unequivocally demanded the establishment of a properly constituted, representative, and lawful collective management system for sound recording rights, fully aligned with the Copyright Act, 2022 and international best practices.

What ReLPI rejects is the misuse of sentiment, division, and mischaracterisation to justify the exclusion of sound recording owners from revenues that lawfully belong to them.

ReLPI cautions against a return to narratives that historically pitted segments of the music industry against one another whenever legitimate questions were raised about transparency, accountability, and governance. The sustainability and credibility of Nigeria’s music industry depend on the ability of stakeholders to ask hard questions and pursue reform without being mischaracterised as adversarial. ReLPI will not be deterred in pursuing the legitimate legal rights of its members using every available legal option and channel.

ReLPI remains committed to constructive engagement with government, regulators, and industry stakeholders to build a transparent, efficient, and globally credible

copyright system—one that supports creators, attracts investment, and advances Nigeria's ambition to build a globally competitive creative economy.

For and On Behalf of the Board of ReLPI

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Chairman