

What are neighbouring rights under the Copyright and Neighbouring Rights Bill?

In 2023, Uganda Registration Services Bureau (URSB) partnered with the Ministry of Justice and Constitutional Affairs, the Uganda Law Reform Commission, Uganda Communications Commission, representatives of Collective Management Organisations, Uganda Musicians' Association, National Cultural Forum, Uganda National Music Federation to conduct nationwide consultations and provide an opportunity for artists to share their perspectives, concerns, and suggestions regarding the proposed amendments to the Copyright and Neighbouring Rights Act (2006).

The consultations culminated in the Copyright and Neighbouring Rights Amendment Bill (2025) that was presented to Parliament for the first reading by Mr Norbert Mao, Minister of Justice and Constitutional Affairs, on May 13, 2025.

Though discussions around copyright as a form of intellectual property are dominated by musicians, the law grants authors, artists, and other creators protection for their literary and artistic creations. The kinds of works protected include, but are not limited to: novels, poems, plays, newspapers, advertisements, films, musical compositions, choreography, paintings, drawings, photographs, sculptures, architecture, maps, technical drawings, and computer software, programs, and databases.

The Copyright and Neighbouring Rights (Amendment) Bill, 2025, was passed by Parliament on March 17, 2026, almost three years after consultations commenced. Over the weekend, social media discussion was dominated by a key aspect of the bill: neighbouring rights and who in the value chain is enti-

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Denis Nabende

Copyright law



tled to these rights, highlighting some level of misconception.

First, what is the difference between Copyright and Neighbouring Rights? Think of it this way: copyright protects the creator of an original work, such as the songwriter, the novelist, or the poet. Neighbouring rights protect the people who bring that work to life for an audience, for example, the singer who performs it, the studio that records it, and the broadcaster who transmits it.

Neighbouring rights are rights attached to the supporting role played by performers, producers of sound recordings and audiovisual works, and broadcasting companies. This auxiliary role is dependent on the work of the original author, and without it, that role cannot even begin.

Performers: These are musicians, actors, dancers, basically anyone who performs a creative work. Imagine Sheebah Karungi writes and performs a song. She has two layers of protection, i.e., copyright as the songwriter and a neighbouring right as the per-

former.

Producers of sound recordings and audiovisual works: These are the studios and production houses that invest money and expertise in recording music or producing films. Suppose a record label spends millions of shillings to produce, mix, and master an artist's album.

Even though the artist wrote the songs, the record label holds a neighbouring right in the sound recording itself.

Media houses: These are TV and radio stations that invest in transmitting content to the public. Imagine UBC broadcasts a live concert. Even though UBC didn't write or perform the music, it has a neighbouring right in its broadcast of that concert.

The Minister for Justice and Constitutional Affairs has the authority to prescribe procedures for collecting, distributing, and receiving royalties and other entitlements from the use of copyright or neighbouring rights.

Under the amendments, the Uganda Registration Services Bureau, as Registrar of Copyright, shall not issue an order or notice to block, take down, or obstruct infringing content unless the owner of the copyright work has a certificate of registration as proof of ownership. For clarity, if someone uses your work without permission, you can only take legal action if your work is registered with Uganda Registration Services Bureau (URSB).

The Bill is meant to move artists from fame without income to fame with income.

Denis Nabende is the acting principal communications officer of Uganda Registration Services Bureau (URSB)