THE EFFECT OF HUMAN RESOURCE AND INTRA-ORGANIZATIONAL CAPACITY ON THE ADMINISTRATION OF COPYRIGHT IN THE KENYA MUSIC INDUSTRY

BY

PAUL COOGAN

UNITED STATES INTERNATIONAL UNIVERSITY

SPRING 2014
THE EFFECT OF HUMAN RESOURCE AND INTRA-ORGANIZATIONAL CAPACITY ON THE ADMINISTRATION OF COPYRIGHT IN THE KENYA MUSIC INDUSTRY

BY

PAUL COOGAN

A Project Report Submitted to the Chandaria School of Business in Partial Fulfilment of the Requirement for the Degree of Executive Masters in Organizational Development (EMOD)

UNITED STATES INTERNATIONAL UNIVERSITY

SPRING 2014
STUDENTS DECLARATION

I, the undersigned declare that this is my original work and has not been submitted to any other college, institution or university other than the United States University in Nairobi for Academic credit.

Signed .............................. Date........................................

Paul Coogan (ID 610710)

This project has been presented for examination with my approval as the appointed supervisor.

Signed .............................. Date........................................

Angeline Asangire Oprong

Signed .............................. Date........................................

Dean, Chandaria School of Business
COPYRIGHT

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without prior permission of the copyright owner.
ABSTRACT

Creativity and innovation are two of the most important ingredients that spur economic growth in our world today. Intellectual property rights, particularly copyrights are now as important, if not more, than any other form of assets, and are essential in all creative works including music. In Kenya like most African countries, the observance of copyrights remains a challenge in the development of the music industry. Despite Kenya having a legal framework and signatory to several Intellectual Property international legal instruments, institutional capacity is crucial in the administration of copyrights, and hence, the purpose of this study was to assess the capacity of copyright administration agencies in the music industry in Kenya.

The objectives of the study were to establish how human resource capacity of administrative agencies affects implementation of copyrights in Kenyan music industry; and to determine how intra-organizational capacity influence administration of copyrights in the music industry. A cross-sectional descriptive research design was adopted. The population of the study involved all employees of music copyright administration agencies working and based in Nairobi. Due to the small population size, a census study was conducted. Data was collected using interviewer administered questionnaire. The questionnaire was semi-structured. Data obtained was analysed through mean scores, standard deviations, correlation analysis and content analysis.

It was established that copyright administrative agencies experienced high staff turnover. The average employee work experience was three years and three months. One administrative agency had been in existence for more than fifteen years. Two other agencies had operated for less than five years. Only one agency had branch offices throughout the country. The other two administrative agencies had only head office based in Nairobi. The human resource capacity challenge affected both large and small agencies. While large agency had large number of workforce, majority of employees had low levels of education and training making them unfit for the task. On the other hand, small agencies had well educated and trained employees but lacked adequate numbers for service delivery. Employees had no forensic investigation skills and had never been trained in surveillance work. Employees of each administrative agency embraced teamwork. Agencies with established systems, policies and guidelines were more likely to
employ adequate officers for service delivery. Employees of administrative agencies strictly followed chain of command. Role overlaps among administrative agencies was linked to weak legal framework. Administrative agencies were weak in engaging each other and engaging the services and other relevant government agencies. A strong positive relationship was identified between emphasis on culture change by leadership and adoption of new values by employees.

Based on findings of the study, it was concluded that administrative agencies lacked outreach and human resource capacity to effectively discharge their duties. Administrative agencies lacked the will and passion for fighting piracy in the music industry and the overlap in roles among administrative agencies led to double issuance of licenses to customers; a state that has created public confusion in the country.

It is recommended that administrative agencies need to review staff recruitment criteria and qualification requirements. It is also recommended that administrative agencies to improve coordination mechanisms within the music industry. Additionally, it is also recommended that future studies need to use large samples by investigating agencies in all copyright industries.
ACKNOWLEDGEMENT

I would like to extend a great debt of thanks to the managers of the administrative agencies in Nairobi for their patience and tremendous support throughout this project.

I would also like to acknowledge the support of my supervisor Angeline Asangire Oprong for her support and guidance throughout this project.
DEDICATION

I would like to dedicate this project to my parents, who tirelessly encouraged me to strive for excellence. Without their support, encouragement and endurance this project would not have been possible.
## TABLE OF CONTENTS

STUDENTS DECLARATION ......................................................................................... iii
COPYRIGHT ........................................................................................................ iv
ABSTRACT ........................................................................................................... v
ACKNOWLEDGEMENT ........................................................................................... vii
DEDICATION .......................................................................................................... viii
LIST OF TABLES .................................................................................................... xii
LIST OF ABBREVIATIONS .................................................................................... xiii

### CHAPTER ONE .................................................................................................. 1
1.0 INTRODUCTION .............................................................................................. 1
1.1 Background of the Problem ........................................................................... 1
1.2 Statement Problem ....................................................................................... 4
1.3 Purpose of the Study ..................................................................................... 6
1.4 Research Questions ....................................................................................... 6
1.5 Importance of the Study .............................................................................. 7
1.6 Scope of the Study ....................................................................................... 8
1.7 Definition of Terms ..................................................................................... 8
1.8 Chapter Summary ....................................................................................... 9

### CHAPTER TWO ................................................................................................ 11
2.0 LITERATURE REVIEW .................................................................................. 11
2.1 Introduction ................................................................................................ 11
2.2 Human Resource Capacity and Copyright Administration ....................... 11
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.3 Intra-Organizational Capacity and Copyright Administration</td>
<td>17</td>
</tr>
<tr>
<td>2.4 Chapter Summary</td>
<td>21</td>
</tr>
<tr>
<td>CHAPTER THREE</td>
<td>23</td>
</tr>
<tr>
<td>3.0 RESEARCH METHODOLOGY</td>
<td>23</td>
</tr>
<tr>
<td>3.1 Introduction</td>
<td>23</td>
</tr>
<tr>
<td>3.2 Research Design</td>
<td>23</td>
</tr>
<tr>
<td>3.3 Population and Sampling Design</td>
<td>23</td>
</tr>
<tr>
<td>3.4 Data Collection Methods</td>
<td>25</td>
</tr>
<tr>
<td>3.5 Research Procedure</td>
<td>25</td>
</tr>
<tr>
<td>3.6 Data Analysis Methods</td>
<td>26</td>
</tr>
<tr>
<td>3.7 Chapter Summary</td>
<td>26</td>
</tr>
<tr>
<td>CHAPTER FOUR</td>
<td>28</td>
</tr>
<tr>
<td>4.0 RESULTS AND FINDINGS</td>
<td>28</td>
</tr>
<tr>
<td>4.1 Introduction</td>
<td>28</td>
</tr>
<tr>
<td>4.2 General Information</td>
<td>28</td>
</tr>
<tr>
<td>4.3 Human Resource Capacity</td>
<td>31</td>
</tr>
<tr>
<td>4.4 Intra-Organizational Capacity</td>
<td>35</td>
</tr>
<tr>
<td>4.5 Chapter Summary</td>
<td>40</td>
</tr>
<tr>
<td>CHAPTER FIVE</td>
<td>42</td>
</tr>
<tr>
<td>5.0 DISCUSSION, CONCLUSIONS AND RECOMMENDATIONS</td>
<td>42</td>
</tr>
<tr>
<td>5.1 Introduction</td>
<td>42</td>
</tr>
<tr>
<td>5.2 Summary</td>
<td>42</td>
</tr>
</tbody>
</table>
5.3 Discussions ................................................................. 43
5.4 Conclusions .............................................................. 49
5.5 Recommendations ...................................................... 50
REFERENCES ................................................................. 52
APPENDICES ................................................................. 57
APPENDIX 1: DATA COLLECTION INSTRUMENT .................... 57
LIST OF TABLES

Table 4.1: Administrative Agency’s Years in Copyright Administration…………….. 29
Table 4.2: Number of Branches of Copyright Administrative Agencies……………… 30
Table 4.3: Education Levels of Copyright Administration Agency Employees……….. 31
Table 4.4: Human Resource Capacity of Copyright Administrative Agencies……….. 32
Table 4.5: Relationship between Human Resource Capacity Issues………………….. 33
Table 4.6: Cases of Disciplinary Actions over Misconduct in Last 2 Years…………… 34
Table 4.7: Management Succession Plan………………………………………………. 35
Table 4.8: Intra-Organizational Capacity………………………………………………. 36
Table 4.9: Relationship between Intra-Organizational Variables……………………… 37
Table 4.10: Engagement with the Police………………………………………………. 40
# LIST OF ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
</tr>
<tr>
<td>IPR</td>
<td>Intellectual Property Rights</td>
</tr>
<tr>
<td>KAMP</td>
<td>Kenya Association of Music Producers</td>
</tr>
<tr>
<td>KECOBO</td>
<td>Kenya Copyright Board of Kenya</td>
</tr>
<tr>
<td>KIPI</td>
<td>Kenya Industrial Property Institute</td>
</tr>
<tr>
<td>MCSK</td>
<td>Music Copyright Society of Kenya</td>
</tr>
<tr>
<td>MP3</td>
<td>Music File MPEG Layer 3</td>
</tr>
<tr>
<td>PRiSK</td>
<td>Performers Rights Society of Kenya</td>
</tr>
<tr>
<td>TRIPS</td>
<td>Trade-Related Aspects of Intellectual Property Rights</td>
</tr>
<tr>
<td>WIPO</td>
<td>World Intellectual Property Organization</td>
</tr>
<tr>
<td>WTO</td>
<td>World Trade Organization</td>
</tr>
<tr>
<td>SACCO</td>
<td>Savings and Credit Co-Operative</td>
</tr>
<tr>
<td>GPS</td>
<td>Global Positioning System</td>
</tr>
<tr>
<td>MPESA</td>
<td>Mobile Pesa (Kiswahili) / Mobil Money (English)</td>
</tr>
</tbody>
</table>
CHAPTER ONE

1.0 INTRODUCTION

1.1 Background of the Problem

Music is part of creative industries which are economic activities based on creation, distribution, selling and presentation to the public. Music is a major form through which communities and individuals express their culture, ideas and creativity. Even though societies differ culturally across the globe, music is one unifying traditions shared by human beings. Societies use music to entertain themselves, pass on cultural knowledge to new generations, educate and warn members of the society on various aspects. The nature of music depends on various societal backgrounds, degree of adoption of technological innovations, prevailing audience tastes and preferences, topical issues affecting society and demand for entertainment. Music allows people to relax after work enabling them to effectively spend leisure time. For some people, music is a job and in some countries a profession through which a number of people earn a living. In essence, music is an economic activity employing many people at various levels within the music value chain.

Globally, music publishing is dominated by developed countries which account for more than 50 percent of market share. America takes the lead followed by Japan, Germany, United Kingdom and France in that order (Throsby, 2002). In Africa, music industry is dominated by South and Central African countries and a few countries of West Africa. These countries include South Africa, Democratic Republic of Congo and Cameroon. African music makes up about 50 percent of the genre of the world music (Penna, Thorman & Finger, 2003). The contribution of music industry to Kenyan economy cannot be overemphasized. The industry contributes directly to the economy through employment creation and tax contribution to the government. Indirectly, music contributes to the economy through support to other industries such as tourism, transport and retail chains. According to Nyariki et al. (2011), copyright industries contribute more than 5 percent to Kenya’s GDP. This is a significant contribution as compared to other industries such as forestry and education.

Music is one of the fast growing industries in the world. For many centuries, music used to be performed life by folk musicians. Over the years, development in technology
changed the shape of music market permitting the transition to the music industry. The industry has metamorphosed itself in publishing, recording and distribution processes. By close of the 19th Century the introduction of gramophone technology redefined the core product of the music industry (Leurdiijk and Nieuwenhuis, 2012). These developments changed the role of publishers to administration of composers, copyrights and collection of royalties from the sale of records and other music licensing. In the 1940s further technological developments entered the music industry. Among these developments were the magnetic tape, band-recorder and the transistor (Leurdiijk and Nieuwenhuis, 2012). Portable cassettes became the preferred music carrier in the mid-1980s. Recorded music became a technological force driving the industry until the early 1990s with the introduction of the Internet technology.

However, transitions in the music industry have not been determined by technological innovations alone. Changes in the music industry have also been driven by actions and strategies of music firms, dynamic behaviour of consumers and the wider social, political and economic context within Kenya and the rest of the world. Theoretically, changes in the entertainment industry should support the growth of music industry. On the contrary, they have introduced new challenges particularly with regards to protection of earnings to original producers of music. In many parts of the world, governments have put in place protection mechanism in music industry through copyright system.

The ideas of copyright and intellectual property management arise from the ideas that ideas that arise from the human mind need to be protected, so that the creator of the idea can exploit its benefit. Intellectual property management has long been recognized and used in industrial countries, and some developing countries, as an important tool of technological and economic development (Sang, 2010). In Kenya, Copyright law is governed by the Copyright Act 12 of 2001 and related laws on education, communication and archiving. The act makes provisions for exclusive rights, subject to a few exceptions and restrictions. The enforcement of rights in Kenya however has not been effective, and as a result of this infringement went largely unpunished. It is only recently that intellectual property right holders have started to systematically enforce their rights through, for instance, collective management organizations and litigation.

Section 2 of the Kenya Copyright Act (Act No. 12 of 2001), defines musical work as
“any musical work, irrespective of musical quality, and includes works composed for musical accompaniment” (Section 2, Copyright Act, 2001).

Relatedly, a sound recording is defined as

“any exclusive aural fixation of the sounds of a performance or other sounds, or of representation of sounds, regardless of the method by which the sounds are fixed or the medium in which the sounds are embodied but does not include a fixation of sounds and images, such as the sound track of an audio-visual work.”

According to the Section 28 of the Kenya Copyright Act (2001), a copyright owner of a sound recording has the exclusive right to direct or indirect reproduction of their work, distribute copies to the public for sale, rental, lease, hire or loan, import and export their works to other countries, communicate their works to the public through available platforms such as broadcast among others, and create derivative works from the original work.

Copyright aims to encourage musicians to compose music and it provides incentives for public presentation and distribution of works by artists (Freitas, 1989). Copyright is not a single inseparable right but, a collection of rights that broadly encompass primary and secondary rights. Primary rights give the copyright owner the right to oversee and control the use to which the public may use their work. However, primary rights do not guarantee full protection in a society where piracy is common and there exists weak administration of copyright. Copyrights do not last forever and duration of protection varies from one country to another (Freitas, 1989).

Administration of copyrights in the music industry is a tripartite arrangement involving policy makers, regulators and umbrella body for musicians. Policy makers are represented by Kenya Copyright Board (KECOBO). The Music Copyright Society of Kenya (MCSK) overseas enforcement and regulation, while at the same time look after the interests of the musicians, whereas the producers of works created are represented by the Kenya Association of Music Producers (KAMP). The collection of royalties, along with the issuance of licenses is the major objective of MCSK, and while there has been a high degree of concern in recent years as to what percentage is to be maintained by MCSK for administration and what percentage is to be distributed among its members, the members
simple do not have any alternate agency to approach and represent them. MSCK is also mandated to collect royalties for international artists through reciprocal license agreements. The other key role of MCSK is to issue licenses for public performance and broadcasting of musical works of composers, authors and publishers in Kenya. KAMP was incorporated in 2008 to represent the rights and interests of producers of sound recordings, and to collect license fees and to distribute royalties in accordance with the Copyright Act 2001 of the Laws of Kenya.

KAMP, a relatively new administrative agency, was licensed and mandated with the responsibility of collecting license fees from the users of sound recordings such as broadcasting stations and public performance in places such as concert halls, restaurants, hotels, shopping malls and public transport vehicles. KAMP is also mandated by the Copyright Act 2001 to collect blank media levy (private copy remuneration) and distributing the same to its members. In addition, KAMP seeks to have reciprocal agreements with other local and international bodies, which have similar objectives worldwide for purposes of collecting and distributing or channeling revenue to its registered members and its affiliates. The Kenya Copyrights Board (KECOBO) was established in 2001 to oversee administration and enforcement of copyright. The board carries out public awareness, enforcement, registration of copyright, licensing of collective management organization and education on copyright issues.

In the framework of collective management organizations in Kenya, copyright owners authorize the organization to look after their rights and monitor the use of their works. They also permit the collective management organization to negotiate with prospective users, grant them licenses against appropriate conditions, and collect remuneration (royalties) for re-distribution to the copyright owners. These administrative agencies unfortunately have overlapping roles and capacity challenges that limit effectiveness of implementation of their mandates. These overlaps also create frictions between and among administration agencies and hence slow the pace of service delivery.

1.2 Statement Problem

Music industry has the potential to contribute to attainment of Kenya Vision 2030 and economic goals if well nurtured and protected. In developed countries, music industry thrives and contributes immensely to income generation, employment and tourism.
Ironically, Kenya has many musicians living in poverty despite spending considerable time composing and publishing music works. This state is threatening the future of music industry in the country. According to Wekesa and Sihanya (2009), it is difficult to estimate the value of Kenyan music industry because more than 99 percent of music sold in the country is pirated. Piracy cost the music industry huge amounts of lost revenues annually (Throsby, 2002). While this trend persists across the world, efforts to overcome the problem through copyright protection have only been partially successful. Piracy affects musicians, consumers and the economy in different ways. Various studies have shown that the average artist in Africa cannot make a living from his music (Ouma, 2010). This is due to the rampant piracy and failure to control this by users such as broadcasting stations. The most growing form of piracy that deprive artists of their earnings has been triggered by technological revolutions that hasten unauthorised sharing of music online and copying of music from original storage devices. According to Kenya Copyright Board (2011), piracy is a big problem in Kenya but, music industry is the most affected.

Commercial piracy and illegal file sharing are continuing to depress music markets (McLeay, 2006) in developing countries. While debates as to piracy in the music industry continue (Strumpf, 2004) weak administration of copyright affect the financial performance of companies involved in production and distribution of music thus threatening their survival. While various policy and regulatory approaches have been initiated over the past to protect musicians, they require coordinated efforts to effectively implement them. According to Throsby (2002), intellectual property plays an important role in the performance of the music industry. Despite global growth in the music industry, majority of musicians in developing countries live in abject poverty.

According to Wekesa and Sihanya (2009), out of 32 million albums sold annually in Kenya, only 9.6 million copies consist of local content. The promotion of local content is an important step towards developing domestic music industry. However, to be effective this requires proper recognition of intellectual property rights as an essential means of supporting income generation within the industry (Throsby, 2002). However, weak administration of copyrights threatens to ruin the growth of an already weakened local music industry. Sikoyo, et al (2006) contend that African countries have limited understanding of intellectual property rights and the implications of instituting effective
intellectual property protection systems. Even though speculative arguments suggest that the problem is due to limited knowledge by enforcement agencies, there is no empirical evidence to support this claim. Despite existing challenges to administration of intellectual property rights, assessment of institutional capacity of organizations entrusted with administration is lacking (Sikoyo et al., 2006). With efficient and accountable collection agencies, the royalties owed to musicians can be distributed to enhance their incomes.

According to Khonja and Rajagopalan (2009), many studies on piracy have emphasized software piracy to the exclusion of music industry. Empirical research in the recorded music industry has received much less attention than the software industry. Most of the studies on all forms of piracy have focused on demographic and cultural factors associated with piracy (Wang, 2005). Existing studies fail to shed light on institutional capacity of copyright administrative agencies. Even though a study by Wambui (2006) attempted to explore copyrights administration in the music industry, it was focused more on innovativeness and creativity. It revealed that infringements of copyrights were a major challenge to musicians. While it is important to appreciate the findings brought out by the study by Wambui (2006), it is equally imperative to point out methodological flaws that affect the value of findings. The study erred in using descriptive measures to draw relationships between variables. In addition, the sampling technique and sample size were neither explained nor justified. The current study was designed to bridge the above knowledge gaps by seeking responses to the following research questions. Do administration agencies have institutional capacity to implement copyrights in Kenya?

1.3 Purpose of the Study

The purpose of this study was to establish the effect of human resource and intra-organizational capacity on the administration of copyright in the Kenya music industry.

1.4 Research Questions

1.4.1 To establish how human resource capacity of administrative agencies affect implementation of copyrights in Kenyan music industry?

1.4.2 To determine how intra-organizational capacity influence administration of copyrights in the music industry?
1.5 Importance of the Study
The music industry in Kenya has been performing below its optimal level due to a number of challenges. Ineffective administration of copyright is one of the major challenges that the music industry is grappling with. Therefore, the study was designed to generate information that will enable understanding institutional capacity of music copyright administration agencies. Findings of the study will be of benefit to the following groups.

1.5.1 Policy Formulation
Policy formulation is an important exercise in effective regulation of an industry. However, the policy formulation process requires information input to enable understanding of industry context as well as challenges that may affect implementation. The study will generate information pertaining to institutional capacity and consumer attitude which will contribute to guiding formulation of policies in the music industry. Furthermore, the study will identify overlapping roles between administrative agencies. Findings will assist policy makers in streamlining roles of administrative agencies to improve effectiveness and reduce wastage of public expenditure.

1.5.2 Administrative Agencies
Copyright administration in Kenya is a shared responsibility. Despite existence of administrative agencies, piracy in the music industry is alarming. It is difficult to explain whether high piracy level is as a result of implementation failure or due to factors beyond the control of administrative agencies. Moreover, it is pointless to keep on speculating and watch the imminent collapse of the music industry due to piracy. Therefore, the study will provide information that will aid in understanding challenges to administration of copyrights in the music industry. Such knowledge will assists in building capacity of regulatory agencies to enhance success rate of copyright administration

1.5.3 Musicians
Musicians will benefit from findings of the study by understanding factors that affect administration of copyrights in the music industry. The study will empower musicians with information that is essential when lobbying for effective regulation and administration of copyright.
1.5.4 Researchers and Academicians
Data on copyright protection in the music industry is scarce. The situation is worse in developing countries such as Kenya where little if any research can be found in literature on music copyright administration. The study will contribute to existing body of knowledge which will guide future researchers on the subject. The study will also identify knowledge deficient areas and provide suggestions for future research.

1.6 Scope of the Study
The focus of the study was conducted on the current three licensed administrative agencies responsible for the administration and collection of music royalties, namely Kenya Music Copyright Society of Kenya (MCSK), Kenya Association of Music Publishers (KAMP) and the Performers Rights Society of Kenya (PRiSK). The administrative agencies were represented by all of the functional heads. The study was carried out in the city of Nairobi and the data was collected during the first week of March 2014. All three of the administrative agencies were based within Nairobi, and although MCSK had additional regional offices across Kenya, all the functional heads that constituted the sample were based in Nairobi. The major limitations of the study however included the challenge of having all the functional heads present at the same time the questionnaire was administered. There was a small degree of uncertainty from the respondents as to why all the administrative heads were required to fill in the questionnaire individually and not collectively.

1.7 Definition of Terms

1.7.1 Copyright
Copyright is a legal concept, enacted by most governments, that grants the creator of original work exclusive rights to its use and distribution, usually for a limited time, with the intention of enabling the creator of intellectual wealth to receive compensation for their work. Copyright is a form of intellectual property (as patents, trademark, literary or artistic productions), applicable to any expressive form of idea or information that is substantive and discrete (World Intellectual Property Organization – ‘Understanding Copyright and Related Rights,’ Retrieved May 2014).
1.7.2 Music
The organized art of arranging sounds so as to produce a continuous, unified, and evocative composition, as through melody, harmony and rhythm, presented to the public for entertainment (Copyright Act, 2001).

1.7.3 Human Resources
Sets of individuals with skills to carry out tasks aimed at contributing to the attainment of organizational objectives (The Journal of Human Resources, University of Wisconsin, Reviewed March 2014).

1.7.4 Administrative Agencies
In the context of this study, administrative agencies are the organizations charged with the responsibility of implementing copyright in the music industry (Copyright Act, 2001).

1.7.5 Collective Management Organizations
Organizations that are licensed to act as mediators on behalf of copyright holders in regard to the use of their works by users (WIPO, 2001).

1.7.6 Piracy
Piracy is defined as the illegal handling and exchanging copyrighted software and media files. It includes unauthorised reproduction, selling, distributing and communicating to the public intellectual works of other people for financial gain (Journal of Business Ethics, Vol. 78, No. 4, Reviewed March 2014).

1.7.7 Knowledge Management
Knowledge Management is a process of creating, acquiring, capturing, sharing and using knowledge to enhance learning and performance in organizations (Journal of the Operational Research Society, Vol. 24, Reviewed March 2014).

1.8 Chapter Summary
The chapter covered background of the study, research problem, and purpose of the study, specific objectives and value of the study. In addition, it highlighted scope of the study and defined terms that are used in the study. The research problem highlighted the gaps in knowledge that the proposed study will be seeking to bridge. It showed that little information is known about copyright administration in the Kenyan music industry. Two specific objectives were proposed. The value of the study covered people and institutions
that are likely beneficiaries of findings of the study. The remaining sections of the study are structured as follows: Chapter Two will cover a review of literature, Chapter Three describes the research methodology that will be adopted in collecting, processing and analysing data, while Chapters Four and Five will present the findings and results, along with a detailed discussion, conclusion and recommendations respectively.
CHAPTER TWO

2.0 LITERATURE REVIEW

2.1 Introduction

The chapter highlights literature on piracy, copyright and the challenges human resource capacity has on organizations and more specifically the music industry in Kenya. The chapter then reviews the literature on how intra-organizational capacity affects the administration of copyright in the music industry. The outlay of the chapter is structured along the objectives of the study, and is written by various scholars.

2.2 Human Resource Capacity and Copyright Administration

Human resource constitutes an important asset of any organization. Armstrong (2009) suggests that human capital consists of knowledge, skills and abilities of people employed in an organization. The human elements of an organization are those that employees can learn, change and innovatively engage in to advance organizational success. Human capital consists of intellectual, social and organizational capital. Intellectual capital refers to the stocks and flows of knowledge available to an organization. Social capital consists of knowledge derived from networks of relationships within and outside the organization. Organizational capital is the institutionalized knowledge possessed by an organization (Youndt, 2000). Wright et al. (1995) argues that human resource attributes significantly influences organizational results. It is for this reason that organizational capabilities vary across industries. Furthermore, organizations in the same environmental context may differ in their capacity to implement regulations due to varying skills and knowledge of employees.

According to Hafeez and Abdelmeguid (2003), knowledge management is a process of creating, acquiring, capturing, sharing and using knowledge to enhance learning and performance in organizations. Successful administration of copyrights relies on the ability of organizations to create a pool of skills, knowledge and behaviors. Skills and knowledge resides in employees of an organization thus determining organizational capacity to implement regulations in the music industry. Organizations improve the capacity of their employees through training and competence development. Training enables employees to improve their services and transfer their knowledge from one domain to another (Farjoun, 1994). The relationship between an employee and the
organization is cemented by employment contacts in which the employee commits to use his/her knowledge and skills to the benefit of the organization. In return, the organization provides reasonable compensation for services rendered. In addition, the organization provides a conducive working environment and incentives that improves employee productivity.

Human capital operates at all levels within the organization. At corporate management level, human capital management is concerned with strategic issues and setting policies that guide implementation of activities at operational level. Human capital management aims at proactive development and stimulation of corporate culture by entrenching values which positively impacts on implementation of organizational mandate. Leadership plays an important role in emergence and development of organizational culture. What leaders emphasize through their words and actions gets reinforced by organizational members through operational activities. At operational level, human capital is focused on tasks and execution of planned activities.

Capacity of human resources is explained by human capital theory. Human capital theory is associated with the resource based view of the firm. Resource-based view emphasizes strategic choice, charging management of an organization with the task of identifying, developing and deploying key resources to maximize outcome of activity implementation (Fahy and Peteraf, 2003). According to Helfat and Peteraf (2003) human resource creates non substitutable pool of skills that enables organization to implement strategies that cannot be matched by other organizations.

2.2.1 Piracy in the Music Industry

Piracy is defined as the illegal handling and exchanging copyrighted software and media files (Cronan and Al-Rafee, 2008). It includes unauthorised reproduction, selling, distributing and communicating to the public intellectual works of other people for financial gain (Kenya Copyright Board, 2011). The Kenya Copyright Board (2011) describes music pirates in Kenya as fierce and aggressive. They release pirated copies even before the genuine product hits the market. According to Cuadrado, Miquel and Montoro (2012), the music recording industry has witnessed significant drop in number of compact discs sold as a consequence of piracy. They note that music piracy in three common forms namely domestic copying, commercial sale of counterfeit products and
free downloading from file sharing networks. According to International Federation of Phonographic Industry (2005) more than 2 billion illegal copies of pirated compact disks were available in the global market in 2005.

As an illegal act, piracy can be explained by theories of crime namely: individual theories, strain theory and social learning theory. Individual theories range from considerations of genetics, physical factors, biochemical factors, personality, intelligence and mental disorder (Bently, Davis and Ginsburg, 2010). The theories revolve around individual characteristics. In regard to genetics, biological theories are not clear as to the importance of nature as opposed to nurture based factors. Music piracy is evident in all age groups though more popular in younger age groups; in diverse social groupings. There is no evidence to suggest that those who engage in music piracy have any particular individual characteristics.

Strain theory argues that people are more likely to engage in crime if they cannot get what they want through legitimate means. They become frustrated or angry, strike out at others in anger or try to gain what they want through illegitimate means. In the converse, social learning theory maintains that to understand behaviour it is necessary to account for the reciprocal relationship between the person and his or her surroundings or context. Social learning theory incorporates the role of cognition into explanations of behaviour. It is thought that behaviour can be shaped through an individual’s experience of the rewarding or punishing consequences contingent on their actions that are delivered by the environment. Social learning theory offers theoretical grounding for copyright protection (Bently, Davis and Ginsburg, 2010).

The increasing levels of piracy and subsequent effects on the music industry bring into focus the legal and administrative mechanisms for the protection of copyright and related rights in the music industry. Piracy has affected the growth of music industry by discouraging production and release of original works. Wang et al. (2009) observe that music piracy have worsened due to behavioural changes caused by popularization of the internet. People can easily transfer and share MP3-format music through the internet. People can download music from illegal sites and through peer-to-peer sharing. According to Premkumar (2003) majority of teenagers use the internet as their primary source of music. Increased access to the internet facilitated by high penetration of mobile
telephone have increased the desire to pirate. Furthermore, more than half of Kenyan population consists of young people with a knack for mobile phones and the internet. Availability of free online music therefore, has contributed to reduced willingness by consumers to pay for online content (Preston and Rogers, 2011).

The development of music industry depends on a number of factors. While technology is one of the factors that have positively transformed the music industry, it has also turned around to haunt musicians. It has opened windows for piracy thereby, wiping away the gains made by musicians in a matter of seconds. Fast internet connections, less expensive high storage capacity, social media have hastened the pace of piracy (Cronan and Al-Rafee, 2008). Technological innovations have also influenced human behaviour by altering their buying decisions and the financial sacrifices they are prepared to make to access genuine music products. On a positive note, recording industry report points out that music companies have embraced technological change and that new services to users are being created (Bently, Davis and Ginsburg, 2010). New technology has granted free, unrestricted access to songs by a huge number of musicians. It has allowed individuals to amass enormous collections of digital music files, provide these files to others, make custom audio compact discs of favourable tracks and transfer them onto portable players. The technology has also spawned massive virtual communities in Internet chat rooms, message boards, newsgroups and other cyber avenues in existence solely for purposes of distributing MP3s.

A number of factors contribute to piracy in Kenya. According to Kenya Copyright Board (2011) lack of awareness about copyright issues on the part of pirates, consumers and enforcement officers as well as ineffective distribution channels for original works are the major factors that contribute to piracy. Other factors include poor coordination between enforcement agencies, advancement of digital technology and public attitude. To some, piracy is a harmless way of making a living while others view it as means of saving money.

The decision to pirate is explained by ethical theories such as teleological and deontological theories. A longitudinal study designed to explain behavioural processes of piracy established that social factors and perceived consequences had major influence on piracy behaviour. Other explanations of piracy behaviour are offered by moral judgement,
risk, attitude, codes of ethics, gender and organizational policies. A study by Peace et al. (2003) established that attitude, subjective norms and perceived behavioural control were antecedents to piracy behaviour.

According to Cammaerts and Bingchun (2011), the introduction of twin cassette recorders made copyright infringement easier. On the contrary, Cooper (2008) refutes this claim by noting that there is no evidence to support such claim. The introduction of compact disks opened a new revenue stream for recording companies. Another technological revolution in the music industry was brought about by the introduction of MP3 compression technology. Its faster downloading speed supported by high speed Internet connectivity caused a major upheaval in the music industry (Garofalo, 1999).

2.2.2 Legal Framework
The history of intellectual property rights dates back to Venice in 1474 when the first patent law protecting inventions was passed. The English followed suit with English statute of monopolies in 1624. In 1977 the British, after many amendments’ to the statute, adopted the modern patent law. The law stipulated that all patent registrations had to be examined for novelty and usefulness as was the German patent law of 1877. Similar countries to adopt such laws included Switzerland in 1888 and the Netherlands in 1912.

Inventors and industrialists started exerting pressure for an international Intellectual Property Rights (IPR) regime change with the 1873 Vienna Congress. Eleven countries ratified it in the 1883 Paris Convention of International Union for the Protection of Industrial Property. According to the World Intellectual Property Organization (WIPO) there are now 173 member countries that have joined to ensure the protection of intellectual property.

In 1996 the TRIPS agreement (Trade-Related Aspects of Intellectual Property Rights) was formed. It introduced the minimum standards for the protection and enforcement of nearly all forms of intellectual property rights. After the signing of the TRIPS agreement it is now compulsory for all World Trade Organizations (WTO) member states to adapt their laws to allow minimum protection of IPR, bar a few exceptions.

Kenya became a member of WTO January 1st 1995, and as per the requirements requiring developing nations to implement TRIPS compliant laws and regulations within five years
the Kenya Industrial Property Office (now Kenya Industrial Property Institute – KIPI) started its earlier 1989 industrial property act. This eventually led to Kenya recognizing the division between industrial property and copyright (Lettington and Munyi, 2004). According to Sihanya (2012), Kenya’s copyright is deeply rooted in colonial and neo-colonial experience. He argues that the Copyright law originates from the Constitution of Kenya, the Judicature Act, doctrines developed under UK copyright statutes, Common law and the International law. Copyright administration agencies have a legal basis in Copyright Act 2001 Cap 130 of the laws of Kenya. Sihanya (2012) observes that there has been mixed views on copyright implementation, management and administration. Specifically, he notes that the specific roles of Kenya Copyright Board are not clear in the Copyright Act 2001.

2.2.3 Music Industry in Kenya

Kenyan music genres are organized along cultural groupings. The music styles range from imported music, afro-fusion, benga and traditional folk songs (Kiplang’at & Lagat, 2009). In addition, different religious groups have various forms of music. Popular Kenyan music derived its rhythms and guitar lines from the Congolese pop music (Kiplang’at & Lagat, 2009). According to Oyugi (2012), the music industry in the country has transformed in many areas such as instruments, styles of performance, music genres, recording and production technologies. The success of musicians is influenced by their ability to embrace technological advancements, geographic scope of influence and capability to appeal to a wide range of demographic and cultural audience. Straubhaar (2005) observes that developments in the music industry depend on innovativeness by musicians, market forces and audience demand.

According to Ouma (2008), it is difficult to give the exact value of the Kenyan music industry. This is partly because according to her estimates, more than 99% of music sold in Kenya is pirated. A total of 10-32 million albums are sold yearly in Kenya of which only 3-9.6 million copies consist of local music. The exact cost of Kenyan music sold abroad is also unavailable due to the fragmented nature of the industry (Ouma, 2008). Obstacles to the growth and development of the music industry in Kenya include lack of a proper networking and fragmentation of the industry; inadequate Government policies; poor enforcement of copyright; ineffective administration; and ignorance or lack of information by musicians (Ouma, 2008).

16
2.3 Intra-Organizational Capacity and Copyright Administration

O’Toole and Montjoy (1984) observe that implementation of many government policies require the efforts of two or more agencies. Consequently, organizations involved in policy implementation must act in a coordinated manner. Coordination becomes more complex as the number of organizations involved increases. Each organization has its mandate and goals that may not necessarily be congruent to those of other organizations involved in implementation. As a result, increased complexity reduces the chance that mandates can specify in detail the required actions and interactions of the participating organizations. Mandates alone are not sufficient condition for administration of copyrights. They must be matched with resources that facilitate implementation.

Regulations aim to change the manner in which participants in the regulated environment conduct themselves. Regulations introduce changes that require compliance by both production and market end participants. Administration of copyright in Kenyan music industry is equivalent to implementation of change. Vinzant and Vinzant (1996) suggest that implementation of policy by public organizations involve major changes in culture and require employees to adopt different values and styles of thinking. Therefore, successful administration of copyright requires understanding the dynamics of organizational culture. Jenny, Morgan and Ernest (2012) indicate that culture is a more permanent and intrinsic part of the organization that can be hard to select and more difficult to change. Culture manifests itself in shared beliefs and values. In addition to organizational culture, Vinzant and Vinzant (1996) argue that focusing on human resources alone without paying attention to structural and technical areas can result to a failed administration effort. Therefore, implementers of any policy need to pay attention to design of organization structure. Structure depicts how work is organized and coordinated by organizational members. Besides, structure displays reporting relationships within a hierarchical order. Administration of copyright requires flexible structure which can respond to rapid changes in technological environment within the music industry.

O’Toole and Montjoy (1984) argue that implementation of policy requires that those charged with execution cooperate towards the achievement of policy. Implementation of policy requires provision of inducement to people involved in execution. The success of policy implementation relies on the degree to which employees share common goal and
operational procedures and structures put in place to support execution. Even though O’Tooley and Montjoy (1984) argue that organizations develop standard operating procedures that facilitate interaction among personnel, this status can only hold in stable and predictable environment. The music industry is volatile and requires organic structures that support flexible and quick response to changes in the environment. Bureaucratic tendencies implied by O’Tooley and Montjoy (1984) have a number of weaknesses that not only slows down the speed of policy administration but, they also reduce effectiveness of implementing agencies. In Kenya, administrative agencies are of two kinds: statutory body and licensed private agencies. The statutory body is represented by KECOBO and uses government established government policies in organization structure and operational procedures. Consequently, like other government agencies, KECOBO is highly structured and likely to be rigid and bureaucratic. On the other hand, the licensed private agencies are more likely to be flexible as they need to adjust to changes in the environment from time to time.

2.3.1 Copyright Administration

According to Mbote (2005) intellectual property rights is concerned with the expression of an idea for an invention, the details which have been worked out and which takes the form of a product or process that can be applied industrially. Copyrights protect original works of musicians by giving them exclusive right to reproduce the same work and distribute copies for commercial gain. In Kenya, copyright protection last the entire life of the musician and an extra 50 years after his or her death (Sikoyo, Nyukuri and Wakhungu, 2006). The most important legislation which laid foundation for international copyright laws is the Berne Convention of 1886 (Leurdijk and Nieuwenhuis, 2012). The core principle of the convention is that authors do not need to register a song, a book or any other copyrighted content for it to be protected by law. According to Mbote (2005) the copyright laws in Africa were modelled along the lines of either civil or common law tradition. The main difference between the two systems is that the author’s right as found within the civil jurisdictions, placed emphasis on the author himself and his/her individuality. On the other hand, the common law system places emphasis on the work and the economic aspects of it. In Kenya, the 1911 Copyright Act was applied. However, it was only in 1961 that the Act was amended to include the protection of sound recordings.
The British Copyright Act of 1911 was the operative law in Kenya until 1966 when Parliament passed the Copyright Act, Chapter 130 of the Laws of Kenya (Ouma, 2010). The Act was amended several times. In 2001, the Copyright Act 2001 was passed by Parliament and came into force in 2003. According to Mbote (2005) the most radical review of the copyright law occurred in 2001 with the view of modernizing it and further aligning it to international treaties. The various amendments witnessed between 20th and 21st centuries were influenced by international laws; mainly the Berne Convention, the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement, and the World Intellectual Property Organization (WIPO). Before the Berne Convention copyright was not seen as a major priority for many developing countries and governments played minimal role in the administration of copyright and related rights (Mbote, 2005).

Copyright infringements are treated differently under different jurisdictions (OECD, 2009). Mertha (2006) argues that variations in enforcement of copyright protection reflect different government priorities. Variation in administration is an outcome of policy enforcement market. Mbote (2005) observes that implementation of intellectual property rights requires a clear legal and policy framework, supportive infrastructure which includes trained personnel and office resources. Implementation of intellectual property rights calls for the roles of enforcement agencies such as the police, customs and revenue authority. Administration of copyright requires intra-organizational coordination facilitated by well thought out structures, clear role specification that reduces overlaps in mandates and committed leadership.

According to Wekesa and Sihanya (2009), copyright law seeks to enhance creativity and provides incentives to research and development of creative works. Copyright law seeks to achieve a balance for creativity and rewards on the one hand and for securing freedom of expression and public interest on the other hand. Wekesa and Sihanya (2009) argue that copyright confers both economic and moral rights. Moral rights involve right to be named; right to integrity; freedom from false attribution; and right to privacy. Economic rights refer to the copyright owner’s right to secure financial and economic benefits from investing in a work.

Policy administration process constitutes the institutional vehicle through which regulatory decisions are developed and implemented (Croley, 1998). The administration
of music copyright protection in Kenya is a shared responsibility split between Music Copyright Society of Kenya, Copyright Board of Kenya and KAMP. The specific offices dealing with copyright makes a centralized point of administration and act as a link between the copyright holders and the government. They keep the government updated about the developments within the industry. Collective administration of copyright and related rights plays an important role in the development and growth of the music industry. This is because individual licensing and collection of royalties can be difficult (Ouma, 2010). The collective management organizations offer a centralized form of collection and distribution of royalties on behalf of their members. Collective management organizations play an important role in the music industry as they not only ensure that royalties are collected and distributed but, they also help in the fight against piracy.

According to Ouma (2010), poor copyright enforcement has contributed to the negative state of affairs in the music industry. Lack of effective enforcement mechanisms has retarded the establishment of collective management societies and recording facilities. Effective enforcement of copyright is important as it stimulates creativity of musicians. However, the ease of reproduction and dissemination of musical works has made enforcement more difficult. Enforcement of copyright in the music industry has been a major problem in Kenya even with the civil remedies and criminal sanctions that have been provided by the various laws (Ouma 2010). The main enforcement mechanisms are the judiciary, the customs department and the police. Close cooperation between the copyright administrative organs, the law enforcement agencies and the right holders in the music industry is essential for the successful enforcement of copyright.

The music industry in Kenya is evolutionary in a nature. Accordingly, effective protection requires a combination of a number of strategies. So far, Kenya relies on conventional linear approach to protection of musicians through collection of royalties. Bearing in mind that protection in the music industry is relatively weak and considering the evolutionary nature of the industry, periodic review of copyright legislations is required to enhance administration (Burke, 1996).

Copyright infringement is an act of free-riding and is condemned in many parts of the world due to its unlawful nature and the social harm it causes society (Bently, Davis and
(Ginsburg, 2010). Even though copyright protection through legal process is viewed as a panacea to piracy laden music industry, some authors have begun to question the rationale of copyright administration. Using evidence from Jamaica, Bently, Davis and Ginsburg (2010) opine that a highly innovative form of music has developed in the absence of copyright. They further explain that across all roles of participants in the music industry, there was a common culture and practice of innovativeness, copying old music but varying content and presentation. Evidence from Jamaica show that producers paid no royalties but, they claimed writing credits for themselves yet work was issued overseas. Jamaican musicians were profligate copiers who were open about their imitation and understood it to be a legitimate method for generation of new recordings.

Copyright protection in Kenya emphasizes collection of royalties to the exclusion of punishment of offenders. Royalties accrue to copyright owners from the public performance or broadcast of their performance (Nurse, 2000). Royalties are paid by collective administration organizations based on surveys of performance and broadcast of their works. Al-Rafee and Cronan (2006) observe that preventive and deterrent methods are used to combat piracy. Preventive method impedes the act of piracy making pirates to spend so much time and effort to infringe copyright. Deterrent methods use the threat of undesirable consequences to prevent piracy. Unfortunately, these strategies seem not to be working in Kenya. Collection of Royalties has been hampered by high levels of piracy and other forms of copyright infringement (Nurse, 2000). In spite of existence of copyright laws, Kenyan musicians are not educated about how to secure their royalties.

2.4 Chapter Summary
This chapter has focused on literature in relation to the research questions presented in this study. The literature presented is that of previous scholars that has been written on human resource capacity and the challenges and importance of how intra-organizational offices influence a desired communal goal. In addition a lot of information has also been written on the legal frame-work in which the protection of intellectual property rights needs to be harvested in. The chapter has also touched on the current piracy issues that have stifled the development of the music industry in Kenya and the globe as a whole.
Chapter three will look at the research design, methods and procedures that are to be adapted in the study, including the population and sampling design, data collection methods and data analysis.
CHAPTER THREE

3.0 RESEARCH METHODOLOGY

3.1 Introduction
This chapter discusses the research methodology that was adopted in the study. The pertinent issues discussed in this section include the research design, methods and approaches, the population of the study, sample and sampling techniques, data collection methods as well as data analysis and data presentation methods used in the study.

3.2 Research Design
Research Design is defined as the framework or blueprint for collecting the information needed for a project in the best way (Malhotra, et al., 2002). Researchers of all levels wrestle with the process of developing an appropriate methodology for their research problem (Bryman and Bell, 2011). It is a critical factor in both academic development (Saunders et al., 2007) and the production of robust research practice (Crotty, 1998)

This study adopted a cross-sectional descriptive survey research design. Descriptive research is designed to provide further insight into the research problem by describing the variables of interest. A descriptive study is concerned with determining the frequency with which something occurs, or the relationship between the variables (Bryman and Bell, 2011). According to Bryman and Bell (2003) such a study tries to discover answers to the questions who, what, when, where, and sometimes, how.

The descriptive design was preferred because the study involved describing variables such as human resources, intra-organizational capacity. The survey covered thirty-three employees of copyright administrative agencies namely Music Copyright Society of Kenya (MCSK), the Kenya Association of Music Producers (KAMP) and the Performers Rights Society of Kenya (PRiSK).

3.3 Population and Sampling Design

3.3.1 Population
Cooper and Schindler (2000) define a population as the total collection of elements about which the researcher wishes to make some inferences. The study of population consisted of the functional heads of licensed copyright administrative agencies dealing with music
in Kenya. There were three copyright administrative agencies in the music industry. The functional heads were identified and used so as to ensure the study receives quality and factual information. The functional heads totaling thirty-three were selected so as to ensure timely and accurate information was received as they were all located within Nairobi, and were interviewed personally on a one-on-one basis. The population of interest was all the functional heads of the three administrative agencies in Kenya mandated collect royalties within the music industry in Kenya.

3.3.2 Sampling Design

3.3.2.1 Sampling Frame
According to Polonsky and Waller (2005), a sampling frame is the list of elements from which the sample is actually drawn. It is a complete and correct list of population members only. The sampling frame was obtained from the administrative agencies that are licensed to collect royalties on behalf of their members in the music industry in Kenya. The current three licensed bodies are the Music Copyright Society of Kenya (MCSK), the Kenya Association of Music Publishers (KAMP) and the Performers Rights Society of Kenya (PRiSK). By law, they must be licensed by the Kenya Copyright Board of Kenya.

The administrative agencies have reciprocal license agreements with other international collective management officers globally, and act on their behalf to collect royalties for international members as well.

3.3.2.2 Sampling Technique
According to Saunders et al. (2003), dividing the population into a series of relevant strata means the sample is more likely to be representative, as the researcher can ensure that each relevant strata is represented equally within the sample, while Gerring (2007) believes a census sampling approach is inappropriate as a selection method if the sample is small by definition.

The study was a census of functional heads in the copyright administrative agencies in the music industry. Forty-two employees of copyright administrative agencies were targeted for data collection. The census study was adopted because the population size is small. Census study was also necessary to meet statistical test sample size requirements.
3.3.2.3 Sample Size
The sample size of a statistical sample is the number of observations that constitute it (Bartlet, et al, 2008). Denscombe (1998) contends that in order to generalize the findings of the study, the sample must be carefully selected to be representative of the population and that the absolute size of the sample will depend on the complexity of the population and the research questions being investigated.

The study was a census of functional heads in the copyright administrative agencies in the music industry. Forty-two employees of copyright administrative agencies were targeted for data collection. The census study was adopted because the population size is small. Census study was also necessary to meet statistical test sample size requirements.

3.4 Data Collection Methods
According to Cooper and Schindler (2000), data collection is the gathering of data that may range from a single observation at one location to a grandiose survey of a multinational corporation at sites in different parts of the world. The main instrument for this study was a semi-structured questionnaire. A Five-point Likert scale was also used to assess intra-organizational capacity. The scale ranged from 1 to 5 where 1 represented very poor while 5 represented very good. The questionnaire had both structured and open ended questions. Questionnaire construction was guided by the two objectives of the study, the first one being to establish how human resource capacity of administrative agencies affect implementation of copyrights in the Kenya music industry, and the second objective focused on how intra-organizational capacity influence administration of copyrights in the music industry. Section A of the questionnaire looked at background information of the respondent while Section B focused on the current human resource capacity of agencies. Section C dealt with the second research objective of the study specifically how intra-organizational capacity affects the administration of copyright in Kenya. The interviews obtained strategic and operational information. Data collected was both quantitative and qualitative.

3.5 Research Procedure
The data instruments were designed by the researcher and the questions were based on the research questions guiding the research. The questionnaire was pre-tested by administering it to three respondents of the determined sample, equally representing the
three administration agencies. Piloting was necessary as it is very difficult to predict how respondents will interpret and react to questions (Gill and Johnson, 2002). By conducting a pilot test the researcher was able to identify any potential problems in the questionnaire and allow for corrections.

Interviews lasted for about one hour for each respondent. Data was collected through personal interviews. This method of data collection was preferred because it increased response rates and allowed research assistants to make clarifications, reassure respondents and probe them. Appointments were sought in good time to ensure respondent cooperation and to identify time of the day when the respondents were less busy.

3.6 Data Analysis Methods
Saunders, et al (2003) defines data analysis as a process for the collection and analysis of qualitative data that involves three concurrent sub-processes of data reduction, data display and drawing and verifying conclusions. Analysis of data in this study was done at two levels. The first level consisted of analyzing quantitative data. Percentages and frequencies were used to summarize background information data. Descriptive analysis such as mean scores and standard deviation was used to analyze data on human resource capacity and intra-organizational capacity of administrative agencies. Codes developed in an analysis program Statistical Package for Social Sciences (SPSS) was used.

Relationship between variables was tested through correlation analysis. Qualitative data coded before analysis aimed at identifying and summarizing themes emerging from sets of statements, phrases and words. Content and contextual analysis was used to process qualitative data. Analysis of data focused on understanding underlying patterns of relationships and drawing inferences about threads of relationships.

3.7 Chapter Summary
The chapter presented the methods that were used by the researcher. The research carried out was on the three administrative agencies licensed to collect royalties on behalf of its members, namely the Music Copyright Society of Kenya (MCSK), Kenya Association of Music Producers (KAMP) and the Performers Rights Society of Kenya (PRiSK). The sampling design is also described and in particular defining the sample size, the sampling technique used as well as the sampling frame. Also discussed was the data collection method and main instruments in the collection of data. The questionnaire was self-
administered and pilot tested. The next chapter will discuss the results and findings from the data analysis.
CHAPTER FOUR

4.0 RESULTS AND FINDINGS

4.1 Introduction
The chapter presents findings of the study and contains general information, results on human resource capacity and intra-organizational capacity. Presentation of findings was guided by the objectives of the study. Forty two employees of copyright administrative agencies were targeted for data collection. Thirty-four of the forty-two responded to the interview translating to a response rate of eighty-one percent. However, at the data entry stage one questionnaire was found to be inconsistent in many responses. Consequently, one questionnaire was removed leaving thirty-three effective questionnaires. This translates to effective response rate of seventy-nine percent.

The sub-section on human resource capacity describes human resource management practices and cultural values that guide behavior and actions of organizational members. The sub-section on intra-organizational capacity describes coordination of activities, organizational culture and structure and how they influence administration of copyrights in the music industry.

4.2 General Information
Respondents were aged between twenty-seven and forty-six years. Interviews were conducted at the head office of each administrative agency in Nairobi. More than half of the respondents were male. Respondent’s work experience within the music copyright administration industry ranged between one and six years. The average work experience within the music copyright administration industry was three years and three months. In comparison to average age (eight years) of organizations involved in copyright administration, it was noted that there was high staff turnover in the industry. While some copyright administration agencies had been existence for about fifteen years, longest serving employees had worked for only six years within the industry.

4.2.1 Years of Work Experience in Copyright Administration
The study also examined the years of work experience in copyright administration in order to determine, the familiarity of employees with music industry. It was established that copyright administrative agencies were at different levels of experience in the music industry.
Seven respondents reported that their organization had been in business for less than five years. On the other hand, thirteen respondents indicated that their organizations had been in operation for more than fifteen years. Out of the three administrative agencies, one had been in operation for less than five years. Another organization had been involved in copyright administration for between five and nine years. One administrative agency namely MCSK reported that they had been in operation for more than fifteen years.

Table 4.1: Administrative Agency’s Years of Experience in Copyright Administration

<table>
<thead>
<tr>
<th>Number of Years</th>
<th>Number of Respondents</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 5</td>
<td>7</td>
<td>22</td>
</tr>
<tr>
<td>5 - 9</td>
<td>13</td>
<td>39</td>
</tr>
<tr>
<td>15 and above</td>
<td>13</td>
<td>39</td>
</tr>
<tr>
<td>Total</td>
<td>33</td>
<td>100.0</td>
</tr>
</tbody>
</table>

4.2.2 Number of Branches of Copyright Administrative Agencies

Table 4.2 shows that twenty-two respondents indicated that their organizations had less than ten employees. On the other hand, eleven employees reported that their organizations employed more than thirty people. Two out of the three agencies employed less than ten people on permanent basis. Only one organization had eighty-five employees on permanent basis and an extra eighteen employees on contractual terms. It was noted that the number of employees an administrative agency engaged was associated with the level of branch network. Two organizations which employed less than ten employees had only a head-office. The organization which employed one-hundred-and-three had branch offices spread in major towns in Kenya except North Eastern region. The MCSK had branch offices in Rift Valley, Kisumu, Nairobi, Mombasa, Central province, Western province and Machakos town.
Table 4.2 Number of Branches of Copyright Administrative Agencies

<table>
<thead>
<tr>
<th>Number of Branches</th>
<th>Number of Respondents</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 10</td>
<td>22</td>
<td>66.7</td>
</tr>
<tr>
<td>30 and more</td>
<td>11</td>
<td>33.3</td>
</tr>
<tr>
<td>Total</td>
<td>33</td>
<td>100.0</td>
</tr>
</tbody>
</table>

4.2.3 Education Levels of Copyright Administrative Agency Employees

Education level was assessed for total number of employees engaged on permanent employment terms by copyright administrative agencies. Information on education levels was reported by human resources managers in larger organization and Chief Executive Officers for smaller administrative agencies. It was observed that forty-five percent of employees working for copyright administration agencies completed form four and proceeded to certificate courses. Employees who were educated up to Diploma level were represented by thirty-five percent. Employees who were holders of various Degrees at undergraduate level comprised of sixteen percent while those that had postgraduate degrees were only four percent. Further scrutiny established that administrative agencies that were large in size in terms of number of employees as well as branch network had the greatest proportion of employees with secondary education. Smaller administrative agencies have more qualified employees although few in number. The level of education among employees was skewed to the left implying that majority of the employees had lower levels of formal education as compared to fewer employees that had higher levels of formal education.

Majority of employees that were engaged by administrative agencies on contractual terms had form four level of formal education and certificate training. It was established that certificate holders attained those qualifications as part of on the job training. Employees were sponsored to certificate courses to improve their capacity to deliver services and also to motivate them to be more productive. It was established that employees who were
categorized as contract employees were drawn from outsourced services particularly by the largest administrative agency.

Table 4.3: Education Levels of Copyright Administrative Agency Employees

<table>
<thead>
<tr>
<th>Highest Level of Education</th>
<th>Number of Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Frequency</td>
</tr>
<tr>
<td>Secondary</td>
<td>50</td>
</tr>
<tr>
<td>Diploma</td>
<td>39</td>
</tr>
<tr>
<td>Degree</td>
<td>18</td>
</tr>
<tr>
<td>Postgraduate</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>111</td>
</tr>
</tbody>
</table>

4.3 Human Resource Capacity

Human resource capacity of copyright administrative agencies was assessed at two different levels. The first level involved the use of descriptive analysis such as mean scores and standard deviations. The second level involved carrying out correlation analysis. A Five-point Likert scale was used to assess human resource capacity. The scale ranged from 1 to 5 where 1 represented not at all while 5 represented very large extent. The mean scores were interpreted as follows: 1 – 1.7 = Not at all; 1.8 – 2.5 = Small extent; 2.6 – 3.3 = Moderate extent; 3.4 – 4.1 = Large extent; 4.2 – 4.9 = Very large extent. Table 4.4 shows that administrative did not have forensic investigators. Employees were not trained on forensic investigations and surveillance work. It was indicated that to a small extent some employees were trained in lobbying skills.
It was established as indicated in Table 4.4 that copyright administrative agencies embraced teamwork to a large extent. However, teamwork was practiced across departments within single administrative entities. There was no evidence suggesting that teamwork was practiced across organizations. Copyright administrative agencies in the music industry were rated moderate in establishing human resources systems, policies and guidelines. In the same vein, it was noted that administrative agencies were considered moderate in taking inputs from all employees when making top management decisions.

Table 4.4: Human Resource Capacity of Copyright Administrative Agencies

<table>
<thead>
<tr>
<th>Human Resource Issues</th>
<th>Mean</th>
<th>Std. Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience</td>
<td>2.6</td>
<td>1.2</td>
</tr>
<tr>
<td>Adequacy of officers for surveillance work</td>
<td>2.6</td>
<td>1.0</td>
</tr>
<tr>
<td>Employed advocates for litigation</td>
<td>2.5</td>
<td>1.2</td>
</tr>
<tr>
<td>Adequacy of forensic investigators</td>
<td>1.7</td>
<td>1.1</td>
</tr>
<tr>
<td>Adequacy of royalty collectors</td>
<td>3.1</td>
<td>1.1</td>
</tr>
<tr>
<td>Adequacy of officers for copyright administration in major towns</td>
<td>2.6</td>
<td>1.1</td>
</tr>
<tr>
<td>Teamwork among employees</td>
<td>3.8</td>
<td>.8</td>
</tr>
<tr>
<td>Bonding sessions created for employees at least once per year</td>
<td>3.2</td>
<td>.9</td>
</tr>
<tr>
<td>Structural adjustments carried out in organization structure to make more responsive to changes in music industry</td>
<td>3.1</td>
<td>1.1</td>
</tr>
<tr>
<td>Established effective systems, policies and guidelines</td>
<td>3.2</td>
<td>1.2</td>
</tr>
<tr>
<td>Inputs of every employee are considered in management decisions</td>
<td>3.2</td>
<td>1.0</td>
</tr>
<tr>
<td>Some employees are trained in forensic investigation</td>
<td>1.6</td>
<td>.9</td>
</tr>
<tr>
<td>Some employees have attended training in lobbying skills in last 3 years</td>
<td>1.9</td>
<td>.8</td>
</tr>
<tr>
<td>Some employees have been trained in surveillance work</td>
<td>1.5</td>
<td>.9</td>
</tr>
</tbody>
</table>
Table 4.5 shows that there was a moderately strong positive correlation between adequacy of surveillance officers and established systems, policies and guidelines. This means that organizations with established effective systems, policies and guidelines were more likely to have adequate surveillance officers. In the same vein, presence of effective systems, policies and guidelines was positively correlated with employment of adequate administrative officers in major towns. Effective systems, policies and guidelines also positively influenced adoption of inclusive management in decision making. This suggests that systems, policies and guidelines have strong influence on effective administration of copyright in the music industry.

**Table 4.5: Relationships between Human Resource Capacity Issues**

<table>
<thead>
<tr>
<th></th>
<th>Adequacy of Surveillance</th>
<th>Adequacy of Royalty Collectors</th>
<th>Adequacy of Officers in Towns</th>
<th>Teamwork Among Employees</th>
<th>Structural Adjustments</th>
<th>Established Effective Systems, Policies and Guidelines</th>
<th>Employee Inputs Considered in Decision Making</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adequacy of surveillance officers Pearson Correlation</td>
<td>1</td>
<td>.743**</td>
<td>.770**</td>
<td>.551*</td>
<td>.666**</td>
<td>.764**</td>
<td>.668**</td>
</tr>
<tr>
<td></td>
<td>Sig. (2-tailed)</td>
<td>.000</td>
<td>.000</td>
<td>.018</td>
<td>.003</td>
<td>.000</td>
<td>.002</td>
</tr>
<tr>
<td>Adequacy of officers in major towns Pearson Correlation</td>
<td>.770**</td>
<td>.846**</td>
<td>1</td>
<td>.605**</td>
<td>.530*</td>
<td>.857**</td>
<td>.680**</td>
</tr>
<tr>
<td></td>
<td>Sig. (2-tailed)</td>
<td>.000</td>
<td>.000</td>
<td>.008</td>
<td>.024</td>
<td>.000</td>
<td>.002</td>
</tr>
<tr>
<td>Established effective systems, policies and guidelines Pearson Correlation</td>
<td>.764**</td>
<td>.738**</td>
<td>.857**</td>
<td>.685**</td>
<td>.658**</td>
<td>1.742**</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sig. (2-tailed)</td>
<td>.000</td>
<td>.000</td>
<td>.000</td>
<td>.002</td>
<td>.003</td>
<td>.000</td>
</tr>
<tr>
<td>Employee inputs considered in decision making Pearson Correlation</td>
<td>.668**</td>
<td>.681**</td>
<td>.680**</td>
<td>.538*</td>
<td>.579*</td>
<td>.742**</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Sig. (2-tailed)</td>
<td>.002</td>
<td>.002</td>
<td>.021</td>
<td>.012</td>
<td>.000</td>
<td></td>
</tr>
</tbody>
</table>
4.3.1 Disciplinary Actions over Misconduct in the last Two Years
Disciplinary cases for staff misconduct were reported by twenty-seven respondents. Only six respondents indicated that their organizations had not handled any staff disciplinary case between February 2012 and February 2014. The results translate two organizations out of three engaged in copyright administration handled disciplinary cases over the same period.

Table 4.6: Cases of Disciplinary Action over Misconduct in Last Two Years

<table>
<thead>
<tr>
<th>Status of Disciplinary Cases</th>
<th>Number of Respondents</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disciplinary cases</td>
<td>27</td>
<td>83.3</td>
</tr>
<tr>
<td>No disciplinary cases</td>
<td>6</td>
<td>16.7</td>
</tr>
<tr>
<td>Total</td>
<td>33</td>
<td>100.0</td>
</tr>
</tbody>
</table>

4.3.2 Management Succession Plan
Respondents were asked to indicate whether their organizations had management succession plan. Twenty out of thirty three respondents indicated that there was a management succession plan in their organizations. On the other hand, thirteen respondents showed that there was no management succession plan in their organizations. It was noted that larger and more established organizations had management succession plan. Also, statutory agency engaged in copyright administration had put in place a management succession plan. On the other hand, smaller and relatively younger administrative agencies did not have management succession plan.
Table 4.7: Management Succession Plan

<table>
<thead>
<tr>
<th>Status of Management Succession Plan</th>
<th>Number of Respondents</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Succession plan in place</td>
<td>20</td>
<td>61.1</td>
</tr>
<tr>
<td>No succession plan</td>
<td>13</td>
<td>38.9</td>
</tr>
<tr>
<td>Total</td>
<td>33</td>
<td>100.0</td>
</tr>
</tbody>
</table>

4.4 Intra-Organizational Capacity

A Five-point Likert scale was used to assess intra-organizational capacity. The scale ranged from 1 to 5 where 1 represented very poor while 5 represented very good. The mean scores were interpreted as follows: $1 – 1.7 = $ very poor; $1.8 – 2.5 = $ poor; $2.6 – 3.3 = $ fair; $3.4 – 4.1 = $ good; $4.2 – 4.9 = $ very good. Table 4.8 shows that employees of copyright administrative agencies were good (mean = 3.9) at strictly following chain of command. Unlike expectation, separation of roles among copyright administrative agencies was rated good (mean = 3.9) implying that there was little role overlaps between administrative agencies. It was established that employees were good (mean = 3.6) at writing regular performance reports. In addition, employees were rated good (mean = 3.6) at embracing new values in the music industry. In support of this finding, it was noted that employees’ knowledge of core organizational values was rated good (mean = 3.4) and that employees practiced core values in their respective organizations. Copyright administrative agencies in the music industry were good (mean = 3.4) at regular communication with customers.
Table 4.8: Intra-Organizational Capacity

<table>
<thead>
<tr>
<th>Intra-Organizational Capacity</th>
<th>Mean</th>
<th>Std. Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular meetings held with other regulatory agencies</td>
<td>3.0</td>
<td>.6</td>
</tr>
<tr>
<td>Coordinated structure with other regulatory agencies</td>
<td>2.6</td>
<td>1.0</td>
</tr>
<tr>
<td>Information shared regularly with other regulatory agencies</td>
<td>2.7</td>
<td>.6</td>
</tr>
<tr>
<td>Customer complaints collected daily</td>
<td>3.2</td>
<td>1.2</td>
</tr>
<tr>
<td>Communicate with customers on a regular basis</td>
<td>3.4</td>
<td>1.1</td>
</tr>
<tr>
<td>Culture change emphasized by leadership</td>
<td>3.2</td>
<td>1.2</td>
</tr>
<tr>
<td>Employees embrace new values as the music industry change</td>
<td>3.6</td>
<td>1.2</td>
</tr>
<tr>
<td>Employees know and practice core values stated in strategic plan</td>
<td>3.4</td>
<td>.8</td>
</tr>
<tr>
<td>Employees worry about new changes proposed by management</td>
<td>3.0</td>
<td>.6</td>
</tr>
<tr>
<td>Periodically review organization structure to respond to new changes and challenges</td>
<td>3.3</td>
<td>1.3</td>
</tr>
<tr>
<td>All employees are allowed to directly report major issues to MD</td>
<td>2.8</td>
<td>1.0</td>
</tr>
<tr>
<td>Employees strictly follow chain of command</td>
<td>3.9</td>
<td>1.1</td>
</tr>
<tr>
<td>Policies for handling internal operations are established</td>
<td>3.2</td>
<td>1.3</td>
</tr>
<tr>
<td>Clear role in copyright administration</td>
<td>3.9</td>
<td>1.4</td>
</tr>
<tr>
<td>Occasionally experience role duplication by other agencies</td>
<td>2.7</td>
<td>1.0</td>
</tr>
<tr>
<td>Employees write regular performance reports</td>
<td>3.6</td>
<td>1.3</td>
</tr>
</tbody>
</table>
### 4.4.1 Relationships between Intra-Organizational Variables

A moderately strong positive correlation was observed between collection of customer complaints and regular communication with customers. Regular communications with customers was positively associated with periodic review of organizational structure by copyright administrative agencies in the music industry. A strong positive correlation (corr = 0.87) between leadership emphasis on culture change adoption of new values by employees. In addition, it was observed that adoption of new organizational values by employees was strongly positively associated with periodic reviews of organizational structure by copyright administrative agencies in the music industry.

#### Table 4.9: Relationships between Intra-Organizational Variables

<table>
<thead>
<tr>
<th></th>
<th>Regular sharing of information with other regulatory agencies</th>
<th>Regular communication with customers basis</th>
<th>Culture change emphasized by leadership</th>
<th>Employees embrace new values as the music industry change</th>
<th>Employees know and practice core values stated in strategic plan</th>
<th>Periodically review organization structure to respond to new changes and challenges</th>
<th>Policies for handling internal operations are established</th>
</tr>
</thead>
<tbody>
<tr>
<td>collected daily</td>
<td>.515*</td>
<td>.768**</td>
<td>.561*</td>
<td>.528*</td>
<td>.424</td>
<td>.515*</td>
<td>.388</td>
</tr>
<tr>
<td></td>
<td>Sig. (2-tailed)</td>
<td>.029</td>
<td>.000</td>
<td>.015</td>
<td>.024</td>
<td>.080</td>
<td>.029</td>
</tr>
<tr>
<td>Regular communication</td>
<td>Pearson Correlation</td>
<td>Pearson Correlation</td>
<td>Pearson Correlation</td>
<td>Pearson Correlation</td>
<td>Pearson Correlation</td>
<td>Pearson Correlation</td>
<td>Pearson Correlation</td>
</tr>
<tr>
<td>with customers</td>
<td>.465</td>
<td>1</td>
<td>.564*</td>
<td>.622**</td>
<td>.535*</td>
<td>.731**</td>
<td>.414</td>
</tr>
<tr>
<td></td>
<td>Sig. (2-tailed)</td>
<td>.052</td>
<td>.015</td>
<td>.006</td>
<td>.022</td>
<td>.001</td>
<td>.087</td>
</tr>
<tr>
<td>Culture change emphasized by leadership</td>
<td>Pearson Correlation</td>
<td>.341</td>
<td>.564*</td>
<td>1</td>
<td>.870**</td>
<td>.712**</td>
<td>.757**</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>---------------------</td>
<td>------</td>
<td>-------</td>
<td>---</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td>Sig. (2-tailed)</td>
<td>.166</td>
<td>.015</td>
<td>.000</td>
<td>.001</td>
<td>.000</td>
<td>.000</td>
<td>.000</td>
</tr>
<tr>
<td>Employees embrace new values as the music industry change</td>
<td>Pearson Correlation</td>
<td>.581*</td>
<td>.622**</td>
<td>.870**</td>
<td>1</td>
<td>.764**</td>
<td>.860**</td>
</tr>
<tr>
<td>Sig. (2-tailed)</td>
<td>.011</td>
<td>.006</td>
<td>.000</td>
<td>.000</td>
<td>.000</td>
<td>.000</td>
<td>.000</td>
</tr>
<tr>
<td>Employees know and practice core values stated in strategic plan</td>
<td>Pearson Correlation</td>
<td>.475*</td>
<td>.535*</td>
<td>.712**</td>
<td>.764**</td>
<td>1</td>
<td>.575*</td>
</tr>
<tr>
<td>Sig. (2-tailed)</td>
<td>.046</td>
<td>.022</td>
<td>.001</td>
<td>.000</td>
<td>.012</td>
<td>.013</td>
<td></td>
</tr>
<tr>
<td>Periodically review organization structure to respond to new changes and challenges</td>
<td>Pearson Correlation</td>
<td>.372</td>
<td>.731**</td>
<td>.757**</td>
<td>.860**</td>
<td>.575*</td>
<td>1</td>
</tr>
<tr>
<td>Sig. (2-tailed)</td>
<td>.128</td>
<td>.001</td>
<td>.000</td>
<td>.000</td>
<td>.012</td>
<td>.002</td>
<td></td>
</tr>
</tbody>
</table>
4.4.2 Engagement with other Service Providers in Copyright Administration

Engagement relations between copyright administrative agencies and other support service providers in the music industry was assessed by analyzing engagement with the police, judiciary, customs department and revenue authority. Analysis revealed that copyright administrative agencies did not have direct engagements with the judiciary, customs department and revenue authority. The copyright administrative agencies only interacted with the judiciary in the event of court proceedings. Copyright administrative agencies were directly involved in collection of royalties. Customs department and revenue authority were not involved in collection of royalties anywhere on behalf of copyright administrative agencies. This is despite weak outreach by three out of four administrative agencies.

It was noted that copyright administrative engages actively engaged the police on a loose arrangement basis. Police was engaged when it was necessary to apprehend non-compliant customers. Police was engaged as the need arises and there was no long term contractual or structured arrangement between administrative agencies and the police.
department. While 18 respondents indicated that their organization engaged police in administration of copyright, 15 respondents showed that there was no engagement between their organization and the police. Larger and more established organizations engaged the police in making arrests. Smaller and relatively younger organizations did not engage the police.

Table 4.10: Engagement with the Police

<table>
<thead>
<tr>
<th>Engagement terms</th>
<th>Number of respondents</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secondment</td>
<td>18</td>
<td>55.6</td>
</tr>
<tr>
<td>Not at all</td>
<td>15</td>
<td>44.4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>33</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

4.5 Chapter Summary

The chapter reported findings of the study under each objective. It was established that the average work experience of employees in copyright administration industry was three-and-a-quarter years. Copyright administrative agencies suffered high staff turnover. Copyright administrative agencies were at different levels of existence. While some organizations had been existence for more than fifteen years, other agencies had been existence for less than five years. Two out of three agencies had only one contact office based in Nairobi. However, one agency had branches spread over major towns and regions within the country. Majority of employees of copyright administrative agencies had secondary education and certificate qualifications earned on the job. A few employees had higher academic qualifications. Large organizations had the largest number of employees with lower academic qualification. Smaller administrative agencies had highly trained staff. Employees of administrative agencies were not trained in forensic audit and surveillance. On a more positive note, teamwork was prevalent among employees in each administrative agency.
Disciplinary actions were taken by three agencies against employees that had cases of misconduct over the last two years. Larger and more established agencies had management succession plans. Employees strictly followed chain of command and there was little role overlaps among administrative agencies. A strong positive association was observed between emphasis by leadership on culture change and adoption of new values by employees. Administrative agencies engaged the basis in apprehending non-compliant customers.
CHAPTER FIVE

5.0 DISCUSSION, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

The chapter contains summary, discussions, conclusions and recommendations. The summary provides information about purpose of the study, research questions, research methodology and major findings. Discussion and conclusions are structured in line with the objectives of the study. Recommendations are divided into two streams with first part addressing recommendations for improvement while the second part deals with recommendations for further studies.

5.2 Summary

The purpose of the study was to establish the influence of human resource capacity and intra-organizational capacity on administration of music copyright administration in Kenya. The study was guided by two objectives. The first objective was to establish how human resource capacity of administrative agencies affects implementation of copyrights in Kenya’s music industry. The second objective was to determine how intra-organizational capacity influence administration of copyrights in the music industry. The study adopted a cross-sectional descriptive research design. The population of interest was all employees of copyright administrative agencies. The employees included both management and operational staff. A census of all employees of the four copyright administrative agencies based in Nairobi was conducted. Data was collected through personal interviews using a semi-structured questionnaire. Construction of the questionnaire was guided by objectives of the study and information obtained from literature review. Quantitative data was analyzed through mean scores, standard deviation and correlation analysis.

It was established that only one copyright administrative agency had more than thirty branch offices spread throughout the country. Education level of employees working with administrative agencies was negatively skewed. Only four employees in total from all the administrative agencies had postgraduate qualifications. Larger organizations in terms of branch network and number of employees had the highest number of employees with lower level of education. Nonetheless, employees who had form four level of education
had certificate qualification which they earned as part of on the job training. Administrative agencies lacked forensic investigator and no attempt had been made to train employees on forensic investigation and surveillance. Every administrative organization embraced teamwork internally. However, teamwork across agencies was not evident. It was established that organizational systems, policies and guidelines were positively associated with adequacy of surveillance officers. Large administrative agencies had management succession plans. In contrast, small agencies did not have management succession plans. The finding supports arguments by Mbote (2005) who contend that implementation of copyright requires supportive infrastructure including personnel.

Intra-organizational capacity was assessed and it was established that across the industry, employees were good at strict adherence to chain of command. There were little overlaps in roles by the four administrative agencies. Administrative agencies did not engage other government agencies which would otherwise be useful in improving administration in the industry. Administrative agencies engaged police to the minimum especially where arrest was involved. A strong positive correlation was identified between leadership emphasis on culture change and adoption of new values by employees. It was also established that adoption of new values was positively associated with periodic review of organization structure by administrative agencies.

5.3 Discussions
The study sought to address two research objectives revolving around human resource and intra-organizational capacities of copyright administrative agencies in the music industry. Findings are discussed in the section below.

5.3.1 Human Resource Capacity
The average work experience of employees in the music industry was three-and-a-quarter years. It was noted that longest serving officers had worked for a cumulative period of six years while employees with the shortest work experience within the industry has worked for one year. This was in contrast to the average age of administrative agencies which was eight years. The disparity between length of time employees had stayed with administrative agencies and the average age of the agencies points to high staff turnover within the industry. One agency had been existence for more than fifteen years but, in
both cases the longest serving employee at the time of interview had served for six years only. This is less than half of the organization age. High staff turnover may have been triggered by human resource management gaps and weak employee retention strategies by administrative agencies. The oldest administrative agencies were established in 1983. The youngest agency had been existence for less than five years. It is highly likely that young agencies had weak internal structures and therefore less effective in discharging responsibilities of copyright administration.

Effectiveness of administrative agency can be judged from the quality of its internal pool of resources as well as its level of outreach. Copyright administrative agencies appear to be faring poorly on these two areas. While the large administrative agency had a well nested branch network, it did poorly in terms of quality of staff employed. This is contrary to the views by Wright et al. (1995) who argue that human resource attributes have a significant bearing on organizational performance. The large branch network within the country appears to have been eclipsed by low levels of academic qualifications by employees. On the other hand, smaller administrative outfits lacked the branch network required to reach out customers. Even though smaller agencies had well educated and trained workforce, their effectiveness was compromised by the small numbers of employees. This implies that smaller administrative agencies overworked their staff; a situation that can easily translate to burnout and hence reduced productivity. Consequently, it is evident that all administrative agencies suffered from human resource capacity challenges. However, the challenges were unique to each agency. The findings support Wright et al. (1995) argument that organizations in the same environmental context differ in their capacity to implement regulations.

Education and training influence performance through improvement in knowledge and skills. Despite the fact the argument by administrative agencies that copyright is a new area where people learn on the job, it does not overrule the requirement of setting education and training level during recruitment and selection. It must also be pointed out that it would be foolhardy to imagine that anybody can be trained to do copyright administration. People have different intellectual and behavioral capacities. This makes it necessary for setting clear minimum requirements for recruitment at different levels within the organizations.
Organizations who care about sustained performance invest in training and development of employees. In support of Farjoun (1994) findings, copyright administrative agencies inducted their new recruits and also supported employees to attend short term trainings. In one organization, senior management was sponsored by their employer to attend trainings in Sweden and Norway. Employees at lower levels within the organizational hierarchy received trainings in Kenya. Training is more effective when they are tailor-made to address weak areas within the organization. It was noted that employees of administrative agencies had never been trained on forensic audit and surveillance. Music industry is characterized by rapid technological developments that make it easy for people to infringe copyrights. Therefore, agencies without employees trained in forensic audit lack the ability to detect hi-tech piracy. Failing to train staff in forensic audit and surveillance suggests that fighting copyright infringement is not a priority area for administrative agencies. Further, it shows that administrative agencies are more interested in collection of royalties than fighting piracy.

Employees from all copyright administrative agencies reported strong elements of teamwork within their organizations. This was expected from smaller agencies. Organizational theories suggest that smaller groups are more cohesive than larger establishment. However, in the case of music industry, teamwork was evidenced across agencies irrespective of size. This implies that leadership within these agencies emphasized teamwork and invested in effective intra-organizational communication and bonding sessions. Teamwork is healthy for coordination of work. In addition, teamwork encourages synergies which lead to successful administration of copyrights.

A strong positive correlation was observed between effective systems, policies, guidelines and adequacy of surveillance officers. This finding concurs with theories of human resource management which emphasizes planning and projecting human resource needs way before recruitment begins. Agencies with established systems, policies and guidelines were unlikely to suffer major human resource capacity gaps. Therefore, agencies with established system and policies were more effective in administration of copyrights than younger and less established counterparts.

It was established cases of staff misconduct get punished in line with human resources policies within administrative agencies. Corruption by field inspection and royalty
collection officers was the major type of misconduct by employees. Employees involved in misconduct were disciplined in different ways depending on the magnitude of the case. Some of disciplinary actions taken against officers include warnings, demotions, transfers, interdictions and dismissal.

Human resource management was fraught with myriad of challenges. Some of the challenges include non-competitive remuneration, inadequate skills, inadequate number of staff and lack of human resource management software. Low remuneration reduces staff motivation which in turn leads to reduced productivity and increases employee turnover. The number and quality of staff is important for successful administration. Administrative agencies deal with members of the public throughout the country. Employees who lack requisite skills may unconsciously impede the chances of successful administration. Administrative agencies have a large pool of employees who do not have the requisite education level and training in copyright administration.

5.3.2 Intra-Organizational Capacity

It was revealed that employees were good at strict adherence to chain of command established in their organizations. This behavior is an indicator of organizational age and leadership. In theory, when organizations are started they tend to be organic and flexible. Over time, structures get established, policies put in place and employees get well defined job descriptions and chain of command. These developments change organizations from flexible to rigid and bureaucratic structures. Therefore, by virtue of age, size and chain of command, it would be argued that copyright administrative agencies exhibit tendencies of bureaucracy. Even though bureaucracies are good in creating order, they limit organizations to adapting to change. Bureaucratic organizations are ideal in relatively stable environments. In contrast, the music industry is dynamic and volatile rendering bureaucratic leadership ineffective in administration of copyrights where success demands more flexible and creative approach.

Copyright administrative agencies were not actively involved in engaging other stakeholders whose services can assist in improving administration of copyrights and fighting piracy. This is contrary to suggestions by O’Toole and Montjoy (1984) who aver that successful administration require collective support of different agencies. Other than the police which was engaged in an ad hoc manner, there was no engagement with the
judiciary, revenue authority and customs department. Findings support the views of Ouma (2010) who contend that lack of effective enforcement mechanisms has retarded the establishment of collective management societies. Effective administration requires collective and coordinated approach to fighting piracy and protecting rights of musicians. Lack of coordination among administrative agencies themselves portrays a picture of competitors rather than organizations working towards the same goals. This may be construed to mean that administrative agencies care more about collection of royalties and associated financial gain rather than effective administration of copyright within the music industry. Going it alone is not only expensive but, also impractical particularly for small administrative agencies without branch network.

A strong positive correlation was observed between emphasis by leadership on culture change and adoption of new values by organizational members. The findings support suggestions by Vinzant and Vinzant (1996) who notes that implementation of policy by public organizations involve major changes in culture and require employees to adopt different values and styles of thinking. Further, the finding concurs with organization and strategic management theories which suggest that leadership plays a significant role in influencing members of an organization to adopt new culture. This implies that leaders need to be held accountable where organizations have cultures that are counterproductive to accomplishing goals in copyright administration. In the same breath, leaders deserve to be rewarded for the role they play in driving success through culture management.

Organizations that were involved in regular communication with customers obtained correspondingly increased number of customer complaints. Taken positively, this means that organizations involved in regular communication with customers were more likely to resolve customer complaints, meet customer expectations and attract support in administration of copyrights. On the other hand, organizations that were not involved in regular communications with customers risk losing support from stakeholders and consequently a failed attempt at copyright administration. Regular communication with customers was positively associated with review of organizational structure by administrative agencies. This implies regular communication with customers is sufficient but not by itself effective in responding to customer concerns and adapting to the ever changing environment. It requires organizations to process information received from
customers and other stakeholders and carrying out necessary reorganization of organizational resources and structures to match changes in the external environment.

It was established that adoption of new organizational values was positively associated with periodic reviews of organization structure. This means that structural review was a process that involved assessing strategic areas within the organization and making changes that are necessary for success in the industry. Consequently, values are not cast on stone and are reviewed from time to time as the organization engages in review of the strategic plan.

The use of Internet technology was useful in administration of copyright. Organizations used Internet to communicate both internally and externally. Website and social media were platforms used by administrative agencies to share information with external stakeholders. The mobile telephone technology was used by administration agencies in collection of royalties. In this connection, some administrative agencies had MPESA Paybill number through which customers make payments for licenses. Mobile telephone was also used for communication purposes such as sending bulk messages to musicians. The GPS technology was used for administrative purposes in tracking vehicles. However, this applied to one agency only.

Qualitative data revealed that different agencies subjectively perceived role overlap as intrusion by their competitors. For instance, one agency insisted that one of the agencies was creating confusion by duping members of the public and casting themselves as the only legitimate royalty collectors on behalf of musicians. Objective interpretation of role overlaps traced the problem to the Copyright Act which creates administrative and legal confusions.

Copyright administrative agencies faced both logistical and legal challenges. Some of the key logistical challenges faced include poor infrastructure network, high cost of administration, lack of reliable data, resistance by consumers of music, low levels of public awareness and lack of vehicles by one of the agencies. The legal challenges faced are weak legal basis for collection of royalty, lack of punitive laws for piracy, high cost of litigation, increasing power of Matatu Owner’s Association, late filing of court cases and change in ownership of matatu. It was emphasized that the matatu industry was the most troublesome in copyright administration. They blatantly refuse paying royalties.
Alternatively, drivers change routes to avoid royalty collectors. In the event that *matatus* are sued, they rely on the strength of their SACCOS to fight cases in court. It was revealed that in many occasions, *matatu* owners have won court cases.

### 5.4 Conclusions

Conclusions have been made based on results of analysis and evidence gathered from qualitative data. The conclusions are presented below.

#### 5.4.1 Human Resource Capacity

Copyright administrative agencies face high employee turnover. This hampers the work of copyright administration and makes the process inefficient through increased cost of recruitment and training. All agencies other than one do not have branch offices. This means that the agencies lack outreach and therefore ineffective in discharging their responsibilities. Majority of employees of administrative agencies lack requisite education level and training. Therefore, capacity of administrative agencies is constrained in fighting piracy and protecting infringement of copyright. It also means that the agencies lack human resource capacity both in terms of quality and numbers to effectively carryout their work. It was concluded that recruitment of employees are driven by other objectives other than qualifications. The administration agencies lack both the will and passion for fighting piracy. The agencies are primarily concerned with collection of royalties.

#### 5.4.2 Intra-Organizational Capacity

Copyright administrative agencies are bureaucratic and less tuned to operate in volatile music environment. Overlap in roles by administrative agencies is as a result of unclear copyright laws and failure by the Kenya Copyright Board (KECOBO) to provide clear guidelines. This results to issue of double licenses by different agencies; a situation that not only causes public confusion but, it also fuels resistance by consumers of music. Administrative agencies did not engage each other in their work. Relations between agencies appeared less friendly. Some administrative agencies were customer driven and engaged them in continuous communication. Leadership played a significant role in managing culture change and consequently driving organizations towards attainment of organizational goals.
5.5 Recommendations

Recommendations of two kinds have been proposed. The first type of recommendations addresses managerial improvement while the second part delves on suggesting areas for future research.

5.5.1 Recommendations for Improvement

Recommendations for improvement are guided by results of data analysis and interpretation of findings.

5.5.1.1 Human Resource Capacity

To improve human resource capacity, copyright administrative agencies need to review and improve employee selection criteria by setting requisite academic and professional qualifications. Administrative agencies also need to strengthen internal systems, policies and procedures. It is also important for agencies to manage knowledge through proper gathering, processing and sharing of information internally and with other agencies.

5.5.1.2 Intra-Organizational Capacity

Lack of coordinated and collective administration was identified as a factor limiting administration of copyright. Therefore, it is recommended that administrative agencies need to improve coordination mechanisms with other agencies through structured joint planning and information sharing.

5.5.2 Recommendations for Further Studies

Based on limitations of the study, the following recommendations for further research have been suggested.

The music copyright administration industry is small in terms of number of players. Consequently, the study used small sample size. This may limit generalization of findings. Therefore, it is recommended that future studies need to use large samples by studying capacities of agencies in all copyright protected industries.

Copyright administrative agencies in the music industry suffered high staff turnover. It was beyond the scope of this study to establish reasons for high employee turnover. Therefore, it is recommended that future study need to use qualitative research design to investigate causes of high staff turnover.
The relationship between the governing body KECOBO and the administrative agencies is another key area of interest and it is recommended that a future study be undertaken looking at the key criteria for the selection and appointment of administrative agencies so as to ensure effective administration of copyright is undertaken.

During the study one additional area of concern became apparent; lack of enforcement of penalties or reprimand to individuals; the users of intellectual property, who disregard the laws of copyright. It is therefore recommended that a future study may be undertaken looking at consumer attitudes towards copyright and intellectual property as a whole.
REFERENCES


OECD (2009). *Piracy of Digital Content*


APPENDICES

APPENDIX 1: DATA COLLECTION INSTRUMENT

The questionnaire aims to collect data from collective management organizations with the goal of examining “The Effect of Human Resource and Intra-Organizational Capacity on the Administration of Copyright in the Kenya Music Industry”. Data obtained will be held in confidence and identity of respondents will be kept anonymous. Your cooperation in data collection exercise is highly appreciated.

SECTION A: BACKGROUND INFORMATION

Respondent details:

1. Title…………………………………………

2. Department……………………………………

3. Gender……………………………………..

4. Age………………………………………..

5. Location of Work Station……………………………………………………………..

6. Years of Service with organization………………………………………..

7. Please indicate the number of years you have been working in the music regulatory industry

<table>
<thead>
<tr>
<th>Number of years in business</th>
<th>Less than 5</th>
<th>5 – 9</th>
<th>10 – 14</th>
<th>15 and more</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tick appropriate box</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8. How many people are employed by your organization?

<table>
<thead>
<tr>
<th>Employment terms</th>
<th>Number of employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 50</td>
<td>51 – 100</td>
</tr>
<tr>
<td>101 – 150</td>
<td>151 and more</td>
</tr>
</tbody>
</table>
On Permanent terms

On Contractual terms

9. Please indicate number of officers falling under the various levels of education in the table

<table>
<thead>
<tr>
<th>Number of employees</th>
<th>Highest Completed Education Level</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Secondary</td>
</tr>
<tr>
<td>On Permanent terms</td>
<td></td>
</tr>
<tr>
<td>On Contractual terms</td>
<td></td>
</tr>
</tbody>
</table>

SECTION B: HUMAN RESOURCE CAPACITY

10. The following statements relate to human resource capacity of administrative organizations. Kindly indicate the extent to which each of the statement match your organization

<table>
<thead>
<tr>
<th>Human Resource Issues</th>
<th>Not at all</th>
<th>Small extent</th>
<th>Moderate extent</th>
<th>Large extent</th>
<th>Very large extent</th>
</tr>
</thead>
<tbody>
<tr>
<td>We have adequate officers for surveillance work in music industry</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>We have employed advocates to carryout litigation if necessary</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>We have adequate officers who frequently carry out forensic investigation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>We have adequate officers to collect royalties</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>We have enough officers to carry out copyright administration in major towns of Kenya</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Our employees work through teamwork</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>We create bonding sessions for employees at least once a year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>We carry out adjustments in the organization structure to make it more responsive to changes in music industry</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>We have established effective systems, policies and guidelines</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The inputs of every employee are considered in management decision</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Some of our employees are well trained in forensic investigation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Some of our employees have attended training in lobbying skills in the last 3 years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Some of our employees have been trained in surveillance work</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

12. Comment about the skills of your officers in administration of copyright

..................................................................................................................................................
..................................................................................................................................................
..................................................................................................................................................
..................................................................................................................................................

13. What the major human resource challenges faced by your organization

..................................................................................................................................................
..................................................................................................................................................
14. Have any of your employees been faced with disciplinary action over misconduct in the last 2 years?

a) Yes ☐  b) No ☐

15. If yes to Q 14 above, tell us actions that have been taken against such officers

........................................................................................................................................
........................................................................................................................................
........................................................................................................................................
........................................................................................................................................

16. The following table shows engagement with other government agencies. Tell us how you engage with agencies listed in the table

<table>
<thead>
<tr>
<th>Government Agency</th>
<th>Nature of engagement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Full time employees</td>
</tr>
<tr>
<td>Police</td>
<td></td>
</tr>
<tr>
<td>Judiciary</td>
<td></td>
</tr>
<tr>
<td>Customs department</td>
<td></td>
</tr>
<tr>
<td>Revenue Authority</td>
<td></td>
</tr>
</tbody>
</table>

17. If you have officers seconded to your organization by other government agencies, tell us the organization responsible for their training, promotion and performance evaluation

........................................................................................................................................
........................................................................................................................................
........................................................................................................................................
........................................................................................................................................

18. Do your employees sometime complain about lack of support from top management?

a) Yes ☐  b) No ☐
19. Do you have a management succession plan in your organization?

a) Yes  □       b) No  □

20. What are the major human resource challenges faced by your organization?

………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………

SECTION C: INTRA-ORGANIZATIONAL CAPACITY

21. Below are a number of statements regarding intra-organizational capacity in a number of organizations. Please indicate how your organization rates on each statement

<table>
<thead>
<tr>
<th>Coordination</th>
<th>Very Poor</th>
<th>Poor</th>
<th>Fair</th>
<th>Good</th>
<th>Very good</th>
</tr>
</thead>
<tbody>
<tr>
<td>We hold periodic joint meetings with other regulatory agencies in the music industry</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>We have a coordinated structure with other regulatory agencies in the music industry</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>We frequently share information with other regulatory agencies in the music industry</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>We collect customer complaints daily</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>We communicate with customers on regular basis</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Organizational culture</th>
<th>Very Poor</th>
<th>Poor</th>
<th>Fair</th>
<th>Good</th>
<th>Very good</th>
</tr>
</thead>
<tbody>
<tr>
<td>We leadership has been emphasizing culture change in our organization in the last 3 years</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Our employees embrace new values as the music industry change</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
All our employees know and practice the core values stated in our strategic plan

Our employees most of the time worry about new changes proposed by management

<table>
<thead>
<tr>
<th>Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td>3</td>
</tr>
<tr>
<td>4</td>
</tr>
<tr>
<td>5</td>
</tr>
</tbody>
</table>

We periodically review our organization structure to respond to new changes and challenges in the music industry

All our employees are allowed to report major issues directly to the MD without consulting Immediate supervisor

We strictly follow chain of command in the organization

We have established policies for handling internal operations

Our role in copyright administration is clear

We occasionally experience duplication of our roles by other copyright administration agencies

Our officers write regular reports on performance

22. Tell us how your organization is using Internet technology to improve copyright administration in the music industry

..........................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................................
24. Tell us how relevant GPS technology has been to your organization in administration of copyright in the music industry

………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………

25. What kind role overlaps exist among various institutions involved in administration of copyrights in the music industry

………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………

26. What are some of the logistical challenges faced by your officers in administration of copyright in the music industry?

………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………

27. What are the legal challenges faced by your organization in the administration of copyright in the music industry?

………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………

28. What recommendations do you propose towards improvement of copyright administration in the music industry?

………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………
………………………………………………………………………………………………