

THE REPUBLIC OF UGANDA

THE COPYRIGHT AND NEIGHBOURING RIGHTS (AMENDMENT) ACT, 2026



THE REPUBLIC OF UGANDA

I SIGNIFY my assent to the bill.

.....

President

Date of assent: 29/4/2026.

THE COPYRIGHT AND NEIGHBOURING RIGHTS (AMENDMENT) ACT, 2026

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THE REPUBLIC OF UGANDA

THE COPYRIGHT AND NEIGHBOURING RIGHTS (AMENDMENT) ACT, 2026

An Act to amend the Copyright and Neighbouring Rights Act, Cap. 222 to domesticate the Beijing Treaty on Audiovisual Performances of 2012, the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled of 2013, the Berne Convention for the Protection of Literary and Artistic Works of 1886, the World Intellectual Property Organisation Copyright Treaty of 1996 and the World Intellectual Property Organisation Performances and Phonograms Treaty of 1996; to provide for the protection of copyright and neighboring rights in the use and exploitation through internet and other technological means; to provide for the management and exploitation of orphan works; to provide for the regulation of exploitation contracts; to streamline the registration of collecting societies with the Registrar and for related matters.

DATE OF ASSENT:

Date of Commencement:

BE IT ENACTED by Parliament as follows:

1. Amendment of Cap. 222

The Copyright and Neighbouring Rights Act, in this Act referred to as the principal Act, is amended in section 2—

(a) by inserting the following definitions in their appropriate alphabetical order—

""accessible format copy" means a copy of work in an alternative manner or form which gives a beneficiary person access to the work, including to permit the person to have access as feasibly and comfortably as a person without visual impairment or other print disability;

"anonymous work" means work where the identity of the author is unknown;

"beneficiary person" means a person who—

(a) is blind;

(b) has a visual impairment or a perceptual or reading disability which cannot be improved to give visual function substantially equivalent to that of a person who has no such impairment or disability and so is unable to read printed works to substantially the same degree as a person without an impairment or disability; or

(c) is otherwise unable, through physical disability, to hold or manipulate a book or to focus or move the eyes to the extent that would be normally acceptable for reading, regardless of any other disabilities;

"broadcasting" means the transmission by wire or wireless means for public reception of sounds or images or both or the representations thereof, and includes transmission by satellite and transmission of encrypted signals where the means of decrypting are provided to the public by the broadcasting organisation or with its consent;

"bundle of rights" means a collection of rights relating to a particular category of works;

"caller ring back tone" means subscription music, sound or tone which is played by a telecommunication operator to an originator of a call;

"circumvent a technological protection measure" means avoiding, bypassing, removing, deactivating, decrypting or otherwise impairing a technological protection measure;

"copyright owner" means an author entitled to the economic rights or a person who acquires the economic rights to a work by assignment or transfer of rights;

"expressions of folklore" means a form, whether tangible or intangible, in which traditional culture and knowledge are expressed, appear or are manifested, and comprise the following forms of expressions or combinations—

(a) verbal expressions, such as but not limited to stories, epics, legends, poetry, riddles and other narratives, words, signs, names, and symbols;

(b) musical expressions, such as but not limited to songs and instrumental music;

(c) expressions by movement, including dances, choreography plays, rituals and other performances, whether or not reduced to a material form; and

(d) tangible expressions, such as productions of art, in particular, drawings, designs, paintings, including body-painting, carvings, sculptures, pottery, terracotta, mosaic, woodwork, metal ware, jewelry,

basketry, needlework, textiles, glassware, carpets, costumes, handicrafts, musical instruments, and architectural forms;

"orphan works" means works protected by copyright but whose author or copyright owner cannot be found, identified or is unknown;

"service provider" means—

(a) any public or private entity that provides to a user of its services the ability to communicate by means of a computer system; or

(b) any other entity that processes or stores computer data on behalf of such communication service or users of such service;";

(b) by substituting for the definition of "performance", the following—

""performance" means a presentation of any actors, singers, musicians, dancers or other persons who act, sing, deliver, declaim, play in, interpret or otherwise perform literary, dramatic, musical or artistic works or expressions of works of folklore, which is a live performance given by one or more individuals, and includes a performance of a variety act or any similar presentation;"; and

(c) by substituting for the definition of "sound recording", the following—

""sound recording" means a fixation of sounds, or of the representations thereof, from which the sounds are capable of being reproduced, regardless of the medium on which the recording is made, or the method by which the sounds are reproduced;".

2. Amendment of section 3 of principal Act

Section 3 of the principal Act is amended in subsection (1) by substituting for the words "reduced to", the words "fixed in".

3. Amendment of section 4 of principal Act

Section 4 of the principal Act is amended—

(a) in subsection (1), by inserting immediately after paragraph (i), the following—

"(ia) novels, stories or poetic work;

(ib) plays, stage directions or broadcasting scripts;

(ic) textbooks, histories, biographies or essays;

(id) encyclopedias, dictionaries, directories or anthologies; and

(ie) letters, reports or memoranda;";

(b) in subsection (2), by substituting for paragraph (a), the following—

"(a) translations, adaptations and other transformations of expressions of folklore or pre-existing works under subsection (1); and".

4. Amendment of section 12 of principal Act

Section 12 of the principal Act is amended by repealing subsections (6) and (7).

5. Amendment of section 13 of principal Act

Section 13 of the principal Act is amended—

(a) by substituting for the headnote, the following—

"**Assignment, licence or transfer of copyright**";

(b) by substituting for subsection (4), the following—

"(4) A contract of assignment, licence or transfer to do an act falling within a copyright shall be in writing.";

(c) by inserting immediately after subsection (7), the following—

"(8) A contract of assignment, licence or transfer made under this section shall be registered with the Registrar within sixty days from the date of signing the contract, and failure to register the contract in accordance with this subsection shall render the contract voidable.

(9) The contract of assignment, licence or transfer shall take the form of a note or memorandum which shall contain all the terms of the contract including—

(a) the date on which the contract was executed;

(b) the amount of the remuneration to the parties and the mode of payment;

(c) the duties and obligations of the parties;

(d) the rights of exploitation or use conferred on the party; and

(e) any other term as the parties may agree.

(10) A contract of assignment, licence or transfer of economic rights which does not comply with the requirements of this section shall not be registered by the Registrar.

(11) The Minister may, by regulations, prescribe the procedure for registration of a contract of assignment, licence or transfer made under this section."

6. Insertion of sections 13A and 13B in principal Act

The principal Act is amended by inserting immediately after section 13, the following—

"13A. Reversion of copyright to author

(1) Subject to the contract of assignment, licence or transfer, the assignment, licence or transfer of economic rights in a copyright shall be valid for a period not exceeding twenty years from the date of the assignment, licence or transfer.

(2) Where the term of the assignment, licence or transfer of a copyright lapses under subsection (1), the economic rights in the copyright shall revert to the author.

(3) The reversion of an assignment, licence or transfer may be effected—

(a) at any time during the five years prior to the lapse of the twenty years;

(b) where the assignment, licence or transfer covers the right of publication of the work, the period begins at the end of twenty years from the date of publication of the work under the assignment, licence or transfer; or

(c) at the end of twenty years from the date of execution of the assignment, licence or transfer, whichever term ends earlier.

(4) The Minister may, by regulations, prescribe the procedure of reverting the assignment, licence or transfer of copyright.

13B. Technological protection measure

(1) A person shall not—

(a) circumvent effective technological protection measures; or

(b) produce, import, distribute, sell, rent, advertise for sale or rental, or possess devices, products, components or services for commercial purposes that—

(i) are promoted, advertised or marketed for the purpose of circumventing effective technological protection measures;

(ii) have only a limited commercially significant purpose or use, other than circumventing effective technological protection measures; or

(iii) are primarily designed, produced, adapted or performed for the purpose of enabling or facilitating the circumvention of effective technological protection measures.

(2) A person who contravenes subsection (1), commits an offence and is liable, on conviction, to a fine not exceeding two thousand currency points or to imprisonment for a term not exceeding seven years, and the court may, in addition to any penalty imposed, order the person convicted under this section to pay compensation to the victim.

(3) This section shall not apply to software, products, services or devices used to access copyright works—

(a) for purposes of security, education or research and innovation; or

(b) for a beneficiary person."

7. Amendment of section 14 of principal Act

Section 14 of the principal Act is amended in subsection (1)—

(a) by substituting for paragraph (k), the following—

"(k) any work that is transcribed into braille, sign language or any other accessible format copies for cross border exchange or use by beneficiary persons other than for commercial use;"; and

(b) by inserting immediately after paragraph (k), the following—

"(l) the work is used in an online learning environment by an education institution, library, archive or museum."

8. Insertion of sections 14A and 14B in principal Act

The principal Act is amended by inserting immediately after section 14, the following—

"14A. Restriction on reprographic copying

(1) Notwithstanding section 14, a person who carries out reprographic copying of passages from published literary or musical work shall not reprographic copy more than five per cent of the published literary or musical work at any one time or within a period of three months.

(2) The provisions of this section shall not apply where there is a licensing scheme for reprographic copying.

(3) Any term of a licence which purports to restrict the proportion of work which may be copied to less than that permitted under subsection (2), shall be of no effect.

14B. Orphan works

(1) A person who intends to exploit orphan works shall apply to the Minister for a licence to exploit the orphan works in accordance with regulations prescribed by the Minister.

(2) The Minister shall not licence a person to exploit orphan works unless the applicant has demonstrated to the Minister that the author of the work cannot be found, identified or is unknown.

(3) A person licensed to exploit orphan works shall pay an annual licence fee determined by the Minister by regulations.

(4) Where a person is licensed to exploit orphan works, he or she shall be entitled to the economic rights of the author but where, before the expiration of the licence, the identity of the author is known, the copyright shall revert to the author.

(5) The Minister may, by regulations, prescribe the criteria for determining orphan works and the procedure for licensing a person to exploit orphan works."

9. Amendment of section 30 of principal Act

Section 30 of the principal Act is amended —

(a) by substituting for subsection (1), the following—

"(1) Where a sound recording or audio-visual fixation published for commercial advertisement purposes, or a reproduction of that sound recording or audio-visual fixation is used directly or indirectly for broadcasting or other communication to the public or is publicly performed, unless

otherwise agreed, an equitable remuneration determined by the Minister, in consultation with the Registrar and relevant stakeholders for the performer or performers and the producer of the sound recording or audio-visual fixation shall be paid by the user to the author, for every use of the work.";

(b) by inserting immediately after subsection (1), the following—

"(1a) The remuneration referred to in subsection (1) shall be paid through a payment system established under the National Payment Systems Act.

(1b) The Registrar shall for the purposes of this section monitor the use of a sound recording or audio-visual fixation for commercial advertisement purposes or for broadcasting or other communication to the public and submit periodic reports to the Minister."

10. Amendment of section 34 of principal Act

The principal Act is amended by substituting for section 34, the following—

"34. Contracts to be in writing

(1) For the purposes of this part, a contract relating to publishing, public performance and broadcasting of works shall be in writing and signed or marked by the parties to the contract.

(2) A contract made under subsection (1) shall be registered with the Registrar within sixty days from the date of signing the contract, and failure to register the contract in accordance with this subsection shall render the contract voidable.

(3) The contract shall take the form of a note or memorandum which shall contain all the terms of the contract including—

(a) the date on which the contract was executed;

(b) the amount of the remuneration to the parties and mode of payment;

(c) the duties and obligations of the parties;

(d) the rights of exploitation or use conferred on the party; and

(e) any other term as the parties may agree.

(4) A contract to exploit an author's rights or a performer's rights which does not comply with the provisions of this section shall not be registered by the Registrar."

11. Insertion of section 39A in principal Act

The principal Act is amended by inserting immediately after section 39, the following—

"39A. Contracts relating to caller ring back tone

(1) Notwithstanding section 39, the remuneration to be paid to an author or a performer by a person exploiting the works of an author or a performer as caller ring back tone shall be at the rate prescribed in subsection (2).

(2) The rate referred to in subsection (1) shall be as follows—

(a) author, thirty percent (30%);

(b) performer, thirty percent (30%);

(c) operator, including a telecommunication operator, thirty-one and five points percent (31.5%); and

(d) aggregator and any other person involved, eight and five points percent (8.5%).

(3) The remuneration to be paid under subsection (2) shall be computed on the net revenue earned by the person exploiting the works of the author or performer as caller ring back tone after payment of any applicable taxes.

(4) A contract for exploiting the works of the author or performer as caller ring back tone in existence before the commencement of this Act shall continue in existence as if the same was made under this Act, except that the remuneration under the contract shall be the rate prescribed under subsection (2).

(5) The remuneration referred to under subsection (2) shall be paid through a payment system established under the National Payment Systems Act.

(6) The Minister may, by notice published in the Gazette, revise the rates specified in subsection (2)."

12. Amendment of section 41 of principal Act

Section 41 of the principal Act is amended—

(a) in subsection (1), by inserting immediately after paragraph (h), the following—

"(ha) exercise quasi-judicial powers under this Act to hear and settle disputes or complaints relating to registration of contracts for the exploitation of copyright of works, registration of copyright and disputes related to management of collecting societies;

(hb) keep and maintain a register of copyright and neighbouring rights and determine the mode of registration of the copyright;

(hc) amend or rectify any information on the register;

(hd) issue and enforce any orders of the Registrar made under this Act;";

(b) by inserting immediately after subsection (2), the following—

"(3) The Registrar shall not exercise the function under subsection (1) (ha) where the dispute is before court.

(4) A person aggrieved by the decision of the Registrar may appeal to the High Court.

(5) The Minister may, by regulations, prescribe the procedure for receiving and settling disputes or complaints between copyright holders, collecting societies and users of registered copyright works."

13. Amendment of section 44 of principal Act

Section 44 of the principal Act is amended in subsection (1) by substituting for the words "Commercial Court", the words "High Court".

14. Amendment of section 46 of principal Act

Section 46 of the principal Act is amended—

(a) in subsection (1), by substituting for the words "one hundred currency points or to imprisonment for a term not exceeding four years", the words "two thousand five hundred currency points or to imprisonment for a term not exceeding ten years";

(b) in subsection (1) (e), by deleting the words "were it work made in Uganda,";

(c) in subsection (2), by substituting for the words "twenty-five currency points or to imprisonment for a term not exceeding one year", the words "two thousand currency points or to imprisonment for a term not exceeding seven years";

(d) in subsection (4), by substituting for the words "fifty currency points or to imprisonment for a term not exceeding one year", the words "two thousand currency points or to imprisonment for a term not exceeding seven years".

15. Amendment of section 47 of principal Act

Section 47 of the principal Act is amended in subsection (1) by substituting for the words "one hundred currency points or to imprisonment for a term not exceeding four years", the words "two thousand five hundred currency points or to imprisonment for a term not exceeding ten years".

16. Amendment of section 49 of principal Act

Section 49 of the principal Act is amended in subsection (1) by substituting for the words "fifty currency points or to imprisonment for a term not exceeding one year", the words "two thousand five hundred currency points or to imprisonment for a term not exceeding ten years".

17. Insertion of section 49A in principal Act

The principal Act is amended by inserting immediately after section 49, the following—

"49A. Blocking, take-down and obstruction of infringing content

(1) The Registrar or an owner of copyright in a work may issue a notice of infringement to the service provider, requesting the service provider to block, take down or obstruct access to the infringing content.

(2) The notice referred to under subsection (1), shall be in accordance with section 30 of the Electronic Transactions Act.

(3) Notwithstanding section 28 of the Electronic Transactions Act, a service provider who fails to comply with a notice issued under this section commits an offence and is liable, on conviction, to a fine not exceeding two thousand currency points or to imprisonment for a term not exceeding seven years, and court may in addition to any penalty imposed by it, order the person convicted to pay compensation to the victim.

(4) The Registrar shall not issue an order or notice for blocking, taking down or obstructing of infringing content unless the owner of the copyright work has a certificate of registration as proof of ownership.

(5) The Minister may, by regulations, prescribe the format of the notice and the procedure for blocking, taking down and obstructing of infringing content."

18. Amendment of section 53 of principal Act

Section 53 of the principal Act is amended—

(a) in subsection (3), by inserting immediately after the word "work", the words "suspected of being infringing";

(b) in subsection (4), by substituting for the words "one hundred currency points or to imprisonment for a term not exceeding two years", the words "two thousand five hundred currency points or to imprisonment for a term not exceeding ten years";

(c) by inserting immediately after subsection (4), the following—

"(5) The costs incurred by the inspector or Registrar under subsection (2) relating to seizure, storage or destruction shall be met by the person convicted under this Act."

19. Amendment of section 55 of principal Act

Section 55 of the principal Act is amended—

(a) in subsection (1), by substituting for the words "Commercial Court", the words "High Court";

(b) by inserting immediately after subsection (2), the following—

"(3) The adequate evidence referred to in subsection (2) may include a certificate of registration."

20. Substitution of section 56 of principal Act

The principal Act is amended by substituting for section 56, the following—

"56. Collecting societies

(1) A group of persons who intend to operate as a collecting society shall apply to the Registrar for registration in accordance with this Act.

(2) An application made under subsection (1) shall be accompanied by—

(a) a copy of the constitution specifying the objectives of the society as specified under section 57;

(b) evidence of payment of the prescribed fees;

(c) proof of search and reservation of name with the registrar of companies; and

(d) any other document as the Minister may determine by regulations.

(3) The Registrar shall not register another collecting society in respect of the same bundle of rights and category of works if there exists another collecting society that has already been registered.

(4) Where the Registrar is satisfied that the collecting society is suitable for registration, he or she shall issue a certificate of registration.

(5) Upon the issuance of a certificate of registration, the collecting society shall be a body corporate by the name under which it is registered.

(6) Any person operating as a collecting society or who causes any society or body to operate as a collecting society without a certificate of registration issued by the Registrar commits an offence and is liable, on conviction, to a fine not exceeding five thousand currency points or to imprisonment for a term not exceeding ten years, or both.

(7) A collecting society in existence before the commencement of this Act shall comply with the provisions of this Act within twelve months from the date of its commencement."

21. Amendment of section 57 of principal Act

Section 57 of the principal Act is amended—

(a) by inserting immediately after paragraph (b), the following—

"(ba) to collect royalties or any other entitlement from use of copyright or neighbouring rights to its members or any other owner;

(bb) in consultation with its members, to prescribe fees for accessing copyright works owned by its members;";

(b) by substituting for paragraph (c), the following—

"(c) to pay royalties to its members or to any other owner of a copyright or neighbouring right who is the appropriate beneficiary;";

(c) by inserting immediately after the word "member", wherever the word appears, the words "or any other person entitled to a benefit".

22. Repeal of section 59 of principal Act

The principal Act is amended by repealing section 59.

23. Amendment of section 60 of principal Act

Section 60 of the principal Act is amended by repealing subsection (3).

24. Amendment of section 63 of principal Act

Section 63 of the principal Act is amended by repealing subsections (2) and (4).

25. Insertion of section 67A in principal Act

The principal Act is amended by inserting immediately after section 67, the following—

"67A. Annual general meeting

(1) Every collecting society shall hold an annual general meeting within three months after the end of the calendar year.

(2) Where a collecting society fails to comply with subsection (1), a member of the collecting society may petition the Registrar to compel the collecting society to convene the annual general meeting, as the Registrar may determine.

(3) Every member of the executive committee of a collecting society who fails to comply with the provisions of this section commits an offence and is liable, on conviction, to a fine not exceed two thousand five hundred currency points or to imprisonment for a term not exceeding ten years, or both."

26. Amendment of section 74 of principal Act

Section 74 of the principal Act is amended—

(a) in subsection (4), by deleting the words "in consultation with the executive committee";

(b) by inserting immediately after subsection (4), the following—

"(4a) The caretaker manager appointed under subsection (4) shall be appointed on the same terms and conditions as the executive officer who has been suspended."

27. Amendment of section 77 of principal Act

Section 77 of the principal Act is amended in subsection (3), by deleting the words "the Companies Act and".

28. Amendment of section 80 of principal Act

Section 80 of the principal Act is amended—

(a) by numbering the current provision as subsection (1);

(b) by inserting immediately after subsection (1), the following—

"(2) For the avoidance of doubt, the protection referred to under subsection (1) shall include—

(a) prosecuting any person contravening any of the provisions of this Act, regardless of whether the

owner of the copyright or neighbouring right has filed a complaint; and

(b) the right of the Registrar or collecting society to enforce the provisions of this Act on behalf of the owner of the copyright or neighbouring right."

29. Insertion of section 80A in principal Act

The principal Act is amended by inserting immediately after section 80, the following—

"80A. International treaties to have force of law in Uganda

(1) The International treaties specified in Schedule 3 to this Act shall have force of law in Uganda.

(2) The Minister may, by statutory instrument, with the approval of Cabinet, amend Schedule 3 to this Act."

30. Amendment of section 81 of principal Act

Section 81 of the principal Act is amended by inserting immediately after subsection (1), the following—

"(1a) Notwithstanding the general effect of subsection (1), the Minister may, in consultation with the Registrar and any relevant stakeholders, by statutory instrument, prescribe the procedures for collecting, distributing and receiving royalties and other entitlements from use of copyright or neighboring rights under section 30."

31. Amendment of Schedule 2 to principal Act

The principal Act is amended in Schedule 2—

(a) in Part I, by repealing items 1, 2 and 3;

(b) by substituting for Part II, the following—

"Part II—International Conventions

1. The Trade Related Aspects of Intellectual Property Rights Agreement (TRIPS Agreement) of 1994
2. The Beijing Treaty on Audiovisual Performances of 2012
3. The Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled of 2013
4. The Berne Convention for the Protection of Literary and Artistic Works of 1886
5. The World Intellectual Property Organisation Copyright Treaty of 1996
6. The World Intellectual Property Organisation Performances and Phonograms Treaty of 1996"

32. Insertion of Schedule 3 in principal Act

The principal Act is amended by inserting immediately after Schedule 2, the following—

"Schedule 3

Section 80A

Conventions and Agreements having force of law in Uganda

1. The Trade Related Aspects of Intellectual Property Rights Agreement (TRIPS Agreement) of 1994
2. The Beijing Treaty on Audiovisual Performances of 2012
3. The Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled of 2013
4. The Berne Convention for the Protection of Literary and Artistic Works of 1886

5. The World Intellectual Property Organisation Copyright Treaty of 1996

6. The World Intellectual Property Organisation Performances and Phonograms Treaty of 1996"

Cross References

Electronic Transactions Act, Cap. 99
Insolvency Act, Cap. 108
National Payment Systems Act, Cap.59



THE REPUBLIC OF UGANDA

This printed impression has been carefully compared by me with the bill which was passed by Parliament and found by me to be a true copy of the bill.

Adolf Mwesige Kafeero

Clerk to Parliament

Date of authentication: 30/03/2026