

ReLPI Rejects NCC's Plan to Disburse Private Copying Levy to MCSN

A major dispute has emerged within Nigeria's music industry following the decision of the Nigerian Copyright Commission (NCC) to disburse private copying levy royalties to the Musical Copyright Society of Nigeria (MCSN). The Record Label Proprietors Initiative Ltd/Gte (ReLPI), representing leading owners of sound recordings in Nigeria, has formally rejected this proposed disbursement.

The Private Copying Levy Explained

The private copying levy—also referred to as the copyright levy—is a statutory form of indirect remuneration payable to copyright owners. It is premised on the recognition that certain acts of private copying cannot, for practical reasons, be licensed individually by rights holders.

In practical terms, the levy is imposed on devices and materials capable of being used to reproduce copyrighted works, such as mobile phones, storage devices, and copying equipment. The rationale is that where private copying is unavoidable, the law establishes a compensation mechanism to ensure that rights holders are not unfairly deprived of value. Nigeria's Copyright Act expressly provides for “a levy on any material used or capable of being used to infringe copyright in a work,” with the Minister empowered to prescribe applicable rates and exemptions.

The law further stipulates that the levy is to be paid into the NCC's Fund and subsequently disbursed to approved Collective Management Organisations (CMOs) or other representatives of rights owners, in accordance with applicable regulations.

About ReLPI

The Record Label Proprietors Initiative Ltd/Gte (ReLPI) is a non-profit organisation established to protect the interests of sound recording owners in Nigeria. It serves as the trade association for Nigerian record companies with shared economic interests in the recorded music industry.

ReLPI's members collectively own extensive catalogues comprising tens of thousands of sound recordings, spanning both local and international works from the 1960s to date. The organisation includes some of Nigeria's most prominent record labels and has been recognised by the International Federation of the Phonographic Industry (IFPI), the global body representing the recording industry.

ReLPI members include:

-Mavin Records

- Chocolate City
- Davido Music Worldwide (DMW)
- Premier Records
- Universal Music Group (UMG)
- Sony Music Entertainment (SME)
- Warner Music Group (WMG)
- Digital Music Commerce & Exchange (DMCE)
- Hypertek Digital
- The Core Dispute

The Core Dispute

In a letter dated 21 January 2026 and addressed to the NCC, ReLPI—through its Chairman, Mavin Records CEO Tega Oghenejobo—argued that the proposed disbursement framework does not align with established international standards. Specifically, ReLPI contends that the process fails to properly account for the distinct classes of rights involved and lacks transparency in the allocation and distribution of levy proceeds.

This position was reinforced by a separate letter dated 22 January 2026 from the IFPI to the NCC. Signed by IFPI's Regional Director for Sub-Saharan Africa, Angela Ndambuki, the letter called for a disbursement process that is judicious, equitable, transparent, and protective of the interests of sound recording owners represented through ReLPI.

IFPI further urged the NCC to ascertain the portion of the levy attributable specifically to sound recordings and to ensure that any distribution mechanism delivers funds directly to the relevant rights holders. It cautioned against routing such funds through a collective management entity without an unequivocal mandate and advised that disbursement be paused to avoid irreversible prejudice.

MCSN's Position

The Musical Copyright Society of Nigeria Ltd/Gte (MCSN), established in 1984, is currently the only CMO recognised by the NCC. MCSN describes itself as the sole authorised body for licensing, monitoring, and distributing royalties for musical works and sound recordings in Nigeria.

According to its public disclosures, MCSN administers performing, mechanical, and neighbouring rights, claims over 38,000 members, tracks more than 450,000 songs, and reports over ₦1 billion in distributed royalties since 2022.

ReLPI's Legal Position

ReLPI members have exercised their rights under Section 88(9)(b) of the Copyright Act 2022 to opt out of Nigeria's collective management system. This provision restricts MCSN from representing rights owners who are duly represented by another body.

Further, Section 89(3) of the Act provides that private copying levies may be disbursed not only to approved CMOs but also to "other representatives of right owners." ReLPI argues that this statutory language clearly empowers the NCC to disburse levy proceeds directly to it on behalf of its members, irrespective of whether it is formally classified as a CMO.

ReLPI's position is that MCSN lacks the legal mandate to collect or receive private copying levies on behalf of ReLPI members.

Current Status

Despite these objections, ReLPI confirms that the NCC has maintained its intention to disburse the levy exclusively to MCSN as the only recognised CMO. ReLPI has reiterated its refusal to recognise MCSN's authority over its members' catalogues, citing concerns over equity, transparency, and protection of significant investments in Nigerian music.

Legal Framework

The Copyright (Levy on Material) Order 2021 provides that CMOs may receive a percentage of levy proceeds. However, Section 89(3) of the Copyright Act 2022 expressly allows the NCC to disburse funds to other representatives of rights owners where appropriate.

Accordingly, ReLPI maintains that nothing in the Copyright Act prejudices its legal capacity to receive private copying levy proceeds on behalf of its members, who collectively command a substantial share of Nigeria's contemporary music market.