

UNIVERSITY OF EDUCATION, WINNEBA

THE STATE OF MUSIC PUBLISHING IN THE GHANAIAN MUSIC INDUSTRY:

GHANA MUSIC (GHMUSIC) PUBLISHING AND MANAGEMENT IN

PERSPECTIVE

MATILDA ODE ACQUAH-NUNOO



2023

UNIVERSITY OF EDUCATION, WINNEBA

THE STATE OF MUSIC PUBLISHING IN THE GHANAIAN MUSIC INDUSTRY:

GHANA MUSIC (GHMUSIC) PUBLISHING AND MANAGEMENT IN

PERSPECTIVE

MATILDA ODE ACQUAH-NUNOO

(220023203)



**A Thesis in the Department of Music Education,
School of Creative Arts,
submitted to the School of Graduate Studies in partial fulfillment
of the requirements for the award of the degree of
Master of Philosophy
(Music Education)
in the University of Education, Winneba**

October, 2023

DECLARATION

Candidate's Declaration

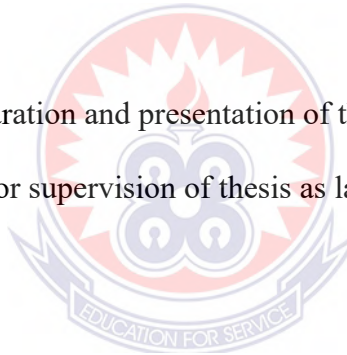
I, **Matilda Ode Acquah-Nunoo**, declare that this thesis, with the exception of quotations and references contained in published works which have all been identified and duly acknowledged, is entirely my own original work, and it has not been submitted, either in part or whole, for another degree elsewhere.

Signature:

Date:

Supervisors' Declaration

We hereby declare that the preparation and presentation of this work was supervised in accordance with the guidelines for supervision of thesis as laid down by University of Education, Winneba.



Professor Emmanuel Obed Acquah (Supervisor)

Signature:

Date:

DEDICATION

To my family, the Acquah-Nunoo family



ACKNOWLEDGEMENTS

My utmost gratitude goes to God for watching over me and gracing me with wisdom, understanding, and good health to finish this programme. My profound gratitude goes to my supervisor, Prof. Emmanuel Obed Acquah, for his patience and dedication towards the success of my project work. His constant availability and suggestions for my work are deeply appreciated. My deepest appreciation goes to my parents, Mr. & Mrs. Acquah-Nunoo, and to my brothers, Nathaniel and Harry Acquah-Nunoo for their constant support. Finally, I would like to express my appreciation to my lecturers, coursemates, and friends who were very supportive and encouraging. God bless you all.



TABLE OF CONTENTS

Declaration	ii
Dedication	iii
Acknowledgments	iv
Abstract	ix
CHAPTER ONE	10
1.1 Background to the Study	10
1.2 Statement of the Problem	15
1.3 Purpose of the Study	22
1.4 Objectives of the Study	22
1.5 Research Questions	23
1.6 Significance of the Study	23
1.7 Delimitation	24
1.8 Definition of Terms	24
1.9 Organisation of the Study	25
CHAPTER TWO	26
REVIEW OF RELATED LITERATURE	26
2.1 Theoretical Framework	28
2.2 GHMusic Publishing and Management	29
2.3 Music Industry and Law	33
2.3.1 Music Publishing Laws: Copyright	35
2.3.2 Ghana's Copyright Law	36



2.4 Music Publishing, Benefits, and Contributions	55
2.4.1 The Media and Music Publishing: The Role of Media as Beneficial in Music Publishing	62
2.5 Collection of Royalties in Music Publishing	68
2.6 Summary of Literature	72
CHAPTER THREE	74
METHODOLOGY	74
	74
3.1 Research Paradigm	74
3.2 Research Design	74
3.3 Population	75
3.4 Sample	75
3.5 Sampling Techniques	75
3.6 Data Collection Instruments	76
3.6.1 Interview	77
3.6.2 Document Analysis	77
3.7 Tools for Collecting Data	78
3.8 Data Collection Process	78
3.9 Ethical Consideration	81
3.10 Procedure for Data Analysis	82
CHAPTER FOUR	83
PRESENTATION AND DISCUSSION OF RESULTS	83
	83



4.1 Results from Interview	83
4.2 Results from Document Analysis	97
4.3 Discussion of Findings	100
CHAPTER FIVE	121
SUMMARY, CONCLUSIONS AND RECOMMENDATIONS	121
	121
5.1 Summary	121
5.2 Conclusion	125
5.3 Recommendations	126
REFERENCES	128
APPENDIX	136
INTERVIEW GUIDE FOR RESPONDENTS	137



TABLE

1. The Copyright Act is divided into 8 parts with 78 provisions:	36
--	----



ABSTRACT

Music publishing is very essential because it contributes largely to both the musician and the music industry in diverse ways. It is an avenue creative persons use to generate large income. However, musicians, music producers, and other industry players in the Ghanaian music industry are yet to tap fully into its potential in order to elevate the state of music publishing in the music industry in Ghana. The study examines the strengths, functions, and structure of GHMusic Publishing and Management, the extent of law enforcement, the impact of music publishing on the growth of musicians and the music industry, and the effectiveness of royalty collection. Through interviews and document analysis, the study diagnoses the extent of the problem. It was noted that, GHMusic Publishing and Management offers services in music administration, registration, copyright licensing, royalties management, music sheet printing, digital distribution, and global music monitoring. The company collaborates with a music monitoring organisation to enhance its software and satellite tracking of song usage. The organisation aims to improve its systems and structures for Ghanaian musicians by understudying well-structured international music publishing companies. Music publishing law enforcement in the industry is minimal due to a lack of implementation strategies. GHAMRO faces challenges in revenue collection due to lack of digital software and system log-ins. It is recommended that education on the music business is crucial to increase patronage of GHMusic Publishing and Management and the benefits of music publishing. Strong relationships with international publishing companies and collective management organisations improve the collection and distribution of royalty procedures. Implementation strategies and advocacy for monitoring teams can improve law enforcement in Ghana's music industry while advanced log-in systems and digital software can improve royalty collection and distribution.



CHAPTER ONE

INTRODUCTION

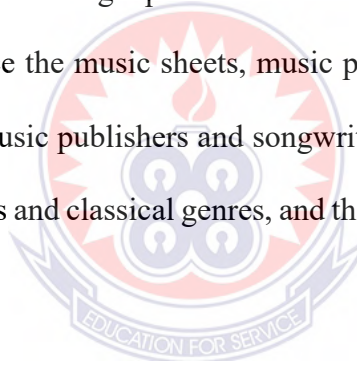
1.1 Background to the Study

Music publishing is the blanket term for the creation, production, and distribution of music compositions and did not transform to its current state until recently. The notion behind music publishing is all about the development, protection, and value of music (Kernfeld, 2011). Music publishing can therefore be described or referred to, as an essential asset in the music industry because it is the gateway to acquiring what is due musicians (revenue from musical works). Music publishing also works towards the exploitation of songs which focuses on generating more opportunities for musical works to be used by advertising companies, gaming companies, and other commercial venues, including major platforms around the world.

Ghana Music (GHMusic) Publishing and Management is an organisation in Ghana, that engages in the affairs of music publishing (<https://ghmusicpublishing.com/>). This organisation takes care of music administration, music registration, copyright licensing, royalty management, artiste mentorship programme, music sheet printing, digital distribution, annual creative clinic, and global music monitoring. They also seek to make the repertoires of Ghanaian songwriters, composers, and performers, available to worldwide audiences (<https://ghmusicpublishing.com/>). What a music publishing company does is to manage and exploit musical works of its clients, and to make sure that all royalties to which musicians are entitled will be collected. Some roles of a music publisher are as follows: licensing music to brands and other cooperate companies, finding opportunities for musical works to be used in movies and game companies to generate synchronisation fees, negotiating fees for the use of musical work, and managing royalty payments including

international royalties. In some cases, music publishers get involved in the creative process with the musician, which helps in the defining and re-defining of the exact musical genre the musician wants to put out there for entertainment (Pastukhov, 2019).

Music publishing first started with the printing of music sheets, which was how musicians in that era made their returns. Music publishing later evolved into what it is now due to the emergence of technology. In the late 1800`s, before recording became part of the music production process, music sheets were produced because there was no way to play back prerecorded music. Music then was written and published which was a legal protection for composers (copyright law) (Toynbee, 2006). After being able to produce the music sheets, music publishers then began their business by selling the available copies. Music publishers and songwriters connected to create and release popular music outside the religious and classical genres, and that was how they conducted business in that era (Ogden et al., 2011).



Navigating the music business as an independent musician can be problematic. Especially, when it has to do with combining artistry and music business. Handling and understanding the ins and outs of music publishing can seem a bit difficult to understand at first try (Beech et al., 2016). This is why having a well-structured music publishing company or a music publisher is very important. This helps the musician to focus on artistry while the experts handle the business aspect to improve the musician's career. Weissman (2017) divulges some major responsibilities managed by music publishers. From the author's perspective, some of the major responsibilities handled by music publishers are registering copyrights and making song demos. They also contact producers,

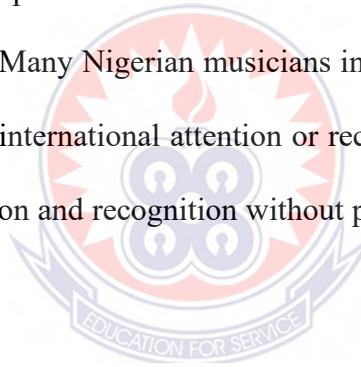
recording artists, and managers to obtain recordings of songs to exploit them for huge returns. The scholar also identified other functions of music publishers as leasing print rights to music publishers, and providing office space for writers with piano and recording equipment. He highlighted how music publishers contact music supervisors to place songs in films and Television (TV) shows, to exploit their digital rights: ringtones, ring-backs, and so on. In addition, the author discloses some functions of a music publisher to be as critiquing songs to songwriters, and even editing them. They help songwriters find collaborators and pay a weekly or monthly “draw” to exclusive writers while making sure that songs are properly copyrighted to generate the needed income for the musicians. The author also indicated that publishers also obtain foreign sub-publishing deals and as well, help the songwriters to obtain a record deal if the songwriters are also publishers. The submissions of the author undoubtedly serve as an enlightenment to what goes on in publishing companies. The publishers work on the business to release the workload on the artistes so they can work harder on broadening their creative scope.

Education on the subject of music business helps increase the growth of artistes and the music industry and in addition, maximises substantial income in their music business (Negus, 2011). It is one of the areas to be critically looked at, especially here in Ghana. Ouma (2004) continues to establish that this intellectual property right and creative industries play a major role in the protection and dissemination of knowledge since music, as a creative industry has the potential to make a profound contribution to the economy of the country, especially when nurtured and protected.

Ghanaian musicians in the music industry, when granted interviews by the media, discuss a lot of issues including how the systemic structure of the music industry has not been so much favourable in their career growth. The discussions mostly center on the progress of the music industry and

some measures to be put in place to help build and maintain a developed industry. Their inferences are usually drawn from the progress of Nigerian musicians and how they keep excelling and making waves across the globe. This is as a result of investments being made in the Nigerian industry.

Nigeria is the only country in Africa that invests so much in its music industry and most of these investments come from the private sector. A lot of millionaire and billionaire investors in the country according to Premium Times (2023), invest in promoting young talented artistes, music promotions, and other important aspects that are needed to succeed in the music industry, not just in Nigeria but all over the world. Many Nigerian musicians invest in music promotion in several foreign countries so they can get international attention or recognition. Although some Nigerian musicians get international attention and recognition without promotion, it takes a lot of time and hard work to get to that level.



Over the past five years, there has been massive global recognition for Nigerian music artistes. There have been a lot of collaborations with numerous artistes in several countries of the world including the United States, the United Kingdom, and other countries outside Africa. It took hard work and the investments of many Nigerian music legends to get here however, the current and active artistes also worked so hard to put themselves and the Nigerian music industry on the global stage (Premium Times, 2023). The music industry in Nigeria is flourishing, and the Afrobeat genre is gaining worldwide popularity. Artistes such as Wizkid, Burna Boy, Davido, Tiwa Savage, Yemi Alade, and Asa are leading the genre's evolution, continually pushing its limits with each new

release. These musicians are transcending cultural barriers with their music, resonating with audiences from diverse backgrounds (Agency report, 2023).

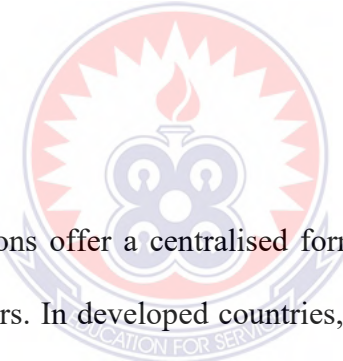
In the creative industry, some legendary musicians, actors, and other professions in the creative sector, always seem to refer to the royalty system as poorly structured, referencing ignorance as one of their major problems hence denying them some great opportunities in their career journey (Acquah & Acquah-Nunoo, 2021). It is questionable whether the 'typical' artiste earns much from copyright at all. Copyright is said to 'reward' creators but how much reward they reap in practice depends upon the market valuation of their work and that may be very low. Copyright generates more rhetoric than money for the majority of composers and performers in the music industry (Greenfield & Osborn, 2004). The royalty system, which helps the Ghanaian musician earn much from copyright has been described by Acquah and Acquah-Nunoo (2021) as poorly structured and must be given attention to help Ghanaian musicians enjoy their reward.

Towse (2016) also revealed that, in 1881, the Music Publishers Association (MPA) was founded to enable its members to collaborate in prosecuting the pirates and to lobby for more effective enforcement of the law by the police and customs officers. The problem, which was only solved with the 1906 Musical Copyright Act, was enforcement; prior to that, it had almost impossible to produce the necessary evidence to prosecute the pirates. Copyright exists in material that comes within one of the categories prescribed as being capable of having copyright protection (Towse, 2016). According to Acquah and Acquah-Nunoo (2021), laws and policies enforcement in the Ghanaian music industry are very low and if attended to, will help musicians in making huge

returns from their works. The unfolding proceedings rather tell of the struggles the music industry faces in Ghana.

Very few scholars, including Arhin et al. (2023), Acquah and Acquah-Nunoo (2021), and Hind (2020) have written concerning music publishing in Ghana. Hence, the industry players are not very much aware of the operations of the music business thereby, impeding its growth. This is one of the motivations behind the study. The essence is to explore more avenues and expand knowledge in the field towards the realisation of capacity building and education on business matters among the players in the music industry in Ghana.

1.2 Statement of the Problem

The logo of the University of Education, Winneba, is a circular emblem. It features a central lamp with a flame, set against a background of a sunburst. The lamp is flanked by two stylized figures. Below the lamp, the text 'UNIVERSITY OF EDUCATION' is written in a semi-circle, and below that, 'EDUCATION FOR SERVICE' is written in a larger semi-circle. The entire emblem is surrounded by a decorative border.

Collective management organisations offer a centralised form of collection and distribution of royalties on behalf of their members. In developed countries, these organisations are part of the music industry and their role cannot be underestimated. Although not a core function of collective management organisations, the success of the fight against piracy is, to a certain extent, linked to the successful administration of copyright and related rights (Ouma, 2004). In the music industry in Ghana, the existence of well-structured copyright collection societies is few. Acquah and Acquah-Nunoo (2021) identified Ghana Music Rights Organisations (GHAMRO) as an entity commissioned by the government to deal with the collection and distribution of royalties and copyright collections. Apart from GHAMRO, there are no other collective management organisations in the Ghanaian music industry. Similarly, literature regarding music publishing or music business in general, in Ghana is few: Arhin et al. (2023), Hind (2020), Mahama (2012), and

Schultz (2008) are some existing literatures, educating and enlightening musicians and the public about the music business.

In the same way, documentation on the existence of music publishing companies in Ghana is few as Arhin et al. (2023) concluded in their submissions that, Ghanaian music producers and practitioners are yet to tap into the full potential of this avenue. According to Marshall (2013), music publishing covers the affairs of the music business and it is very prudent that a music industry that seeks growth in all aspects, advocate for the existence of music publishing companies to help achieve a good standing when it comes to the musician's growth, music industry and the nation at large. That reason makes it necessary to bring to light GHMusic Publishing and Management through documentation. This will increase patronage of GHMusic Publishing and Management and improve the growth of musicians and the music industry. The study therefore focuses on revealing the functions, strength, and structure of GHMusic Publishing and Management as an entity in Ghana, to help increase patronage, broaden the scope of music business in the Ghanaian music industry, and educate the musicians and public on music publishing.

Secondly, copyright law is known to be the main legal instrument for the protection of works in the music industry. These laws protect the rights of the authors, composers, producers of sound recordings, and performers in the music industry. Copyright protection has been seen as a means of ensuring that, the rights of the creator are respected and that the creator is justly rewarded for his creativity. Ouma (2004) certifies that the copyright industry depends, to a certain extent, on the existence of strong copyright laws and effective enforcement of the laws.

Ouma (2004) goes further to express that, although a vast reservoir of talent and creativity exists in Africa, the music industry has stagnated, and the lack of effective enforcement mechanisms has retarded the establishment of collective management societies and recording facilities. Ouma's (2004) submissions about the lack of effective enforcement existing in Africa still linger in contemporary times. An interview with the C.E.O of Ghana Music Rights Organisation (GHAMRO), affirmed this and revealed the royalty system to be unstable. The C.E.O further stated, "Musicians in Ghana will not complain of poverty if copyright laws are enforced in the country". However, Captain Abraham, as he is affectionately called, in an interview with Andy Dosty on 'Daybreak Hitz' on Hitz FM also stated in that interview, that if the laws were enforced, it would end the financial woes of musicians. "Right owners and musicians in this country will not be that poor if we can enforce the copyright laws to enable them to gain some income," he added (Daily Guide Network, 2021). The above affirmed the concerns of the musicians and the prevailing challenge regarding effective law enforcement. The enforcement of the law improves the royalty system, decreases copyright infringements, and enforces other copyright revenue collections.

Again, Arhin et al. (2023) revealed that the split sheet used at a recording studio is one of the essential means for any creative artiste who understands its implementation. They can benefit from the royalties that the creative work generates as it gets commercial merchandise. However, surprisingly, Ghanaian music producers and practitioners have yet to tap into the full potential of this avenue. Their study which was conducted in Ghana, revealed that 94.9% of respondents were unaware of the split sheet, while 92.7% did not know the benefit of the split sheet. However, only 4.6% of the respondents had used the split sheet. Subsequently, they concluded that the low awareness of the split sheet among Ghanaian music producers and practitioners compromises the

decorum of the business aspect of creativity in the Ghanaian recording industry and recommended that more intensive education about music publishing be undertaken to sensitise Ghanaian music producers and practitioners about the benefit of the split sheet in their daily work to enhance revenue generation. Music publishing offers other benefits: exploitation of works with advertising companies, game companies, etc to yield more income, which Arhin et al. (2023) conceded in their submissions. Arhin et al. (2023) also recommended that more light must be thrown to help in educating musicians and the public about music publishing.

Tschmuck et al. (2012), also revealed that the media helps in maximising the profits of the musicians and the music industry as a whole since the music industry is the producer of media content. Radio royalties they said, provide one of the single largest sources of performance income for writers and publishers, and cross-over hits, which appear on industry trade charts and magazines in more than one musical genre, provide the largest source of radio income. If a song appears on several of these charts at the same time, then, hundreds of radio stations are quite playing it at any given moment, generating significant performance income (Sobel & Weissman, 2008). There has been an existing challenge on the issue of frequency of airplay which helps in maximising the benefits music publishing offers. The back and forth of this challenge centers on the lack of understanding surrounding how this act (frequency of airplay) is conveyed. Frequency of airplay, per the submissions of Tschmuck et al. (2012), Sobel and Weissman (2008), and Pitt (2010), is said to affect massive growth in the career of the musician. Ghanaian musicians complain a lot about how their works do not receive as many airplays as foreign songs. An increase in airplay of musical works increases the popularity of artistes, creates more opportunities,

increases income, helps to obtain bigger deals from investors looking for the most streamed music within the country, and so on.

In September 2018, a popular television and radio host, AJ Sarpong questioned crusaders who have been pushing for eighty percent 80% of Ghanaian local songs to be played on radio and television. She asked what happens when the media plays 100% Ghanaian music all the time and in turn, does not get heavy rotation in Nigeria, South Africa, Kenya, or other African countries. She went on to ask if our artistes get international recognition, endorsements, and partnership simply because Ghanaian music is on heavy rotation in Ghana (GhanaWeb, 2020). A more recent discussion concerning the frequency of airplay occurred when Ghanaian radio broadcaster, Michael Boateng known as Mike 2 in an interview on Happy 98.9 FM in Ghana, justified why promoting Ghanaian artistes and music is difficult. He uttered, “Ghanaian artistes are very stingy and do not regard the presenters”. He went further to say that, media persons are never considered when concert tickets are given out while they do lots of promotion of their musical works on radio. He then concluded by saying that the money used for catering for his family would not be used for concert tickets of Ghanaian artistes (GhanaWeb, 2022). The above reports on some media personnel indicate that more light has to be thrown on the benefits and contributions of music publishing. A thorough breakdown of how some procedures help develop benefits of music publishing. As the study highlights the frequency of airplay as one means to help maximise these benefits which leads to international recognitions, endorsements and partnerships with investors and cooperate entities, contracts with advertising companies, and many more.

A preliminary study revealed that musicians in Ghana have no choice but to go through a bigger struggle because music produced in the country goes through a system that does not recognise their work fully. It revealed further that this lack of proper and modern structures leaves much

room for losses in revenue, compelling musicians in Ghana to resort to other avenues to try and recoup their investments (Ofori, 2020)

In addition, the award-winning dancehall artiste, Livingstone Etse Satekla, known in the music scene as *Stonebwoy*, advised the management of the Ghana Music Rights Organisation (GHAMRO) to find lasting solutions to the problems facing the organisation. This interview was held in the year 2022. He expressed his concerns about the lapses at GHAMRO, and urged its management to put in place structures to aid Ghanaian musicians who only make money out of their intellectual properties through performances. The organisation responsible for monitoring, collecting, and distributing royalties to musicians, GHAMRO, has in the past complained about lack of funds with which to carry out their duties. *Stonebwoy*, who believes the time has come to move on from the old structure and way of doing things, said it is high time GHAMRO puts in place proper structures to protect the interest of the musicians. The royalty system must work properly and he promises to push until it is fixed. Although it is on record that a large number of Ghanaian musicians and music producers have lost total interest in the current interim GHAMRO board after they expressed concerns about the way and manner the organisation is being managed by certain personalities. They stated that the entire leadership of GHAMRO has failed to live up to expectations and doing little to support the growth of the music industry. They expressed concern about GHAMRO's failure to collaborate with the stakeholders to put in place measures to facilitate a smooth running of the day-to-day activities of the organisation (Owusu, 2022).

The CEO of Ghana Music Rights Organisation (GHAMRO), Abraham Adjatey, has revealed previously, that one of the challenges hindering the effectiveness of the royalty collection system is the poor payment culture in the country. According to him, people do not like to pay for using music, hence GHAMRO sometimes struggles to collect royalties from some institutions. Speaking

on “Daybreak Hitz” on “Hitz FM”, he explained that on numerous occasions, they have had to sue media houses and telecommunication companies, among others before they were able to retrieve the needed funds. Mr. Adjatey said that despite the decades held belief that music is free, GHAMRO is working hard to ensure that musicians are paid (MyJoyOnline.com, 2022).

Greenfield and Osborn's (2004) submissions unearthed more than one collecting society, private and non-private, that helps in the collection and distribution of copyrights, and music publishing companies are not exempted. This therefore endorses and confirms the existence of these organisations to help grow the aspect of music business in the country. This in return, helps in the collection and distribution of royalties and copyright fees since music publishing companies can partner with other collection societies to collect track users or check up on all licensed users of musical works as Greenfield and Osborn (2004) disclosed in their submissions.

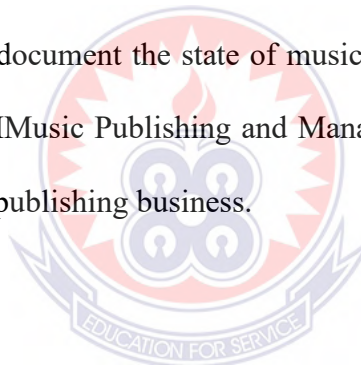
Given this, it becomes necessary to infer the existence of music publishing companies as music publishing is the road to royalties (Sobel & Weissman, 2008). This is because their partnership with other collection societies and their network of sub-publishers in other established countries, will make it easier when tracking the usage of songs globally and nationwide. This helps the organisation to receive detailed reports which helps in the effective collection and distribution of royalties including other income music publishing offers.

In other parts of the world, music publishing is an integral part of the recording industry (Williamson & Cloonan, 2007). Big labels, small labels, and independent producers with their recording artistes have launched music publishing divisions and own publishing interests. This

therefore brings a wide gap between the music industry in Ghana and the music industry in other parts of the world when it comes to the existence, activeness, and effectiveness of music publishing as well as royalty collections and distributions. It also reveals the kind of loopholes prevailing in the music industry and the creative industry as a whole. Also, whereas scholars in other parts of the world write to tackle these issues head-on, little has been done in the Ghanaian academic space. This, therefore leaves a gap concerning the successes of such occurrences and organisational duties in the music industry in Ghana.

1.3 Purpose of the Study

The purpose of the study was to document the state of music publishing in the Ghanaian music industry: with much focus on GHMusic Publishing and Management to serve as a blueprint for the Ghanaian music industry and publishing business.



1.4 Objectives of the Study

The following were the objectives of the study. To:

1. find out the strengths, functions, and structure of GHMusic Publishing and Management as an entity in Ghana
2. investigate the extent of music publishing law enforcement in the Ghanaian music industry
3. find out the contributions music publishing offers towards the growth of musicians and the music industry as a whole
4. investigate the effectiveness of the collection of royalties in the music industry in Ghana

1.5 Research Questions

The following research questions guided the study:

1. What are the strengths, functions, and structure of GHMusic Publishing and Management as an entity in Ghana?
2. To what extent are music publishing laws enforced in the music industry in Ghana?
3. What contributions does music publishing offer toward the growth of musicians and the music industry as a whole?
4. To what extent is the collection of royalties in the music industry in Ghana effective?

1.6 Significance of the Study

This research will help contribute new knowledge by providing literature to add to this unexplored area in the Ghanaian academic/entertainment space. Greater appreciation for the importance of music publishing will be evident in the music industry in Ghana, that is, GHMusic Publishing and Management will be encouraged to promote and educate musicians more on music publishing and its contributions to increase the growth of musicians and the music industry. The study will also help enlighten and educate on the strengths, functions, and structure of GHMusic publishing company, the extent to which music publishing laws are enforced in the Ghana music industry, contributions music publishing offers that complement and enhances the growth of the musician and music industry as a whole and lastly, effectiveness of collection and distribution of royalties in the Ghanaian Music Industry. Finally, the provision of data analysis will permit future researchers to explore other aspects of music publishing to improve the state of the music industry in Ghana.

1.7 Delimitation

This research was limited to GHMusic Publishing and Management, Lynx Entertainment, and the Media in the entertainment industry in Ghana as it looks at the state of music publishing in the music industry in Ghana. It highlighted the strengths, functions, and structure of music publishing, the extent to which music publishing laws are enforced in the music industry in Ghana, contributions music publishing offers to complement and enhance the growth of the musicians and the music industry as a whole, as well as the effectiveness of collection and distribution of royalties in the Ghanaian Music Industry.

1.8 Definition of Terms

The following listed are keywords and their definition in the study;

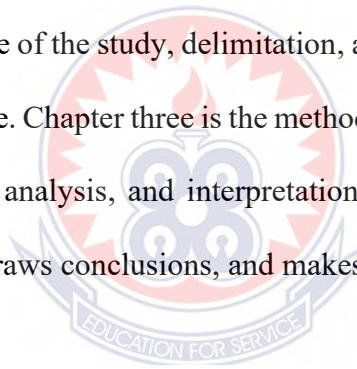
Music Industry • Music Business • Music Publishing • Royalties • Copyright

- The **Music Industry** as Strasser (2009) explains, is a large and complex business sector that covers a multitude of activities, disciplines, and organisations. Music industry scholarship has traditionally concerned itself with understanding the creation, management, and selling of music as a physical/digital product or as a performance, or as a bundle of intellectual property rights.
- The term **Music Business** generally refers to a full range of economic practices necessary for the production and performance of music products and services (Strasser, 2009).
- **Music Publishing** is said to be the regular handling and controlling of rights to using musical works, acting on behalf of songwriters in matters of distributing royalties and protection against copyright infringement (Sobel & Weissman, 2008).

- **Royalties** are payments to owners of property for use of that property and often deal with payments for the rights of intellectual property such as copyrights, patents and trademarks (Murray, 2023)
- **Copyright** is a bundle of several intellectual property rights granted under law to protect an artist's power to choose who can copy or use his original work (Boyajian, 2010).

1.9 Organisation of the Study

The study consists of five chapters. Chapter one entails the introduction which covers the background of the study, statement of the problem, purpose of the study, objectives and research questions of the study, significance of the study, delimitation, and definition of terms. Chapter two is a review of the relevant literature. Chapter three is the methodology of the research while chapter four deals with the presentation, analysis, and interpretation of the data. Chapter Five gives a summary of the major findings, draws conclusions, and makes recommendations. References and appendices follow chapter five.



CHAPTER TWO

REVIEW OF RELATED LITERATURE

2.0 Overview

This chapter is the presentation of the bibliographical sources about the topic under study. It begins with a theoretical framework that centers on the music industry and music publishing. It provides a concept that analyses and helps one to understand and make a better meaning of the field (Music Industry and Music Publishing Company). The chapter also highlights the documented materials and reviews on topics deduced from the study: “The state of music publishing in the Ghanaian Music Industry with GHMusic Publishing and Management in perspective” and also, brief available information relevant to the study based on the following under listed topics.

- GHMusic Publishing and Management
- Music Industry and Law: Music Publishing Laws
- Music Publishing and its Contributions
- Collection of Royalties in Music Publishing

The above-listed topics were reviewed and discussed to rectify adamant conditions that will lead to improving the state of music publishing in the Ghanaian music industry. Again, to understand the field better: the music industry and music publishing companies, regarding the internal dynamics, rules, and what comes into play in the line of music business and its interplay in the thriving of musicians and the music industry as a whole.

Undoubtedly, a lot of issues concerning some challenges in music business and the music industry have been tackled in the academic space in other parts of the world and this has helped in

strengthening of the state of music industries in those countries (Oztemel & Gursev, 2020). Unfortunately, in the Ghanaian academic space, not enough literature exists to help in creating some form of awareness and education. Some scholars are Arhin et al. (2023), Acquah and Acquah-Nunoo (2021), and Hind (2020).

Acquah and Acquah-Nunoo (2021); Arhin et al. (2023) revealed that more in depth study is required in the line of the music business to help the industry stay educated and informed on evolving trends in music business to help shape the state of royalty collection, distribution and music publishing to serve musicians in the music industry and researchers with similar interests. In this regard, the study embarked on exploring music publishing as a topic, since it is the pathway to making royalties and other forms of returns in addition to publishing deals and more. The study's first objective was to investigate the strength, functions, and structure of the organisation (GHMusic Publishing and Management), responsible for the successes of such occurrences in their organisational duties to cause growth in the musician's career and the music industry as a whole.

Given this, Neil Fligstein and Doug McAdam's *A Theory of Fields* (2012), which offers an interesting concept, was used in analysing and making sense of the music industries by offering an intriguing approach to the phenomenon. This theory was used to understand the field as one must pay as much attention to internal dynamics and external pressures surrounding the field. This theoretical framework, therefore served as a check and guide to the study, beginning this chapter and then after, the topics for discussion will follow.

2.1 Theoretical Framework

The study was guided by Neil Fligstein and Doug McAdam's Theory of Fields (2012). They offer an intriguing, and in music industry research terms, alternative approach to the phenomenon. In their book, they provide an advanced field theory beyond focusing solely on the internal dynamics of a field, arguing that practically all studies on fields have a field-centric bias. No field exists in a vacuum, they argue, unaffected by external factors. To understand a field, one must pay as much attention to internal dynamics and pressures, as to the external pressures and dynamics. This is especially true in the case of a crisis or significant turmoil (Nordgård, 2018).

The theory provides a concept for analysing and making sense of the music industries and an applicable model to help understand and interpret the internal logic and powers at play within the music industries, concerning executives, challengers, and internal governance units.

Nordgård, (2018), and Fligstein and McAdam (2012) elaborate on the existence of strategic action field and act, which provided a model to help understand the music industries;

Fligstein and McAdam's focus provides a model to help understand the music industries. A key foundation in Fligstein and McAdam's theory is the Strategic Action Field (SAF), a meso-level social order in which actors (who can be individual or collective) are attuned to and interact with one another based on a shared (which is not to say consensual) understanding of the purposes of the field, relationships to others in the field (including who has power and why), and the rules governing legitimate action in the field. It is itself a powerful form of collective action that has been invented to produce and control strategic action fields to create the structure of the State and society more generally. It places focus on the need to understand the human forces, the power dynamics, logic, and motivations

that drive the music industries, to understand how internal and external forces impact the music industries, music creation, and music itself (p. 27).

The music industries' anatomy and dynamics could be approached through a wealth of models and definitions, with varying degrees of accuracy and emphasis. Some of these models like the Chapple and Garofalo to the works of Simon Frith, Keith Negus and David Hesmondhalgh tilt towards more sociological contributions placing a focus on copyrights, revenue distribution, business models and consumption patterns, and so on. Fligstein and McAdam's Theory of Fields (2012) offer alternative frameworks for understanding these current processes, and to provide insights and new knowledge on the power dynamics, agendas, and logics that affect and shape them (Nordgård, 2018). A framework that can be deployed to better understand the internal dynamics of the music industry.

The theory therefore served as a check and a guide to understanding the internal dynamics of GHMusic Publishing and Management and the music industry; and finding out the purpose of GHMusic Publishing and Management, the music industry, and the rules governing legitimate actions in the field.

2.2 GHMusic Publishing and Management

When referring to the industrial processes surrounding music production, the most commonly utilised terms by such organisations are the music industry and the music business. On occasion, the 'record industry' is used, primarily as a means of detaching the process of making and selling music from such activities as, for example, concert promotion or music publishing. But in terms

of providing an understanding of the relevant industries, the use of the term ‘the music industry’ provides something of a smokescreen (Williamson & Cloonan, 2007).

Turow (1991) and Williamson and Cloonan (2007), expressed that the entertainment industry involves the inter-organisational creation and release of performances (narrative or non-narrative, recorded or live) to attract audiences for financial profit rather than for explicitly educational, journalistic, political, or advertising goals and its growth falls on organisations put up to help in navigating affairs of the industry. As it is important to understand that the entertainment industry generates lots of money or revenue in a year worldwide and is rapidly growing.

The aspect of the music business according to Sobel and Weissman (2008) ensures the growth of the show and business sides of the musician’s career; recordings of their music to reach their target audience, developing crafts to record more music, making use of music produced to make more revenue for artistes, making sure of the necessary steps are taken to avoid exploitation of musical works and so on. The basic chain value therefore extends to the music publisher or music publishing companies, as it becomes their task to work on securing and managing copyrights for musical compositions, promoting catalog songs of their clients to recording artistes and other organisational establishments, gaming companies, etc. Some other responsibilities are licensing compositions for use in films, television, advertisements, and other media. They also monitor song usage of their client’s works that have been licensed and others who might have committed the act of copyright infringement and make sure to do a detailed tracking which helps in the collection and distribution of royalties to clients (Weissman, 2017).

In Ghana, GHMusic Publishing and Management is a registered organisation that deals in the administrative affairs of publishing in the music industry. However, comparisons made with other publishing companies in other parts of the world, based on their work outputs bring to the realisation the wide gap that exists. Looking at how well- structured and established they are, as compared to the publishing company here in Ghana. The next paragraph is a reviewed discussion of two of the world's biggest publishing companies, Warner Music Group and Sony Music Publishing.

Warner Music Group (WMG) is the third-largest music rights holder in the world, managing genre-spanning music from hit songwriters and producers. With global expertise in A&R, Sync, Digital, Creative Services, Administration, and Production Music, WMG offers innovative opportunities for songwriters and copyright holders. The company owns and operates successful labels like Elektra Records, Reprise Records, Warner Records, Parlophone Records, and Atlantic Records. WMG also owns Warner Chappell Music, a major music publisher. In 2019, WMG's recorded music division grew by 11% YoY, while overall revenues increased by 21%. (<https://www.wmg.com/>).

Sony Music Publishing, the world's largest music publishing company, is led by CEO Jon Platt and has a diverse roster of songwriters including Ed Sheeran, Beyoncé, Lady Gaga, Calvin Harris, Cardi B, Daddy Yankee, Jay-Z, Kanye West, and Rihanna. The company supports songwriters' careers and defends their rights. The new brand embodies a modern vision reflecting the music and songwriters it represents. (Sony Music Publishing, 2021).

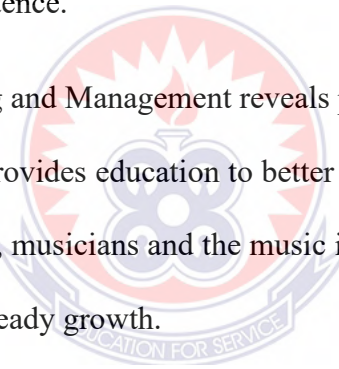
The works of these well-developed and accomplished publishing companies provide evidence of how essential it is to have a well-established music publishing company in Ghana that will aid in the growth of the musician's career and the music industry as a whole. The next paragraph discloses a registered publishing company in Ghana; GHMusic publishing and management.

GHMusic Publishing and Management is a modern music publishing company registered under the Registration of Business Name Act, 1962 (ACT 151) in Ghana. GHMusic Publishing and Management is a Ghanaian digital music publishing house, registered in 2015 with the Registrar General's Department and GHAMRO. The GHMusic Publishing and Management set out to make sure the industry chain is complete since that bit of publishing was missing. The main purpose is to showcase the Ghanaian music repertoire and the Ghanaian musical works, make it and showcase it to the world with the right data so the owners can be linked internationally. Its mission is to make the artiste's works available and usable because when these works are not easily accessible, nothing would happen. Given that, the company, in turn, helps the artist reach their ultimate goal. The company works with the copyright law and is set up using the rights of copyright law, working within its confines as an organisation while looking into truth, loyalty, and integrity with a high sense of confidentiality in handling the artist's repertoire and so on.

Like any other enterprise, the publishing company is also guided by the company's goals and whatever that pertains to enterprises and then of course, the copyright law with good practices to ensure transparency, and accountability among others. Also, the GHMusic Publishing and Management is into licensing the works, giving companies the license to use artistes who have registered their works with the publishing company. That kind of permission with the guidelines,

grants permission to use the work for a said number of years. Any publisher should have the authority to give that kind of license. The copyright keeps a record of your work, the year you recorded it and the studio but when it comes to publishing, it takes care of who did what, not just the composer but also the performers of the work. That is the split sheet agreement, who gets what when it is all done? Coupled with the record label and then all the tracks and so on plus the commission interest. The company has information and then works to acquire whatever is due the artist. GHMusic Publishing and Management acts as the in-between for the artist and the CMO (GHAMRO) as the company is into copyright services. The publishing company is also into training and educating, running workshops to reduce ignorance concerning music publishing and also create awareness for their existence.

The profile of GHMusic Publishing and Management reveals potentials that can help work on the state of music publishing since it provides education to better the state of music publishing in the music industry in Ghana. This way, musicians and the music industry can achieve new heights in music business as they work to a steady growth.



2.3 Music Industry and Law

In every field or organisation, to ensure the effective and smooth running of the business, there are rules and laws which help to set prospects and also, provide guidelines on how work will be carried out or conducted (Kondalkar, 2009). Kondalkar's (2009) submissions also reveal that it must operate in ways that warrant all subjects in that particular field, to abide by these rules/ laws to avoid any form of loss or delay in the growth of the entity.

Simon (2019) reveals that the music industry is highly complex and it acts on behalf of the artistes to enable creation. It is characterized by a significant number of intermediaries between the artiste and the consumer and the intermediaries include: retail outlets, apps, record labels, music publishers, ticketing firms, venue owners, concert promoters, personal managers, agents, royalty collection firms, even adding auto manufacturers as listening to music in a car is widespread. According to Simon (2019), the music industry carries out an array of heterogeneous economic activities. It involves five entities: the songwriter, the publisher, the performer, the record label, and the entities in charge of collecting royalties on behalf of copyright owners: the monetisation of the song, music publishing; and the monetisation of the song's recording, and recorded music.

Simon (2019) stressed the tension between copyright as a way to protect the work and the rights of creators, and copyright as a means to remunerate authors. They note that artistes draw only a relatively minor and rapidly decreasing portion of their income from copyright. Conversely, Greenfield and Osborn (2004) arguably describe copyright as the vehicle that drives the music business; essentially the value of the industry can be measured in copyright terms. Carey and Wall (2001) as cited in Greenfield and Osborn (2004) similarly state that the crucial role of copyright law can be demonstrated by its key part in attempts to restrict peer-to-peer file sharing and the dissemination of music via the internet more generally. This makes copyright an essential tool in the music industry since it will obviously serve as a check and also help to protect the value of an artiste's work by giving him or her the ability to protect it from unlicensed usage. Licensing arrangements are in many ways one of the central mechanisms for the flow of music internationally (Burnett, 1996).

Copyright provides its owner with a bundle of exclusive rights that only he or she may exercise. Any attempt to use their work without permission may amount to an infringement (Greenfield & Osborn, 2004).

2.3.1 Music Publishing Laws: Copyright

According to Burnett (1996), Laws and administrative codes shape the financial and aesthetic condition within which cultural production can develop. Copyright law is particularly important in that it transforms whole classes of creative activity into private property that can be bought, sold, and stolen like any other goods. Laws can shape the development of whole art forms. Towse (2016) argues that the process of mergers and acquisitions in music publishing has been made simple by the combination of contract and copyright law. Historically, when all the rights in a musical work were bought from the composer by the publisher, he was free to exploit it (or not). When royalty contracts became the norm, publishers typically required the assignment of all rights in a work in a contract. The contract was often for the life of copyright, that is, 50 (now 70) years after the death of the author. Those rights may then be reassigned to another owner who can exploit them (or not), often without further recourse to the composer (Towse, 2016).

Also, the law recognises the need to ensure that a work can circulate and be commented upon, critically or otherwise, that it can be used for research, and that it should be available in certain respects in the public interest. To this end copyright works may be reproduced, without infringement, for 'fair use' or 'fair dealing'. This permits limited free use of copyright material (Greenfield & Osborn, 2004).

2.3.2 Ghana's Copyright Law

Ghana's current copyright law is Act 690 issued by the Parliament of the Republic of Ghana. It was enacted on 17 May 2005 and replaced Parliament's Act No. 110 AN ACT to replace the Copyright Law, 1985 (P.N.D.C.L. 110); and bring the provisions on copyright and the Copyright Office in conformity with the Constitution and to provide for related purposes. Copyright protection began in 1911 with the U.K. Copyright Act 1911, transferring responsibility to the Ministry of Information. The National Commission on Culture took over copyright matters in 1990, and the Ministry of Justice took over in 2005 (Ghana Business Regulatory Reform, bcp.gov.gh, 2022).

Table 1 The Copyright Act is divided into 8 parts with 78 provisions:

Heading	Section
Copyright	1-11
Duration	12-18
Permitted	19-23
Copies of Sound Recordings, Mechanical Reproduction Rights of Composers	24
Enforcement Provisions	25-27
Protection of Performers and Broadcasting Organisations	28-37
General Provisions	38-64
Administration, the Copyright Office, and Miscellaneous Matters	65-78

Some sections of the Copyright Acts of Ghana Business Regulatory Reforms (2009) are as follows;

Copyright

Section 1—Work Eligible for Copyright

1. An author, co-author, or joint author of any of the following works is entitled to the copyright and protection afforded to that work under this Act

- (a) literary work,
- (b) artistic work,
- (c) musical work,
- (d) sound recording,
- (e) audio-visual work,
- (f) choreographic work,
- (g) derivative work, and
- (h) Computer software or programmes.



2. Despite subsection (1), a work is not eligible for copyright unless

- (a) it is original in character,
- (b) it has been fixed in any definite medium of expression now known or later to be developed with the result that the work can either directly or with the aid of any machine or device be perceived, reproduced, or otherwise communicated, and

- (c) it is;
 - i. created by a citizen or a person who is ordinarily resident in the Republic,
 - ii. first published in the Republic and in the case of a work first published outside the Republic is subsequently published in the Republic within thirty days of its publication outside the Republic, or
 - iii. A work in respect of which the Republic has an obligation under an international treaty to grant protection.
- 3. The eligibility of a work for copyright is not affected by its artistic quality, the purpose of the author in creating it, or by the manner or form of its expression.
- 4. For this section a work is original if it is the product of the independent effort of the author.

Section 4—Folklore Protected

- 1. An expression of folklore is protected under this Act against
 - (a) Reproduction,
 - (b) Communication to the public by performance, broadcasting, distribution by cable or other means, and
 - (c) Adaptation, translation, and other transformations.
- 2. The rights of folklore are vested in the President on behalf of and in trust for the people of the Republic.

Section 5—Economic Rights of Authors

The author of any protected copyright work has the exclusive economic right in respect of the work to do or authorise the doing of any of the following:

- (a) The reproduction of the work in any manner or form,
- (b) The translation, adaptation, arrangement, or any other transformation of the work,
- (c) The public performance, broadcasting, and communication of the work to the public,
- (d) The distribution to the public of originals or copies of the work by way of first sales or other first transfer of ownership, and
- (e) The commercial rental to the public of originals or copies of the work.

Section 6—Moral Rights of Authors

1. In addition to the economic rights referred to in section 5, the author of protected copyright work has the sole moral right

- (a) to claim authorship of the work and in particular to demand that the name or pseudonym of the author be mentioned when any of the acts referred to in section 5 are done in relation to the work, and
- (b) to object to and seek relief in connection with any distortion, mutilation, or other modification of the work where that act would be or is prejudicial to the reputation of the author or where the work is discredited by the act.

Section 7—Employed Authors

In the absence of any contract to the contrary, the economic right of work shall vest in an employer or a person who commissions the work where the employed or commissioned author has created the work in the course of the employment or commission.

Section 8—Public Benefit Works

1. The rights referred to in sections 5 and 6 of this Act shall not vest in any person in respect of the following works,

(a) An enactment,

(b) A decision made by a court or tribunal established under any enactment for the administration of justice in the Republic,

(c) A report made by a commission of enquiry appointed by the Government or any agency of the Government and published by the Government, and

(d) Except where news is disseminated by the private media, news, namely a report of fresh events or current information made by the media, whether published in written form, by broadcast or communicated to the public by any other means.

2. The President is the trustee for the public of the works specified in subsection (1) other than works authored by the private media under paragraph (d) of that subsection.

Section 9—Transfer of Copyright

1. The owner of the copyright may transfer the economic rights in section 5 to another person either in whole or in part but the transfer whether in whole or in part shall not include the moral rights referred to in section 6.
2. A contract that requires the total transfer of the rights referred to in section 6 shall be limited in scope to the use provided for in that contract.
3. Copyright may be transferred by assignment, testamentary disposition, or operation of law.
4. An assignment of copyright shall be in writing and signed by the owner of the copyright or by the person authorised by the owner of the copyright for the purpose.
5. A license to do an act that falls within copyright may be oral, written, or inferred from conduct.
6. In the case of joint authorship of a work, an assignment or a license for the work shall be subject to the authorisation of the joint authors.
7. Where a work is of joint authorship and one of the joint authors withholds consent to an assignment or the granting of a license, the matter shall be referred to the Copyright Administrator to determine whether or not consent should be granted in respect of the assignment or license and the conditions for the grant.
8. A person dissatisfied with the decision of the Copyright Administrator may apply to the High Court for review.
9. An assignment, a license, or a testamentary disposition may be made or granted in respect of an existing work or future work.

Section 10—Obligation of Producers

1. The producer of a sound recording or audiovisual work shall state on the label of the sound recording or audiovisual work or its container
 - a) the name of the author and those of the main performers,
 - b) the title of the work,
 - c) the year the original matrix was cut,
 - d) the individual or corporate name or the distinguishing mark of the producer, and
 - e) that the rights accruing to the producer under this Act are reserved.
 - f) Choirs, orchestras, and composers shall be referred to by their proper names or by the name of the leader for paragraph (a) of subsection (1).
 - g) Copyright protection of a work shall not depend on the obligation of producers specified in this section

Section 11—Notice of Protection of Rights of Producers

1. A notice shall be printed on copies of sound recordings or audiovisual work made for commercial purposes which shall include the year of first publication of the sound recording or audiovisual work.
2. The notice shall be placed in a manner that gives reasonable notice of the claim of protection of the rights of the producer.
3. If the notice on the copies of the sound recording, audiovisual work, or their containers does not identify the producer or licensee by name, description, or trademark, it shall indicate the name of the person who owns the rights of the producer.

4. If the notice on the copies of the sound recording, audiovisual work or their containers does not identify the principal performers, it shall indicate the name of the person who owns the rights of the performers.
5. Non-compliance with the provisions of this section by a producer does not deprive the producer of copyright protection.
6. A person may use fixations or reproductions made in good faith before the commencement of this Act if made in accordance with its provisions.

Duration of Copyright

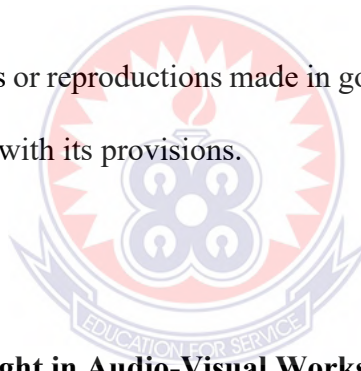
Section 12—Duration of Copyright in Individuals

1. The rights of the author referred to in section 5 are protected during the life of the author and seventy years after the death of the author **unless** the contrary is stated in this Act.
2. Where a work is jointly authored, the rights of the author referred to in section 5 are protected during the life of the last surviving author and seventy years after the death of that author.

Section 11—Notice of Protection of Rights of Producers

1. A notice shall be printed on copies of sound recordings or audiovisual work made for commercial purposes which shall include the year of first publication of the sound recording or audiovisual work.

2. The notice shall be placed in a manner that gives reasonable notice of the claim of protection of the rights of the producer.
3. If the notice on the copies of the sound recording, audiovisual work, or their containers does not identify the producer or licensee by name, description, or trademark, it shall indicate the name of the person who owns the rights of the producer.
4. If the notice on the copies of the sound recording, audiovisual work or their containers does not identify the principal performers, it shall indicate the name of the person who owns the rights of the performers.
5. Non-compliance with the provisions of this section by a producer does not deprive the producer of copyright protection.
6. A person may use fixations or reproductions made in good faith before the commencement of this Act if made in accordance with its provisions.



Section 15—Duration of Copyright in Audio-Visual Works

In the case of an audio-visual work, the rights of the author referred to in section 5 are protected until the expiration of seventy years from the date of the making of the work, or where the work is made available to the public during that period with the consent of the author, until the expiration of seventy years from the date on which the work was either made, first made available to the public, or first published, whichever date is the later.

Section 16—Duration of Copyright in Sound Recording

In the case of a sound recording, the rights of the author referred to in section 5 are protected from the publication of the sound recording until the expiration of seventy years after the year of publication or, if the sound recording has not been published from the fixation of the sound recording, until the expiration of seventy years after the year of fixation.

Copies of Sound Recordings, Mechanical Reproduction Rights of Composers

Section 24—Production of Copies of Sound Recordings

(1) A manufacturer, producer, or production company of sound recordings may make copies of any musical work or a similar adaptation if copies of the musical work or a similar adaptation of them have previously been made in or imported into the Republic for retail sale and the copies were made with the license of or imported by the owner of the copyright or authorised collective administration society.

(2) Before the making of the copies under subsection (1), the manufacturer, producer, or production company shall give the owner of the copyright or authorised collective administration society notice of the intention to make the copies and the address at which the person intends to make them.

(3) The manufacturer, producer, or production company shall, not later than fifteen days before the sale of a copy made by that person under this section, send it to the owner of the copyright or the person authorised by the owner for the purpose, by registered post, a notice of the person's intention to sell or distribute in any other manner the copies made.

(4) The notice shall contain

(a) The name and address of the manufacturer, producer or production company,

(b) The title of the work to which the notice relates with sufficient description to identify the author of the work and its publisher,

(c) The type of sound recording on which the manufacturer, producer, or production company intends to produce the work and an estimate of the number of copies the manufacturer, producer or production company initially intends to sell,

(d) The ordinary selling price of the copies the manufacturer, producer, or production company intends to sell and the amount of royalty payable for them, and

(e) The earliest date on which any of the copies may be available for sale.

(5) The manufacturer, producer, or production company shall make a mechanical royalty payment on each copy of a sound recording to the owner of the copyright through the appropriate collective administration society established, under section 49 of this Act within fourteen days after the manufacturer, producer or the production company has sent the notice to the owner of the copyright or the person authorised by the owner.

(6) The royalty payable by the manufacturer, producer production company, or publisher shall be an amount not less than seven percent or such higher percentage as the Copyright Tribunal may recommend, of the ordinary retail price of each copy of the sound recording made under this section.

(7) It shall be an infringement of copyright if a manufacturer or publisher deals in a copy of a sound recording made under this section without the mechanical royalty payment.

Protection of Performers and Broadcasting Organisations

Section 28—Performers rights

1. A person shall not without the authorisation of a performer

(a) Broadcast or communicate a performance of the performer directly or indirectly to the public except

(i) Where the broadcast or communication to the public is made from a previously authorised fixation, or

(ii) Where the transmission has been authorised by the broadcasting Organisation that transmits the first performance,

(b) Arrange the fixation of a performance not previously fixed on a physical medium,

(c) Exercise the right of reproduction of the fixation in any manner or form,

(d) Provide the first public distribution of the original or a copy of a fixation of a performance,

(e) Provide or obtain a rental of the original or a copy of the performance for the purpose of direct or indirect commercial advantage irrespective of the ownership of the original or copy rented, or

(f) Make available to the public a fixed performance by wire or wireless means, in a way that members of the public may access it from a place and at a time individually chosen by them.

2. A performer has the exclusive right to authorise or prohibit

(a) The rebroadcasting, rental, and distribution of a fixation of the performance,

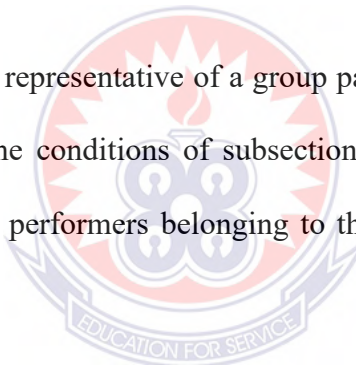
(b) The fixation of the performance,

(c) The reproduction of a fixation of the performance; or

(d) The communication to the public of the performance except where the performance has been lawfully fixed on audio-visual or audio recording media which may be broadcast without the consent of the performer if the recordings have been published; subject to the payment of equitable remuneration to the performer.

3. Where a performer has performed under a contract of employment or service, the extent and conditions under which the employer of the performer may use the performance or authorise others to use it shall be determined by reference to the nature of the contract of employment or service unless agreed otherwise.

4. The consent of the elected representative of a group participating in choral, orchestral, or stage performance shall satisfy the conditions of subsection (2), and where the group has no representative, the consent of the performers belonging to the group shall be expressed by the consent of the leader of the group.



Section 29—Duration of Performer's right

The rights of a performer in respect of the performance are protected for a period of seventy years starting from the end of the calendar year in which the performance was fixed on a physical medium or in the absence of such a fixation, from the end of the calendar year in which the performance took place.

Section 30—Performer's right to contract

Subject to sections 5 and 28 (3) a provision in this Act shall not preclude the right of a performer to enter into a contract with any person on such terms and conditions, as the performer considers appropriate for the use of the performance by another person.

Section 31—Moral rights of a performer

A performer has the right to dependent of the economic rights of the owner and even after the transfer of those rights,

- (a) To require to be identified with the performer's live oral performances and performances fixed in phonograms; and
- (b) To object to any distortion, mutilation, or other modification of a personal performance which would be prejudicial to the reputation of the performer.

Section 37—Public performance and use of copyright work

1. Where in any public place using broadcasting, cinematography, jukebox, or other apparatus, a sound recording or audiovisual work is used the authorised performer and producer of the sound recording or audiovisual work shall be entitled to royalty in accordance with this Act.
2. An owner of the copyright is entitled to collect royalties for the live performance of the copyrighted work or for the public performance of the recorded copyright work.

General Provisions

Section 39—Registration of works

1. The Copyright Administrator appointed under section 68 shall open and maintain registers in which shall be registered associations of authors, works, and productions.

2. The purposes of registration are
 - a) To maintain a record of works,
 - b) To publicise the rights of the owners, and
 - c) To give evidence of the ownership and authentication of intellectual property.
3. A publisher of work in the Republic may submit the work for registration by the Copyright Administrator after its publication and two copies of the best edition may be deposited at the Copyright Office.
4. Copyright protection of a work shall not be dependent on the registration of the work.

Section 41—Infringement of copyright and related rights

1. Subject to this Act the doing of an act contrary to
 - a) the rights of an author under sections 5 and 6,
 - b) the rights of a performer under sections 28, 30 and 31
 - c) the rights of broadcasting organisations under sections 33 and 34 constitute an infringement of copyright or related right, as the case may be, and the right owner may seek relief in a civil action under section 44.

Section 42—Copyright and related rights offenses

1. A person who,
 - a) reproduces, duplicates, extracts, imitates, or imports into the country, except for that person's private use, any work,
 - b) causes to be reproduced, duplicated, extracted, imitated, or imported into the country except for the person's private use any work,

- c) distributes or permits or causes to be distributed in the country by way of sale or otherwise any work,
- d) exhibits or permits or causes to be exhibited in public any work,
- e) removes or alters any electronic rights management information,
- f) distributes, imports for distribution, broadcasts, communicates, or makes available to the public, works, performances, copies of fixed performances or sound recordings knowing that electronic right management information has been removed or altered without authority, or
- g) manufactures, imports, distributes, exports, sells, rents, possesses for commercial purposes, offers to the public, advertises, communicates, or otherwise provides any device, product, or component that is designed or adapted to remove, alter, or add electronic rights management information, or
- h) circumvents any technological protection measure applied by the right holder to the protected work, or
- i) manufactures, imports, distributes, exports, sells, rents, possesses for commercial purposes, offers to the public, advertises, communicates, or otherwise provides without authority devices, components, services, or other means, designed, adapted, or promoted to circumvent such a measure, or
- j) rents or lends to the public any work

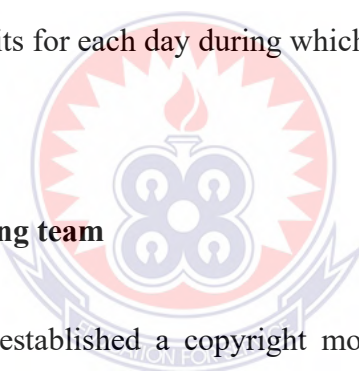
where the person performing the act knew or had reasonable grounds to know that the action induces, enables, facilitates, or conceals an infringement of any copyright or related right protected under this Act without the license or authorisation of the person whose rights are protected under

this Act or the agent of that person whose rights are protected, infringes the protected rights and commits an offence punishable under section 43 of this Act.

Section 43—Penalty for copyright offence

A person who infringes a right protected under this Act commits an offence and is liable on summary conviction to a fine of not more than one thousand penalty units and not less than five hundred penalty units or to a term of imprisonment of not more than three years or to both; and in the case of a continuing offence to a further fine of not less than twenty-five penalty units and not more than one hundred penalty units for each day during which the offence continues.

Section 50—Copyright monitoring team

- 
- (a) There is by this Act established a copyright monitoring team referred to as "the monitoring team".
 - (b) The monitoring team shall comprise a number of police officers, five representatives of Copyright owners, and two officers of the Copyright Office that the Copyright Office may require.
 - (c) The monitoring team shall
 - (a) monitor copyright works,
 - (b) investigate cases in respect of copyright,

(c) undertake anti-piracy activity, and

(d) Perform other functions that are necessary to protect authors.

(d) Members of the monitoring team from the Police Service may be seconded to the Copyright Office for periods and on terms that the Minister of Justice and the Minister of Interior may determine on the advice of the Copyright Administrator and the Inspector General of Police.

The Copyright Act focuses on eligible works for copyright protection, such as literary, artistic, and folklore, as well as those not. It also addresses the rights and obligations of producers and the President for copyright in a work. The Act recognises the economic rights and moral rights of authors, which can be divided into reproduction, transformation, public performance, broadcasting, distribution, and commercial rental rights. Economic rights can be vested in employers or commissions, while moral rights are the right to be named as the author and seek relief if the work is used without permission. Copyright can be transferred by assignment, testamentary disposition, or operation of law, but the author's moral rights cannot be transferred. The Act also addresses the obligations of producers of sound recordings or audiovisuals, which copyright protection does not depend on, and provides notice of these rights (Ghana Business regulatory reform, bcp.gov.gh, 2022).

Copyright duration is determined by the Copyright Act, which covers various types of works, including individuals, corporate bodies, anonymous works, audio-visual works, sound recordings, folklore expressions, and moral rights. Authors' moral rights exist in perpetuity, while others are

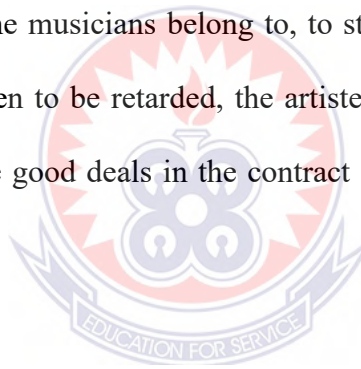
limited to a specific time frame. The Copyright Act permits certain permitted uses of copyrighted works without infringement, such as personal, research, review, reporting, and educational purposes. However, fair practice is required. Computer programmes can be copied for personal use or archive purposes, but infringement does not arise if a single copy is used in a library or archive (Ghana business regulatory reform, bcp.gov.gh, 2022).

Section 24 of the Act allows manufacturers and producers to make copies of copyrighted works, provided they have the owner's or licensed copies for retail sale. However, producers must provide notice to the owner, including the producer's name, title, type of recording, number of copies, selling price, and availability date. Failure to comply with these provisions results in infringement.

The rights of performers and broadcasting organisations are protected under Sections 32 and 33. Performers have the right to broadcast or communicate their performance directly or indirectly to the public, with some exceptions. Broadcasters have the right to reproduce, distribute, rent, or make available a fixed performance by wire or wireless means. The duration of a performer's right is seventy years, starting from the end of the calendar year in which the performance was fixed on a physical medium or in the absence of such a fixation. Performers are not prohibited from entering into contracts, and their moral rights are outlined under Section 31. Section 32 requires authorisation relating to broadcasting, and Section 33 includes the right of broadcasters to re-broadcast, fixate, reproduce, or communicate their broadcast. Section 35 limits the economic rights of performers and broadcasting organisations, and broadcasting rights are protected until the signal's expiration. Section 37 grants royalties to authorised performers and producers in cases of public performances and copyright work use (Ghana Business Regulatory Reform, bcp.gov.gh, 2022).

The copyright law in Ghana protects various works and grants it to holders, defining the duration of protection. Sections 38 to 58 outline the public domain, registration options, and the consequences of infringement. Individuals who infringe on others' copyrights face fines, imprisonment, or both. Sections 43 and 46 provide provisions for victims of office or forfeiture. The Copyright Act provides dispute resolution methods, including negotiation, mediation, and court. Authors, producers, performers, and publishers can form collective administration societies for their interests. A copyright monitoring team and tribunal are established with specific functions and rules (Ghana Business Regulatory Reform, bcp.gov.gh, 2022).

Achievements are mostly examined and monitored through monetary or economic gains or returns to the industry or the company the musicians belong to, to stay relevant and have the access to produce more. Once these are seen to be retarded, the artiste begins to lose his / her value and therefore must make sure to have good deals in the contract concerning copyright acts to make huge returns.



2.4 Music Publishing, Benefits and Contributions

Music publishers promote songwriters, pitch songs, secure synchronisation placements, manage publishing royalties, and handle copyright registration. They also lead in demo production and promote writer-artiste exposure. Reputable publishers ensure fair compensation for their writers. Burnett (1996) revealed and expressed that the 'song' has always been and remains the focus of the music publishing industry. The creation, discovery, protection, licensing, exploitation, and resulting income derived from songs have a great effect on how the industry is run on a day-to-day basis. Additionally, Burnett (1996) goes further to state the functions of the music publisher

to include working on a creative level with songwriters in the composing of new songs, protecting and enforcing their copyrights, seeking potential licensees for songs, entering into licensing arrangements and collecting and distributing the resulting income.

Sobel and Weissman (2008) explain music publishing is an invaluable guide to generating and protecting royalties and is geared toward emerging songwriters and artistes. Music publishing the business of acquiring copyrights and promoting, protecting, and collecting royalties for music generates the largest source of income for songwriters and composers. Burnett (1996) also argues how just as the songs have changed, technology has changed how music publishers do business, enlarged potential sources of income, and made the industry much more complex. Virtually all the technological innovations affecting the entertainment industries in recent years, including cable and satellite television, videocassettes, compact discs, and other digital formats have resulted in the expansion of the music publishing business through new outlets and greater usage of music. Music publishing now generates more than \$3 billion of income per year worldwide, and unlike retail sales, is expanding.

Undoubtedly, this appears to be one main source of making legitimate income in the music industry. Music Publishing goes from business promotion to monetisation to giving the music maximum attention to acquiring great opportunities where it would be reproduced to achieve global recognition. Music Publishing, the business of acquiring copyrights and promoting, protecting, and collecting royalties for millions of songs throughout the world generates the largest source of income for songwriters and composers (Sobel & Weissman, 2008). Pitt (2010) divulges the somewhat basic structure in the music publishing industry to be that in a typical publisher/songwriter arrangement, the songwriter, lyricist, or composer creates a song and then

assigns the copyright to a publisher. The song is added to the publisher's catalog of existing songs and made available for licensing to music users. The publisher, composer, and songwriter will then earn royalty income from record sales and public performances of the music. Copyright in the line of music publishing according to Weissman (2017), exists to protect the interests of songwriters and music publishers. Copyright is something of an abstract concept, in the sense that copyright exists immediately after the moment of a song's creation.

Hull (2004) explains how until the early part of the twentieth century, the music publishing business was primarily involved in publishing printed sheet music until recording became part of music production. The majority of income came from sheet music sales, promoted by convincing popular performers to sing new songs. Songwriters received royalties primarily from sheet music sales, and no income was generated from musical performances. Early recordings did not require licensing fees, and radio did not exist until the 1920s (Sobel & Weissman, 2008).

According to Pitt (2010), music publishers are often described as music content companies. Most of their content (which is treated as an asset) is derived from their recorded music libraries which include their catalogs of best-selling single records and albums, and a roster of established and emerging songwriters and composers spanning all musical genres and periods. In essence, the songwriters and composers create the content, and the musical compositions, and the publisher and record label are responsible for distribution and marketing, among other things. Pitt (2010), continues to reveal the role of the music publisher in registering new works or titles, license mechanical, performance & synchronisation copyrights, evaluating and market new artistes, and also, as it has now been enhanced to that of a marketer, agent, manager, lawyer, and business advisor to the songwriter, and there is now a lot of overlap with the creative services normally

handled by a manager. Song or title registration of new compositions; catalog licensing of existing songs; performance, mechanical, and synchronisation royalty collection; and creative marketing are just four areas of responsibility of music publishers in the publisher/songwriter relationship. These four areas of responsibilities will vary depending on whether the publisher is one of the major publishing companies that can offer all four, or an independent music publisher, sub-publisher, record label, or copyright administrator with fewer responsibilities.

Wessman (2017) indicates that, in return for these services, the publisher receives 50 percent of all of the songwriter's income and the songwriter must decide as to whether these functions justify losing half of the gross income from songwriting and publishing. The disadvantage of attempting to own one's publishing is the amount of time, energy, and even investment that it takes to pursue all of these functions while attempting to write songs on an ongoing basis. The suggestions and outlines by the above authors describe vividly details of a music publisher which goes beyond just the monetisation of musical works. Simply put, music publishers represent a songwriter on an exclusive basis, the publisher offers a weekly salary, called a draw, in exchange for owning the music publishing rights of anything that the songwriter writes.

Lawyers call it the Copyright Act. Songwriters and publishers call it a Sources of Income. Each of the five basic copyright provisions establishes a royalty structure for the benefit of the songwriter and publisher (Sobel & Weissman, 2008). Sources of music publishing income as stated by Weissman (2017) are as follows; • Mechanicals: Music obtained for songwriters and music publishers from the sale of recorded music. • Performing rights: Income derived from radio and

television play as well as from works performed in live music venues. • Print. The income derived from the sale of printed music. • Synchronisation rights: Income derived from the syncing of music to pictures, as in television and movies. • Grand rights: Income derived from the use of music in theatrical works. • New media: Income derived from the use of songs in ringtones, ring-backs, video games, streaming, and platforms not yet in existence. • Other rights: Income derived from reprints of songs on greeting cards, in books or magazines, the use of music in music boxes or toys, etc.

In the same way, Pitt (2010) agrees with Weissman (2017) as he expressed the primary sources of income for the music publisher come from the commercial exploitation of the copyrights based on a musical composition. These sources of income include performance rights, mechanical licenses, synchronisation licenses, print rights, and foreign exploitation. The record label's source of income will include the sound and audio recording rights for certain digital transmissions. Music publishers will often license their copyrighted musical works to music users on television, radio, Internet, films, videos, records, tapes, CDs, sheet music, advertising, and other forms of creative marketing.

Mechanical royalties are monies paid by record companies to writers and publishers for the right to manufacture and reproduce mechanical versions of a song. The statutory mechanical rate is the only non-negotiable license fee, while other rights and fees are negotiable. Synchronisation royalties are monies paid to copyright owners for the right to use a song in audio-visual presentations. Also, Performance royalties pay for parties using copyrighted songs in public, with copyright owners having exclusive rights and others requiring licensing agreements (Sobel & Weissman, 2008). Pitt (2010) also argues that music performance royalties in the form of income

may act as one incentive for many songwriters, lyricists, and composers to continue to write new songs, intended for use in various mediums and performance types such as features, theme music, and jingles.

Music publishers manage the marketing, commercial exploitation, and administration of songs, formerly known as sheet music publishers. They control rights to musical works, act on songwriters' behalf, distribute royalties, and protect against copyright infringement. They may assist writer-artistes in CD promotion, but only when they control publishing on most songs. If a hit song in a specific genre, like gospel music, shows potential in the pop market, they may invest in cross-over promotion (Sobel & Weissman, 2008). This asserts the fact that music publishing has evolved over the years from sheet music, marketing, commercial exploitation, administration, and promotion of songs. They ensure that the career of the musician is made easy and well-established, although the income earned is split equally. The work of the music publisher is seen as very important in the music industry.

Music publishing has different kinds of publishing arrangements that songwriters may enter into which are normally termed as publishing deals.

Sobel and Weissman (2008) outlined some publishing deals:

Traditional publishing agreements involve a songwriter and publisher working together for all materials written during the contract. Single Song Agreements involve only one songwriter's song, while Co-Publishing Agreements involve a co-ownership of the publisher's share of the copyright. Development Deals involve the publisher investing in

the writer's future projects. Administration Agreements involve the writer maintaining copyright ownership but enlisting the publisher to handle business, registration, licensing, and royalty collection. Catalog Representation Agreements involve pitching and placing songs in various media, with representation deals negotiable (pp. 70 - 72).

A songwriter can regain publishing rights for their compositions after 35 years from publication. If the songwriter is deceased, heirs can take over. Some songwriters use this termination clause to obtain additional advances for valuable copyrights, excluding songs written after 1978. Songwriters with a successful track record often opt for co-publishing as an alternative to giving up their publishing rights. Co-publishing deals involve sharing ownership of publishing rights. In "Writer & Publisher" agreements, the writer works with another writer under different contracts, while in "Two Different Publishers Sharing Rights," both songwriters operate their own publishing companies, dividing ownership (Weissman, 2017).

Weissman (2017) outlines one obvious benefit in retaining one's publishing rights which is keeping all the income and some other advantages being;

- All creative and business decisions are controlled by the songwriter. For example, the songwriter can avoid advertising certain products because of personal beliefs.
- The songwriter may prefer to develop her business contacts, dealing directly with producers and artistes. This may result in an ongoing relationship in which a hit artiste records many songs by the writer.
- A publisher must divide his time between the various writers that he has under contract to him. A writer may feel neglected in favor of someone who is the

“flavor of the month.” • The songwriter can tailor demos to fit his ideas rather than dealing with publisher input.

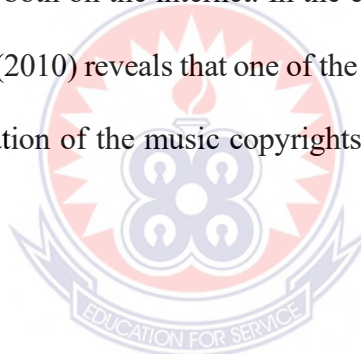
As part of the contributions that music publishing offers, the media is considered as a tool in that regard. This is because they are considered as the mouthpiece of the industry hence can sell the product to the audience of the artiste to launch major deals in established organisation. The next discussion outlines the role of the media in music publishing and this is to explain further what the media is, their role, and how beneficial they can be in the industry and in the music business.

2.4.1 The Media and Music Publishing: The Role of Media as Beneficial in Music Publishing

Burnett (1996) reveals how contemporary entertainment is almost always big business in Western societies and is almost always related in one way or another to the mass media and the mass communication process. In addition, it can almost be said that the media’s work in the music industry is very key and also contributes to the successes of musicians by generating a platform where the numbers acquired considered in marketing can pull some deals around the nation and worldwide should there any investment from any part of the world reaching out. The music industry cannot be studied without considering the media. Since the music industry is a producer of media content and therefore oriented towards the maximising of profits. It also needs to be seen as an interpenetration zone between the economy and the media (Tschmuck et al. 2012).

Crowds are a source of income - they need entertainment that musical performers can instantly provide and music is both an emotionally effective way of creating a community (as with military

bands and church choirs) and a socially effective way of attracting an audience by making an occasion more enjoyable (Greenfield & Osborn, 2004). Musicians go through several ways to grow their audience. They also have a lot of selections with regards to putting their work out there to maintain and gain larger audiences to buy their musical works or albums. Different types of media can be used to promote their music and although technology has evolved and digitalized ways of distributing music. Burnett (1996) discloses that the importance of the mass media gatekeepers should not be underestimated for they make the 'key' decisions and the public's options are limited by these decisions as people can only 'want' from amongst what they can get. Musicians usually focus on three areas when promoting their music, the traditional way of radio, the visual way of television, and the combination of both on the internet. In the end, they hope to have sold as many albums as possible. Similarly, Pitt (2010) reveals that one of the most important aspects of the music publishing business is the exploitation of the music copyrights in their catalogs to increase record sales and maximise revenue.



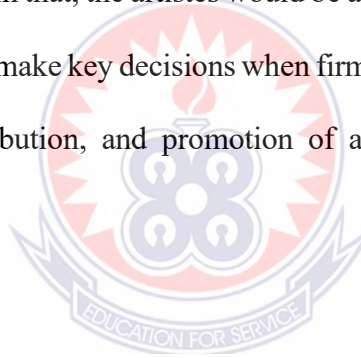
Burnett (1996) reveals that gatekeepers are the people who make key decisions about whether or not to select certain materials for production and distribution and traditionally, radio stations have been the most important gatekeepers: the output of the record industry is the input of the radio industry. Since the goal of commercial radio is profit and since the source of profit is the difference between programme costs and advertising revenues, a symbiotic relationship has developed between radio stations and record companies. Playing music on the radio usually entails significantly less production costs than other types of programming. Music producers are equally reliant on radio stations to get their recordings exposed to the buying public. Radio airplay is one of the ways new songs, new songwriters, and composers are exposed to listening audiences in various regions and

markets. The pace at which a song crosses over from one genre (a crossover hit) to the next and in the process increases record sales can be influenced by many factors such as the number of plays on a radio station; the number of Top 40 stations in a particular market; the relationship between a record label and a radio station; the competition for newly released music by radio stations; and the number of listeners segmented by age, ethnicity, and other factors in each market (Pitt, 2010).

The radio, television, and the internet are all different types of media musicians use to promote their music. The radio is the oldest use of media for music. It has not lost its importance in spreading music though. Bands today still rely on the radio to help spread their music so people will want to buy their albums. For a band to gain an audience and to get people to buy their albums they first need to let the people hear their music. The radio is the simplest medium to spread music, but it is very effective (<https://www.123helpme.com/essay/The-Role-of-Media-in-the-Music-23016>).

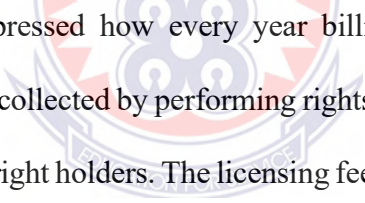
Schumann and Hess (2009) as cited in Deihl and Karmasin (2013) disclosed that value chains are usually specific to the industry in which the firm operates. The companies in the media industry are also referred to as media companies. This is a class of companies that provides content whether for entertainment, information, or education on public media. The publisher guides the musical composition through the stages of production from manuscript to performance, recording, and subsequent distribution. The technological advances that so affected music publishing at this time were the development of the means of mechanical reproduction of music through sound recording and its distribution via radio (and later film and television) (economics of music publishing) (Towse, 2017).

While radio has been central to promoting records in the past, music television, and movies increasingly play a more important role in bringing new artistes and records to the attention of phonogram consumers (Burnett, 1987) as cited in (Burnett, 1996). The most important of these is the purchase decision/sales link that connects producers and consumers via an economic act. The market refers to the audience as it is identified and conceptualized by financial decision-makers within the popular culture industry. The above explains and expresses the existence of media and its link to the music industry and how they work hand in hand to promote growth and create revenue for both the musician and the industry. Also, describing how the airplay from the media navigates the career of musicians since its job is to carry the product (music) to the audience for consumption. This therefore goes further to inform that, the artistes would be able to attain global recognition since the market is what is considered to make key decisions when firms decide if the profit margin realised will justify the production, distribution, and promotion of a record. Having a good publisher materializes these deals and more.



Like advertising the music industry aims for the attention of the public. It is the only way to reach a wide audience and distribute its products (Tschmuck et. al, 2012). Diehl and Karmasin (2013) revealed that, before the development and spread of print media, music culture was, from the perspective of media and communication research, made up of “role” or “primary media”. Role carriers as primary public media were providing, according to their time and society, specific functions (e.g. spreading entertainment such as “rhapsody”, “minstrels”, etc.). The production, as well as the allocation and distribution, were beginning to be organised as and by businesses that served the demands of their new different customers with the means of production and distribution at their disposal.

For musicians to enjoy fully its benefits in the area of music publishing, Pitt (2010) explains that the music publisher will exploit the many ways in which songwriters and composers can benefit from other types of licensing such as the use of the artiste's name, image, and likeness for things like perfumes, clothing, and beverage advertising. According to Diehl and Karmasin (2013), Electronic media such as radio, records, and TV expanded music culture with more opportunities for production, allocation, perception, and the use of electronically recorded music. For the first time, it was possible to hear music without a musician being present and regardless of the location, to experience a live performance. This medium was produced usually at the demand of young people who wanted to open up their scope of experiencing music more easily and in private, by mainly using records.



Pitt (2010) in his submission expressed how every year billions of musical performances are licensed, and billions of dollars are collected by performing rights societies from various music users around the world on behalf of copyright holders. The licensing fees collected must then be distributed in a fair, accurate, and efficient manner to the copyright holders when their copyrighted music is used in a variety of mediums. To accomplish this goal, the music must first be tracked on radio, television, the Internet, live venues, and other media and a determination made to as which music has been performed before the appropriate copyright holders can be paid. Additionally, Pitt (2010) goes further to disclose how the organisations may all have different distribution options and payment formulas that can include premium payments for hit songs, payment schedules, and dedicated resources for collecting performance rights licensing fees. Ring tones and ring-back tones, the music heard and played on cell phones, represent an entirely new market in transmission technology. A copyrighted musical composition can be used in its entirety when played as a full-

featured song on the radio. The song or parts of the same song can be used on television for musical and other talent-type shows. Another part of a song could be used in a jingle to help sell products or services on television.

The world of songwriting is dynamic with changing consumers' tastes and preferences happening practically overnight, and new business models being introduced with increasing frequency. The fragmentation and segmentation of the music industry can make it impossible sometimes for some new artistes to get airplay on some large radio stations. For most songwriters, their income from performance rights royalty income depends on the amount of their music played on radio, television, the Internet, and other places. The world of songwriting is dynamic with changing consumers' tastes and preferences happening practically overnight, and new business models being introduced with increasing frequency. The fragmentation and segmentation of the music industry can make it impossible sometimes for some new artistes to get airplay on some large radio stations. For most songwriters, their income from performance rights royalty income depends on the amount of their music played on radio, television, the internet, and other places (Pitt, 2010). Careful dissemination of licensed music works to the media, with frequent airplay of musical works shows the frequent use for public performances by music users in a variety of performance types or airplay such as features, theme music, jingles, underscores, ring tones, or network station promotions. This therefore opens more doors for the musician to make returns and also acquire both national and global recognition.

2.5 Collection of Royalties in Music Publishing

Music publishing is an old industry that has renewed itself and adapted to new technologies and changes in consumption patterns (Towse, 2017). Music publishing is the business of acquiring copyrights and promoting, protecting, and collecting royalties for music—generates the largest source of income for songwriters and composers. The publisher's focus is not just on managing both domestic and international master recording rights of the songwriter, but can also include licensing the image and likeness of the recording artiste for merchandising as well (Pitt, 2010). Copyright Act as the lawyers call it, is referred to by the songwriters and publishers as Sources of Income and each of the five basic copyright provisions establishes a royalty structure for the benefit of the songwriter and publisher. Royalties are generated globally through various income streams, including record, CD, tape sales, television, cable, radio, theater performances, downloads, streaming, and artiste and record producer royalties. Composers and publishers earn performance income, synchronisation income, mechanical income, and ancillary income from sheet music sales, advertising campaigns, internet transmissions, Grand rights, and new media (Sobel & Weissman, 2008).

Harrison (2011), as cited in Towse (2016), reveals that the shift from sales to rights management in music publishing led to a change in composer-publisher contracts, from a single fee buyout to a prevalent royalty contract. The twentieth century saw the emergence of a typical royalty contract between music publishers and composers or songwriters, which pays a percentage of revenues from a work's sale or license. The contract the music publisher makes with the creator of a work is an essential part of the business model of all intermediaries and the complexity and variety of contracts in music publishing demonstrate their importance in that industry. The core competitive

advantage in music publishing, as in the record industry, lies in signing up successful writers and performers early on in their careers and then hanging on to them through various contractual arrangements. This in return determines who gets what, that is the split of revenues reaching the parties involved, and how the publisher can compete for the artistes income and other revenues.

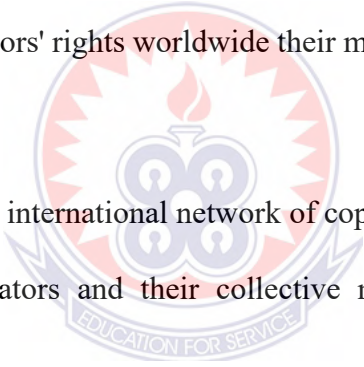
As revealed by Sobel and Weissman (2008), the following are referred to by these scholars as major sources of royalties for composers and publishers:

Performing rights compensate songwriters with 50-75% compensation, payable when a film or television programme is performed, surveyed, or monitored. Factors affecting royalties include frequency, production methods, and foreign exposure. **Synchronisation rights** license producers to synchronise music with audio-visual images, generating substantial income for producers. Fees range from \$500 to \$10,000 for television, \$40,000 to \$40,000 for film, and over \$35,000 for national commercials. **Mechanical rights** are royalties from record sales and downloads of copyrighted songs, while mechanical licenses are written permission from publishers to manufacture and distribute specific compositions. Mechanical licenses are obtained by paying the 2007 statutory rate. Performance rights are paid directly to publishers and songwriters (pp. 26 - 27).

Caves (2000), as cited in Greenfield and Osborn (2004), identifies two markets for the use of copyright material: The primary market of sales which involves sheet music and sound recordings, and the secondary market which uses recorded works in broadcasts and public performances. Composers and performers receive royalties based on item prices from publishers or record

companies. Royalties are the usual means by which publishers pay authors and the royalty contract is the typical contract in the publishing and music industries.

In the line of music publishing and royalty collections, there is the foreign royalty collection which allows the collection of royalties outside of a particular country. Pitt (2010) explains foreign royalty collection to be agreements that allow those foreign performing rights organisations to license the works of a performing rights organisation in a particular country and collect licensing fees on their behalf when the music is performed outside. The CISAC, the International Confederation of Societies of Authors and Composers, organisation works toward increased recognition and protection of creators' rights worldwide their main activities and member services are to:

- 
- The logo of the University of Education, Winneba, is a circular emblem. It features a central lamp with a flame, set against a background of a sunburst. The lamp is flanked by two stylized figures. Below the lamp, the motto "EDUCATION FOR SERVICE" is written in a banner. The entire emblem is surrounded by a decorative border.
- strengthen and develop the international network of copyright societies
 - secure a position for creators and their collective management organisations in the international scene
 - adopt and implement quality and technical efficiency criteria to increase copyright society's interoperability
 - support societies' strategic development in each region and each repertoire
 - retain a central database allowing societies to exchange information efficiently
 - participate in improving national and international copyright laws and practices.

Greenfield and Osborn (2004) describe the work and procedures of collective management organisations and connote that Collection Societies worldwide establish cross-national agreements

for licensing member works, reducing international copyright transaction costs. This is an agreement contract between two collective management in different territories, collecting for the same right types on behalf of each other's members. This combines transaction costs for rights owners and licensees, reducing costs for both parties. Revenues are distributed to individual members based on their use of musical works, with collecting societies paying rights-owners according to appropriate tariffs.

A successful writer could be receiving payments based on the numbers of performances for a musical composition that was played on network television or cable (or both) in a full feature format (such as being sung on a musical show), parts of the songs could have been used in a network promo/tune-in, a jingle or a commercial. The same song could have been played on the radio or streamed from a website. The royalty payments made to writers and publishers are typically referred to as 'distributions.' It is beyond the scope of this monograph to go into the complicated weighting rules, weighting formulas, various distribution plans for members, and survey methods used in computing PRO distributions (royalty payments) to songwriters, composers, and music publishers. Each PRO has a different method for computing these factors and from time-to-time new rules are added or old ones are changed (Pitt, 2010). Correspondingly, Greenfield and Osborn, (2004) divulge that a royalty deal may not yield more over the duration of the copyright than a flat fee that buys out future exploitation of rights. Moreover, few individual artistes are in a position to bargain with publishers or record companies. They have to accept the terms offered or quit the deal; only a few superstars have the bargaining power to improve their terms. In addition, it is questionable whether the 'typical' artiste earns much from copyright at all. Copyright is said to 'reward' creators but how much reward they reap in practice depends upon the market valuation of their work and that may be very low.

Collection societies enable smooth and fair collection and distribution to their members, providing their service to its members and solely controlling affairs with the use of electronic databases and other networks of publishers around the world to find and gather information to receive accuracy in the returns made. The above submissions made by the scholars similarly indicate the value of copyrights to their owners while providing some evidence of the profits to authors and publishers of having copyright safety.

2.6 Summary of Literature

A review of related literature revealed the music industry to be an essential component of the entertainment industry and therefore must have some organisations to help in the smooth running of the business side of music to improve the growth of musicians and, the music industry and then elevate the state of the music business in the industry. GHMusic Publishing and Management is a Ghanaian music publishing company that completes the industry's chain as it offers services that help strengthen the business aspect of music which causes progress in the growth of musicians, their careers, and the music industry.

Copyright is solely active to protect the intellectual properties of composers. Composers would have to assign their rights to publishers and collective management organisations to have their works monitored to avoid copyright infringement, use of copyright works without licensing, and other copyright offenses. Music publishing was revealed as a priceless guide to generating and protecting royalties. It is also geared towards developing songwriters and artistes, exploiting their musical works to help them gain enough recognition and income. The role of media was described as one pathway artistes acquire full benefits, through an increase of airplay on radio and television. This way, musicians get to launch big deals and make big returns. The collection of royalties in

music publishing was said to be the business of acquiring copyrights, promoting, protecting, and collecting the royalty's musical works generate (Sobel & Weissman, 2008). Without music publishing, artistes would be working for free because there would not be anyone looking out for their interest.



CHAPTER THREE

METHODOLOGY

3.0 Overview

This chapter is a presentation of the research methods and techniques that were used in the collection of data for the study. This includes the research paradigm, research design, population, sample and Sampling techniques, instruments for the collection of data, tools for collecting data, data collection process, ethical considerations, and the procedure for data analysis.

3.1 Research Paradigm

The research paradigm for the study is qualitative. Qualitative research uses a naturalistic approach that seeks to understand phenomena in context-specific settings, such as "real world setting [where] the researcher does not attempt to manipulate the phenomenon of interest" (Patton, 2001, p. 39). The study uses a qualitative paradigm, in-depth interviews, and interpretive data analysis to explore the state of music publishing in Ghana's music industry, focusing on people's experiences, and opinions in the music business terrain.

3.2 Research Design

The research design used in this research is a case study. According to Tellis (1997), a case study is a research design that can be seen to satisfy the three tenets of the qualitative method: describing, understanding, and explaining, which is based on an in-depth investigation of an individual, group or event to explore the causes of essential principles. The type of case study implemented is the collective case study which according to Crudden (2002) this design allows a greater

understanding of the phenomena. This study involves the researcher collecting and grouping information from numerous data to generalise the phenomena. In this field of study, having three different informants to help in dissecting the objectives of the study to gather substantial data that reveals the internal dynamics and structure of (Ghana) GHMusic Publishing and Management, bring to light the system of royalty and the state of music publishing in the Ghanaian music industry.

3.3 Population

The population used for the study were persons in the entertainment industry, GHMusic Publishing and Management, Lynx Entertainment, and Entertainment Journalist.

3.4 Sample

Three participants were selected for the research. The CEO of GHMusic Publishing and Management, the CEO of Lynx Entertainment, and an entertainment journalist from the media in the entertainment industry in Ghana were sampled for the study. The copyright act document was also sampled.

3.5 Sampling Techniques

Purposive sampling was the technique for sampling. According to Etikan et al. (2016), the purposive sampling technique, also called judgment sampling, is the deliberate choice of a participant due to the qualities the participant possesses. This involves the identification and selection of individuals or groups of individuals who are proficient and well-informed about a

phenomenon of interest. Because of this, the purposive sampling technique was used because these selected few have an in-depth knowledge and understanding about the topic under study and their answers were significant which also enriched my findings as they provided vital information to help in the field of study. The first informant, who is the CEO of GHMusic Publishing and Management is a veteran musician who has been a board member of Ghana Music Rights Organisation (GHAMRO); an organisation responsible for the collection and distribution of royalties for more than two terms and is currently running affairs of music publishing in her company. This therefore gives her more years of experience and knowledge to enrich my findings.

The second informant, the CEO of Lynx Entertainment is also a veteran musician and a producer who has been dealing with the management of artistes for almost a decade and more. His expertise in the field of music business has been groomed and refined over the years and therefore made him one who can be trusted to provide data that enriched my findings. The last informant was selected to get an objective view of the state of music publishing since he has been looking into matters of the industry for almost two decades and has in-depth knowledge and records of preceding events that took place in the music industry.

Under document analysis, Ghana's copyright act document was sampled because it contains the laws enacted by the Ghanaian government that rule over its jurisdiction.

3.6 Data Collection Instruments

The instruments used in the study were interviews and document analysis.

3.6.1 Interview

The interview was used as part of the instruments for data collection. According to Fontana and Frey (2005), the interview is said to be one of the most common and powerful ways in which we try to understand our fellow human beings and can be used for the purpose of measurement or its scope can be the understanding of an individual or a group perspective.

The type of interview employed was semi-structured and it is explained by Saepudin et al. (2022) to be more powerful than other types of interviews for qualitative research because it allows researchers to acquire in-depth information and evidence from interviewees while considering the focus of the study. Secondly, allows flexibility and adaptability for researchers to hold their track as compared to an unstructured interview where its direction is not fully considered.

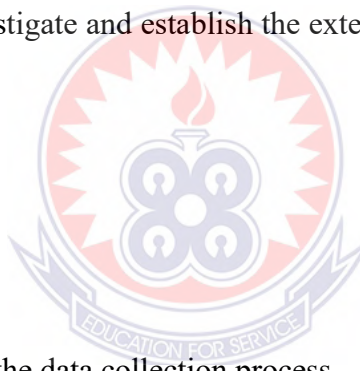
The selected respondents had varied questions per their specialties as musicians, even though there were general questions that cut across all three questions prepared for the interviews to receive the responses from the various perspectives to reveal and increase understanding about the study. The interview guide aimed to understand GHMusic Publishing and management's strengths, functions and structure, law enforcement, contributions to musician growth, and the effectiveness of royalty collection in Ghana's music industry.

3.6.2 Document Analysis

Document analysis was employed in the study. Karppinen and Moe (2012) explain documents to mean more or less objective sources that can reveal the interests and intentions of their authors or in other ways uncover facts about a policy process. Merriam and Tisdell (2016) as cited in Morgan

(2022) also referred to document as a term used to refer to a wide variety of material including visual sources, such as photographs, video, and film. Also, in the second case, documents are treated as meaningful social products or cultural artifacts that have independent consequences and are worth analysing in themselves, and document analysis is referred to various textual analytical treatments of texts as sources or objects of study. Document Analysis, expressed by Morgan (2022) indicates that this method consists of analysing various types of documents including books, newspaper articles, academic journal articles, and institutional reports. Any document containing text is a potential source for qualitative analysis (Patton, 2015).

This method was therefore employed to analyse copyright laws enacted as Ghana's Copyright Act (690) to provide data to help investigate and establish the extent of law enforcement in the music industry.



3.7 Tools for Collecting Data

The following tools were used in the data collection process.

- Smart Phone
- Pen and notebooks

3.8 Data Collection Process

An introduction letter was received from the Department of Music Education, University of Education, Winneba to enable me to get to my research site and gain access to the organisations accordingly. Secondly, after getting in touch with my informants, I briefed them on the purpose

of the study and that earned me a spot for a formal preliminary interaction with my participants to create rapport with them before the actual data collection. The smart phone was used in recording the interview process and data collection, and a storage for the interview guide for the gathering of data. Lastly, the pen and notebook were used to write down interesting points that can enrich developing problem statements and also, topics that can be reviewed to enhance findings.

I visited the CEO of GHMusic Publishing and Management, on the 5th of January 2023, and scheduled an appointment on the 12th of January, 2023. It was an informal, face-to-face interview with a semi-structured interview guide to help in gathering my data. I went ahead to sought permission from her to record audios of interviews before we commenced, and made notes during interviews which helped me in reviewing some topics related to the study to enrich my study. The interview provided in-depth insights into GHMusic Publishing and management's strength, functions and structure, law enforcement, contributions to musician growth, and the effectiveness of royalty collection in Ghana's music industry

The second interview was with the CEO of Lynx Entertainment, on Monday, 20th January, 2023 at noon. The interview was delayed a bit since the respondent had a busy schedule that morning. The meeting began at 2:00 pm that same day. Similarly, questions asked during the meeting also helped get his point of view on the state of music publishing and the organisations who have found their feet, their functions, and challenges. Again, questions asked were geared towards finding out the extent of music publishing law enforcement in the Ghanaian music industry, some contributions music publishing offers that complement and enhance the growth of musicians and the music industry as a whole, and the effectiveness of the collection of royalties in the music industry in Ghana. Other questions asked were related to gathering data on the music industry and music business about the state of music publishing.

The media entertainment journalist was my third respondent and the interview was held on the 15th February, 2023 at 11:00 am. His questions were also to find out his point of view on the state of music publishing and some well-structured organisations, their functions, and challenges. Correspondingly, questions were asked to find out the extent of music publishing law enforcement in the Ghanaian music industry, some contributions music publishing offers that complement and enhance the growth of musicians and the music industry as a whole, and the effectiveness of the collection of royalties in the music industry in Ghana.

Again, questions were asked to find out the role of the media and what they contribute and help increase the profits of musicians when it comes to the benefits and contributions music publishing offers using the tools at their disposal (frequency of airplay).

All three respondents referred to the state of music publishing in the Ghanaian Music industry as poor. They revealed that Copyright law protects right owners' interests in publishing, but its effectiveness and enforcement are questionable as GHAMRO continues to face challenges during royalty collection because of the unsteady state of law enforcement. They went further to reveal that, the royalty collection system has faced numerous problems including the mode of collection and distribution. The previous system of royalty distribution was based on longevity and experience in the music industry and several album productions. Those who fit into the category gained the most revenue. However, it was revealed that the old system failed to use the appropriate means for the distribution process, which is rather dependent on the use of musical works and, the frequency of airplay. Although things have changed in present times, with the mode of distribution of royalties now placed on the most played song, respondents reveal that the mode of collection has to be improved. GHAMRO still has to work hard to purchase log-in systems, digital software, and advanced technologies to help track the usage of musical works and tabulate payment fees.

Documents on the relevant sections of the copyright acts were referenced and analysed to ascertain some acts in music publishing and also, establish some enactments that aid in law enforcement. This was done to throw more light on the study and also enrich data on the study.

3.9 Ethical Consideration

According to Gajjar (2013), Ethical norms serve the aims or goals of research and apply to people who conduct scientific research or other scholarly or creative activities. They promote the aims of research, such as knowledge, truth, and avoidance of error, for example, prohibitions against fabricating, falsifying, or misrepresenting research data promote the truth and avoid error.

Research often involves a great deal of cooperation and coordination among, ethical standards, and promotes the values that are essential to collaborative work, such as trust, accountability, mutual respect, and fairness. Many ethical norms in research, such as guidelines for authorship, copyright and patenting policies, data sharing policies, and confidentiality rules in peer review, are designed to protect intellectual property interests while encouraging collaboration (Gajjar, 2013).

To protect the dignity, rights, and welfare of research participants, ethical considerations on informed consent, honesty, integrity, and confidentiality were employed. Concerning informed consent, permission was sought from respondents to record before the commencement of the interview. Integrity was carefully executed as I made sure to stick to agreements as to the reporting times with each respondent. Confidentiality of research data was also observed during all three interviews. Lastly, I was honest in my dealings with the respondents during the introduction of self and purpose of research before meeting with them.

3.10 Procedure for Data Analysis

Primary data collected were transcribed and the documents received from the field were analysed. Narrative analysis of data was employed as it focused on analysing findings by narrating respondent's experiences and opinions. The study analysed interview responses from respondents to understand GHMusic Publishing and Management's strengths, functions, and structure in Ghana, its impact on the music industry, and the effectiveness of royalty collection in the country's music industry. Thematic analysis was also used to interpret information on Ghana's Copyright Acts under document analysis which provided responses and findings that were relevant to the study regarding the extent of law enforcement in the music industry in Ghana.



CHAPTER FOUR

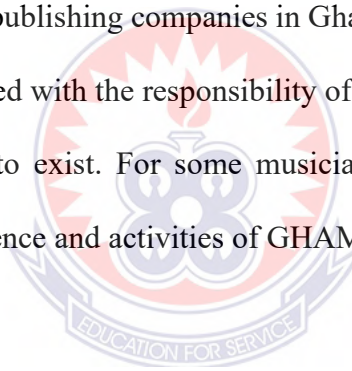
PRESENTATION AND DISCUSSION OF RESULTS

4.0 Introduction

This chapter presents the data collected from the field using the interview and document analysis. It also discusses the findings derived from the data collection in line with the research questions.

4.1 Results from Interview

Results from the administration of the interview revealed several information including the absence of well-structured music publishing companies in Ghana apart from GHAMRO, which is the only recognised entity mandated with the responsibility of collecting royalties. GHAMRO is, therefore, the only entity found to exist. For some musicians, the non-existent of publishing companies is ascribed to the existence and activities of GHAMRO.



For instance, one of the respondents confirmed this observation:


Diana Hopeson is one person I have seen trying to initiate her own publishing company, but research is needed to determine the number of clients she has. Her company is the only known publishing company I am aware of, aside from hers and GHAMRO, there are no other music publishing companies.

According to the findings, GHMusic Publishing and Management is a publishing company that manages the songs of artistes, and how the musical works should make money for the owners as they offer services to help make extra money from the internet. The organisation also deals in

selling of the rights which has to do with granting and giving other companies and individuals, the license to use their client's musical works.

To proceed further, one of the functions of the organisation as revealed by the respondent is to assist its clients in gaining more opportunities to expose them to large local audiences as well as external visibility to the worldwide audience. Also, the company is involved in showcasing Ghanaian music repertoire and works, linking owners internationally, and helping artistes reach their goals. GHMusic Publishing and Management also enforces industry aspects, boosting the confidence of musicians and royalties. Registering with a publishing company or publisher can provide a biography and access to acquiring greater opportunities.

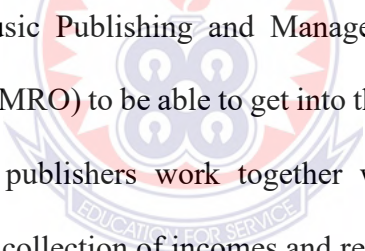
As part of the functions of GHMusic Publishing and Management, M. Bee indicated:



*Our company represents clients by acquiring information about our artistes' works and we act as an intermediary between them and the Collective Management Organisation (GHAMRO). We offer an omnibus contract covering music administration, registration, copyright licensing, royalties management, artiste mentorship, music sheet printing, digital distribution, annual creative clinic, and global music monitoring. We ensure artistes are aware of the tasks we offer and other offers needed to complete their offers. For example, putting music online, accessing music for purchase, and using it for call ringtones. We also handle cat-
login and other services for artistes.*

M. Bee continued with her response concerning the functions of GHMusic Publishing and Management:

As per the deals offered, the company takes care of who did what not just the composer but also, the performers of the work which is referred to, as the split sheet; who gets what? The company is into licensing of musical works, giving companies the license to use artistes who have registered their works with the publishing company. A kind of permission with guidelines; grants, to use the work for a said number of years. Every publishing company or publisher should have the authority to give that kind of license.



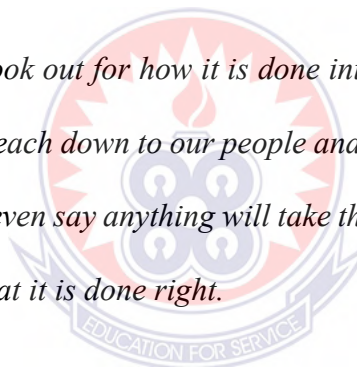
It was also revealed that GHMusic Publishing and Management works with the Collection Management Organisations (GHAMRO) to be able to get into the places they may be out of reach. Publishing companies or music publishers work together with the Collective Management Organisations to work well on the collection of incomes and revenue due to clients. Additionally, GHMusic Publishing and Management works with the copyright law and is set up as such. It also makes sure to work within its confines. As an organisation, results revealed that the company looks into truth, loyalty, and integrity with a high sense of confidentiality in handling artiste's repertoires. Also, the company is guided by its goals as well as whatever pertains to enterprises in addition to the copyright law with good practices to ensure transparency, and accountability among others. With regards to the strengths and structure of the company, results disclosed that the company has been structured in a way that, seeks to make sure the music industry chain is complete when it comes to music business.

It was disclosed, as part of the strengths company that the company has acquired software and technological systems, a system log-in which checks the playlist of traditional media (radio and television); title specific, artiste's name and songs, and also a digital software which can tabulate accurately, collections due users and distributions due artistes. This system helps the organisation during the collection and distribution of revenue. The company has achieved corporate connections by staying in contact with the music monitoring organisation, an organisation very well equipped with satellite, and is able to check all radio stations around the world.

According to the findings on the structure of GHMusic Publishing and Management,

M. Bee indicated:

At the moment we have to look out for how it is done internationally and build our company at the same time, reach down to our people and bring them up to that level and so those who could not even say anything will take the physical work and get all the details and make sure that it is done right.



Although the structure of the organisation (GHMusic Publishing and Management) is not defined, findings revealed that GHMusic Publishing and Management has been able to attain connections with other sub-publishers around the world. Countries like South Africa, Europe, Canada, the US, and even Asian countries. This is one essential requirement of a publishing company as this structure helps publishing companies during the collection and distribution of royalties of their clients, all around the world.

Furthermore, several revelations were made on music publishing policies and law enforcement in the Ghanaian music industry. It was revealed that the only legislation governing the operations of

the music publishing business and copyright issues is the copyright law, 2005 (Act 690). Results from the interview conveyed that the laws are active but not enforced.

Mr. W's response concerning the existence and enforcement of laws revealed:

There are publishing laws but they're not enforced. The laws are all there but they are not enforced. We live in a country where, I mean, you can hit someone with a car, dash policeman money, and run away. Another example is a television station showing obscene movies at an early hour and never reprimanded for their actions. This therefore causes an increase in copyright infringement acts by the public.

Mr. Mac's response on the existence and extent of law enforcement revealed:

The law is needed and without it, one might virtually be doing nothing. Fortunately for us here in Ghana, we have the law but the other essential thing we need is enforcement. If the law is in existence and yet not enforced, one might as well go and sleep. There is the law and we need to strengthen the enforcement.

Mr. Mac continued with his response on the extent of law enforcement in the music industry:

Right owners often face challenges in addressing unauthorised use of their works, as police often lack knowledge about copyright matters. Enforcement is crucial to protect the interests of rights owners. With proper enforcement and new

technologies, the publishing industry can advance, but there is still room for improvement in collection methods.

To begin with, findings on music publishing and its benefits indicated that publishers manage the songs and make sure that the songs make money for their owners. Secondly, the cat-login system serves as a conservation as it preserves the works of musicians and becomes a kind of conservatory for the works in the country.

Mr. W's response on the benefits of music publishing revealed:

Music publishing is one of the best things that happened to musicians. That is the real direct income that comes to the musician and the project. Worldwide, it has been a blessing for so many musicians and most musicians have gotten extremely rich from publishing. A musician can compose a song because that song is still being played everywhere and regularly and can sit at home enjoying the money. It is that beautiful, but unfortunately in Ghana, it doesn't exist

Mr. W continued to reveal the benefits of music publishing:

Publishing is a new source of income for creative individuals, offering a different income source for those who have invested years in songwriting and anything music. Music publishing was created as a solution for the musician and it is the reason it is called a show business. The show part is 20%, while the business part is 80%.

This concept, which has the potential to significantly change the creative industry in Ghana, aims to provide a more rewarding experience for musicians.

Mr. W's response on the benefits of music publishing continued to reveal:

Music publishing is a complex industry with legal contracts and deals, making it crucial to have a label and management capable of handling it. These deals help in generating another source of income to expand the art. The publishing company works towards pitching music based on its popularity genre and suitability for television programmes, movies, a game company, advertising companies, etc. Featuring or using these songs in their content comes with a nice upfront fee as well as usage rights where any time it is used, revenue is gained. These deals are patronised more but there are more uncommon ones like apps, and video games, and an example is Rocky Dawuni, a Ghanaian musician, who has his music on FIFA year in and year out, and is making good money from there.

Again, it was revealed that publishing happens to be one of the integral aspects of the music industry, pre-recording, recording, marketing, and then publishing. Publishing allows the artiste to make huge returns.

Mr. Mac divulged some benefits of music publishing:

In the music industry, publishing rights and publishing companies are crucial for making money and returns. Without a publishing platform, the industry suffers.

Established countries like the US, UK, and Europe have robust publishing systems, allowing artistes and labels to thrive. However, in Ghana, weak publishing is a significant issue, causing artists to suffer. Publishing is essential for the music business and is essential for success.

Mr. Mac's response on the benefits of music publishing continued to reveal:

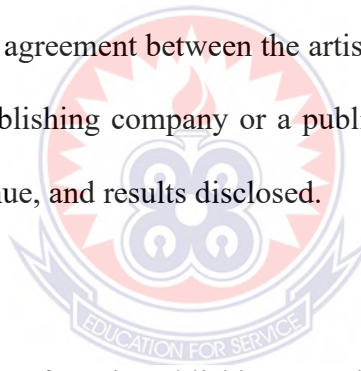
The publisher sets a platform for selling or marketing music, and after it is done, it is handed over to a music publishing company. The publishing company monitors the use of the music, generating revenue for the artist and the label. The publisher is responsible for monitoring the music's usage, ensuring it is played on radio stations, television stations, commercial entities, and gaming companies. Without a publisher, someone else is using the music, and the product is not being monitored. This way, the artistes can earn more income and also, gain large audiences.

Mr. Mac continued to reveal some functions of music publishing which generates huge returns for artistes. According to Mr. Mac:

If there is a television commercial, and a particular song of the artiste fits that television commercial, a proposal can be made to that client. Another example is at the Kotoka International Airport, and in the season of December in Ghana, the publisher can walk to the Ghana Airport Company and say "I have a song of my client that fits into the December agenda where you can play at the top terminals

and so on". This way, the artiste enjoys the benefits that come with securing the contract aside from the returns from the usage of songs.

The results disclosed that music publishing is very essential to the growth of the musician's careers as well as their incomes. Findings also revealed that publishing is an essential aspect of the music business, providing numerous benefits. Artistes can be signed to multiple recording labels and publishing units, depending on the deal. There are recording deals, 360 deals, and publishing deals, and artistes can choose the most beneficial deal for their craft. Artistes can also choose to have the recording label handle publishing or have a publishing company outside the recording label, depending on the agreement between the artiste and the label. Publishing is that key because that is where the publishing company or a publisher monitors the use of musical works to be able to generate revenue, and results disclosed.



Mr. Mac's response on the benefits of music publishing revealed:

Every artiste is in here to make money and every artiste needs to be popular, to be famous, and essentially, to make money and the way they can make money is when they get paid for what they do. That is what music publishing does.

Additionally, apart from monitoring musical works, publishers also market and project the songs on platforms that seek to generate revenue for the artistes. The results disclosed that one essential element that helps increase benefits in music publishing is the frequency of airplay from media.

This helps them receive more deals from advertising companies, game companies, and other interested persons and companies who have chosen to use their musical works for company gain, both nationally and internationally.

Mr. Mac's response on the frequency of airplay from the media as an essential element, in generating royalties in music publishing revealed:

The media plays a crucial role in music industry promotion, promoting artistes and players within the sector. It serves as an ecosystem, with management and media playing complementary roles. Social media advertising complements traditional media efforts, and management plays a vital role in presenting music and helping musicians sell their work.

Mr. Mac continued with his response on the frequency of airplay in music publishing:

Frequency of airplay in music publishing benefits artistes by increasing popularity and promoting their songs. However, media must ensure a fair playing field for all artistes, allowing record labels to enter agreements for specialised promotion and marketing. The media is there for everyone.

M. Bee's response on the effectiveness of the collection of royalties in the music industry in Ghana revealed:

Music monitoring organisations can help with the accurate collection and distribution of radio stations' songs. These systems display usage and collection

times, allowing stations to allocate funds accordingly. GHAMRO currently handles both but has more room for improvement. They are also in a partnership with a Collective Management Organisation in another country to pay for foreign content usage. This helps radio and television stations maximise local content usage, as excessive foreign content usage can negatively impact their revenue.

Similar contributions regarding GHAMRO's inefficiency were made by Mr. W:

Royalty is not working and the people in charge are not being able to figure out how to do it. First of all, an applicable log-in system must be used and it is available worldwide. There are free ones that you could pay as little as 100 dollars a month and they are so many. GHAMRO needs a login system and there are so many available so they can just pick any, any, and adopt it, but they have not done that.

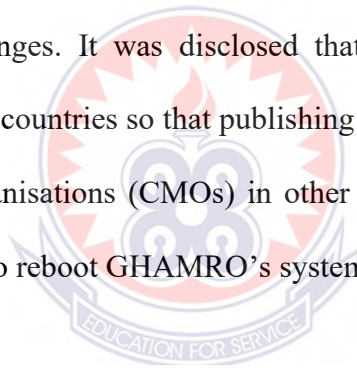
Data collected indicated that anybody who uses music commercially is supposed to pay fees to the collection agency (GHAMRO), a flat fee for using the music in general, and specific fees for the number of times the music is played.

Mr. W continued with his response regarding the effectiveness of the collection of royalties in the music industry in Ghana:

GHAMRO and media houses argue that logging is impossible, as they lack a record of songs airplayed by them. They struggle to pay them due to a lack of premise and

a lack of detailed structure for calculating payouts based on plays. This is a significant hurdle in the ongoing dispute between the media and GHAMRO.

Again, findings revealed the ineffectiveness of royalty collection and distribution in the music industry, which existed for a long while even before GHAMRO was established. This started from the period of the Copyright Society of Ghana (COSGA). Copyright Society of Ghana (COSGA) was later dissolved because of its inadequacy in handling the collection and distribution system. GHAMRO itself has been faced with many challenges, and quite recently, the government had to dissolve the entire establishment of GHAMRO to bring in a new regime. But unfortunately, GHAMRO is still facing challenges. It was disclosed that GHAMRO could become better equipped in collecting from other countries so that publishing companies in Ghana can sign deals with collective management organisations (CMOs) in other countries and forget the CMOs in Ghana completely or find a way to reboot GHAMRO's system.



The Mr. W continued with his response on the effectiveness of royalty collection:

The Ghanaian collection agency lacks a reciprocal agreement with international agencies like ASCAP and BMI, preventing it from collecting money from music played in the states. This means that if Rhianna's music is played in Ghana, the agency must pay Rhianna, potentially leading to bankruptcy. As a small market, the agency doesn't care about this, resulting in forfeiture of money from outside sources. For example, if Kidi signs with a Ghanaian collection agency, they would not receive

any money from the 26 countries playing "touch it" more than Ghana, as there is no reciprocal agreement.

Mr. W's response on the effectiveness of royalty collection disclosed:

Very few musicians are educated about the royalty collection and music publishing. In general, if I am going to be honest, in Ghana, education about our industry is very limited. Because our music industry is not something that is taught formally here. Those who go to learn music, learn music theory and not about music management and music business-related courses. In the end, most musicians are just happy when the cheque comes.

According to Mr. W, the existence of a music publishing company is dependent on having great relationships with well-structured publishing companies and collective management organisations in western countries. He revealed that many musicians own publishing rights in Ghana but deal with publishing companies and collection agencies outside the country. This act, he concluded, results in unpaid work in Ghana, while successful musicians can collect royalties from other countries.

Mr. Mac's response on the effectiveness of the collection of royalties in the music industry in Ghana revealed:

The royalty collection system over the years has been entangled with a lot of problems, including the mode at which the collection is being done, the system of which the distribution of revenue is also done and thirdly employment of new technologies in royalty collection. A lot of countries have moved from the old system of doing royalty collection and royalty distribution. Once there is the law and enforcement are done, and new technologies are engaged in royalty collection and publishing, we will go far.

Mr. Mac continued with his response on the effectiveness of the collection of royalties:

The music industry in Ghana had no system for collecting royalties, with artistes and rights owners collecting the majority based on how long the artistes have been in the industry. However, recent advancements have increased exposure and a split sheet system for artistes, producers, and songwriters. Education, the internet, and case studies have helped to improve understanding of royalty percentages and entitlements.

Findings revealed that previously, the system of royalty distribution was based on the number of albums a musician has produced, the number of years a musician has served in the music industry, and his or her level of experience in the music industry, as a musician. For instance, if Mr. A has produced over 25 albums and Mr. B has produced 20 albums, Mr. A gets to receive the biggest revenue even if Mr. B received the highest number of airplays from the radio and television stations. Unfortunately, what GHAMRO failed to realise, by that system, was the fact that it is

about the use of the product. GHAMRO failed to realise that Mr. B's songs are not being played as Mr. A's or Shatta Wale's or Sarkodie's, which automatically causes a change in revenue distribution. The emphasis is on airplay and artistes with frequent use, rather than long-standing industry experience. Systems are being implemented to favor artistes who are actively performing or effectively using their works.

Correspondingly, Mr. Mac's response on the effectiveness of royalty collection and distribution revealed:

GHAMRO faces challenges in collecting revenue from media houses and corporate entities, with some threatened with legal action. They have been engaging the Ghana Broadcasting Association for a year to find a consensus. Despite gains in distribution, challenges persist due to non-payment and unpaid entities. A log-in system would be helpful, but the issue has not been resolved. GHAMRO is working with entities to resolve the issue, but the system remains difficult until it is resolved.

4.2 Results from Document Analysis

The only document reviewed, as stated earlier, is Ghana's Copyright Act, 2005 (Act 690), issued by the Parliament of the Republic of Ghana, and replaced Parliament's Act No. 110 AN ACT to replace the Copyright Law, 1985 (P.N.D.C.L. 110), makes specific provisions to govern the activities and law enforcement in the industry.

Below is the Enforcement Provisions Act under Sections 25-27:

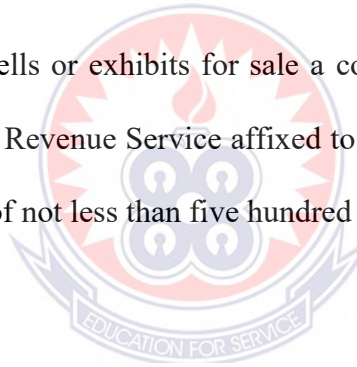
Section 25 of Act 690 makes provisions on the Security device for sound and audio-visual recording:

25 (1) A manufacturer importer or publisher of sound or audio-visual recording shall on the approval of the Minister purchase a security device from the Internal Revenue Service as may be required to cover the number of copyrighted works the manufacturer, importer or publisher intends to sell or distribute.

25 (2) provides that the security device shall be fixed to each copy of the copyrighted work made or published by the applicant.

25 (3) of the Act also guarantees that a person shall not sell or exhibit for sale a copyrighted work that requires a security device, without a security device affixed to it.

25 (4) has it that a person who sells or exhibits for sale a copyrighted work without a security device obtained from the Internal Revenue Service affixed to it commits an offense and is liable on summary conviction to a fine of not less than five hundred penalty units.



Section 26 deals with the importation of pre-recorded music and other copyright work:

26 (1) An officer of the Customs, Excise and Preventive Service shall, unless satisfied that an imported sound recording or other copyright work is not a pirated product, not permit the importation of the copyrighted work without written clearance from the right owner of the work and the Copyright Office.

Section 27 talks about a levy on devices used for reproducing copyright materials:

27 (1) provides that there shall be imposed on any device capable of being used to copy a copyrighted

work a levy of a sum that shall be prescribed in Regulations made by the Minister in consultation with the Minister responsible for finance.

27 (2) has it that the levy shall be collected by the Customs, Excise, and Preventive Service at the time of importation or production.

Also, 27 (3) indicates that the provisions of the Customs, Excise, and Preventive Service (Management) Law, 1993 (P.N.D.C.L. 330) as variously amended shall apply for the collection of the levy.

27 (4) also provides that the levy shall upon collection by the Customs, Excise and Preventive Service be deposited in a fund established for the right holders by the Minister.

Furthermore, 27 (5) indicates that the fund shall be subject to an annual audit by the Auditor-General or an auditor appointed by the Auditor-General while 27 (6) guarantees the Auditor-General or an auditor, appointed by the Auditor-General to submit the audit report to the Minister and the appointed collective administration society established under section 49 of this Act, that talks about - Collective administration societies

27 (7) provides that the Minister in consultation with the executive officers of the appropriate collective administration society shall cause the distribution of the levy to the right holders and

27 (8) indicates that any exception, quantum, and modalities for the distribution of the levy shall be provided for in Regulations made under this Act.

27 (9) states that a person shall not import any device capable of copying protected materials without payment of the levy.

27 (10) provides that a person who imports a device without payment of the levy commits an offense and is liable on summary conviction to a fine of not less than two hundred and fifty penalty units or imprisonment for a term not exceeding twelve months.

Section 50 of Act (690) establishes a copyright monitoring team, consisting of police, owners, and copyright office officers, for copyright protection.

4.3 Discussion of Findings

The discussion was done in line with the research questions (RQ).

RQ 1: What are the strengths, functions, and structure of GHMusic Publishing and Management?

In the context of music publishing, the nitty-gritty of what makes music publishing has been revealed in the findings to be very resourceful to the musician as it helps generate huge royalties. In Ghana, the area of music business in general has been a bit on the low side. It is uncommon for the majority of the industry players to be responsive to music-related issues in the music industry since most of them are not very educated about it, or the issue of less patronage regarding that particular subject in the field of music business.

Arhin et al. (2023) confirm the above submissions as their suggestions assert that, Ghanaian music producers and practitioners lose income as royalties, from the songs they have produced over the years. Nana Kweku Osei, also known as Nacee, asserted that nobody told him about signing a split sheet or was enlightened about the benefits that come with it. Their submissions continued to suggest some well-known music producers not being aware of what music publishing entails until a certain point in their music career, and music producers who were educated from the early part

of their career could not get their artists to sign some publishing deals because these musicians are also not well informed about music publishing (Arhin et al., 2023).

The sustenance of the state of music publishing in Ghana has been very minimal because there are not enough music publishing companies or music publishers representing in Ghana, to educate musicians and the public on music publishing. Similarly, there are not enough music publishers to help build up the successes of musicians in Ghana to increase the appreciation level of the importance of owning publishing deals or signing with a music publishing company. This can improve the state of music publishing in the music industry in Ghana. As the findings revealed, musicians who have been able to achieve substantial benefits in their careers own publishing deals or have signed with music publishing companies in developed countries.

Arhin et al. (2023) in their submissions indicated that, in Ghana, producers specified that the musicians they record, do not agree to sign the split sheet and to this effect, do not benefit from royalties. Their inability to benefit from the split sheet is not just ignorance but also a misunderstanding of the benefits they stand to gain. From another perspective, artistes are unwilling to ask for the split sheet, and in cases where they would want to utilise it, they think that producers do not have a right to their creative works. This therefore asserts the need for a well-structured music publishing company to help do away with ignorance, and help musicians understand the music business and what it entails. The study therefore revealed and shed more light on the functions, strengths, and structure of GHMusic Publishing and Management to educate the public and increase patronage to boost the state of music business in the music industry in Ghana.

Per the functions of the organisation (GHMusic Publishing and Management), its duties include, licensing of musical works, music administration, copyright licensing, royalty management, artiste mentorship, music sheet printing, digital distribution, annual creative clinic, and global music monitoring. Some other functions include educational workshops on music publishing and the music business in general, handling other services for artistes, and making sure their musical works are exploited to make huge returns. The functions of GHMusic Publishing and Management, lead to addressing issues surrounding the music business in a broad spectrum.

In Arhin et al (2023) submissions, they align the problems surrounding the usage of split sheets, which is one basic requirement of music publishing. And in their submissions, they also noted the challenge that surrounded musicians' inability to even understand the benefits publishing brings and in other cases, where they would want to utilise it. Apart from ignorance, the music publishing roadmap has not been publicised well enough since the representation of music publishers and music publishing companies in Ghana, is few.

Although the structure of the music business in Ghana is unsteady, the existence of GHMusic Publishing and Management can help boost the state of music publishing. This is because the organisation will handle services in music publishing for artistes to make huge returns in their careers. Similar to the above submissions, Arhin et al. (2023) recommended that the growth of music publishing in the industry can improve the state of the audio recording industry as it is inarguably the most lucrative but paradoxically poor in Ghana. Furthermore, through global music monitoring, with active and accurate representations of Ghanaian musical works on global platforms by the organisation (GHMusic Publishing and Management), it will clear the mistrust

musicians have in the Ghanaian royalty system. This is because the successes of musicians will be evident and undeniable and that will increase patronage of the company (GHMusic Publishing and Management).

As Scherer (2016) suggests, owners of musical works and owners of sound recordings possess and may authorise others to exploit, several exclusive rights under the Copyright Act, including the following: the right to reproduce the work (e.g., make multiple copies of a sheet music or digital files and also, the right to distribute copies of the work to the public by sale or rental (e.g., sell copies of sheet music in stores, or sell copies of digital files on iTunes or Google Play).

The presence of GHMusic Publishing and Management as a music publishing company in Ghana is meant to be profitable to the musician and the music industry as a whole. As it can authorise the exploitation of clients' musical works, copyright licensing, royalties' management, artiste mentorship, music sheet printing, and digital distribution as Scherer (2016) submits.

Moreover, since it works with the copyright law and is set up as such, handling artiste's repertoires and businesses with a high sense of confidentiality, it can cater properly to the needs of clients and attend to each client in a unique way to avoid disputes. Copyright law allows performers and record labels to collectively designate an agent to receive payments and to negotiate the licensing fees that certain types of digital music services must pay to stream music to their customers (Scherer, 2016).

GHMusic Publishing and Management, according to the findings, exists to make sure that the music industry's chain is complete when it comes to music business. Part of its strengths revealed to be the procurement of software and technological log-in systems, which check the playlists of

traditional media houses (radio and television); title specific, artiste's name and songs. Also, acquiring digital software that tabulates accurately, royalties due to music users and artistes. This way, artistes would not have to worry about double dealings or deceit when it comes to royalty collection and distribution.

As part of the strengths of GHMusic Publishing and Management, findings revealed the organization's notable achievements, which are connected with the music monitoring organisation. This gives the organisation the lead in tracking song usage as they now have the assistance of an organisation with satellite, able to track usage of songs all around the world, and also, are exposed to advanced technologies to help strengthen their mode of collection and distribution. Similarly, because GHMusic Publishing and Management have a network of sub-publishers in South Africa, Europe, Canada, the US, and even Asian countries, collection and distribution of royalties in those countries will be very easy since these publishers will be looking out for the organisation's clientele.

GHMusic Publishing and Management needs some sort of attention to be able to offer fully its organisational roles and skills as a publishing company. This would be very much appreciated as it will help improve the state of music publishing in general and therefore must be patronised to increase appreciation of the importance of music publishing.

RQ 2: To what extent are music publishing laws, enforced in the music industry in Ghana?

Law enforcement describes the organisations and personnel accountable for enforcing laws, upholding public order, and managing public protection. The major duties of law enforcement include the investigation, apprehension, and confinement of individuals suspected of unlawful actions. The police are responsible for maintaining public order and security by patrolling, handling emergency duties, providing guidance, and preventing illegal activity. In the course of their duties, law enforcement officials respect and protect human dignity and maintain and uphold the human rights of all persons. Law-and-order duties and VIP protection responsibilities consume a significant chunk of police resources (Abbas, 2011).

Adusei et al. (2010) as cited in Adams (2018) expressed that, although the scope of permitted uses under the law remains a grey area as its restrictions have not been interpreted either in policy or in case law due to the fact practitioners within the industry have not been forthcoming. Another major challenge in the industry is the lack of a regime of strict enforcement to assure rights-holders of the protection of their works including piracy.

Adams (2018) continued to give an example of a report in 2009 which showed that, piracy increased significantly with Accra and Kumasi recording 25% and the trend is reported to be increasing since. Further, the number of CDs and cassettes sold annually decreased from 50 million to 30 million due to the illegal use of musical works. The literary industry has also been pirated across the borders. This problem has been compounded by advancements in technology which makes it easier for copyrighted works to be copied and pirated unimpeded by time, space, and

boundary (Asmah, 1998). A similar response to the above report revealed by Adams (2018) was revealed in the findings.

Right owners often face challenges in addressing the unauthorised use of their works, as police often lack knowledge about copyright matters. Enforcement is crucial to protect the interests of rights owners. With proper enforcement and new technologies, the publishing industry can advance, but there is still room for improvement in collection methods

The existence of Ghana's copyright law favors music publishing, and all these laws come together to create sustainable growth in the line of the music business. Copyright furthers democratic discourse by providing rights that enable independent writers and artists to make a living from their expression (Samuelson, 2002). According to Adams (2018), like many other colonial countries, Ghana's copyright regime derived its source from the British Copyright Act of 1911 and has gone through many changes culminating finally in the current law – Copyright Act, 2005 (Adusei et al., 2010).

To avoid and minimise piracy Adams (2018) connoted, the new law, Copyright Act, 2005 (Act 690) envisages a body called the 'copyright monitoring team' to embark on the anti-piracy work. However, Adams's (2018) submissions revealed the Copyright Administrator stating, that her office is still doing the anti-piracy work. The Office's anti-piracy activities have so far focused on the film and music industry, where copyright infringement is rampant. The Administrator included that the copyright society staff collaborates with the law enforcement agencies and representatives

of GHAMRO the right holders to usually go out to undertake anti-piracy exercises to clamp down on pirates.

Results from document analysis disclosed that Ghana's copyright law provides laws that benefit cooperate entities and other bodies that deal in the ownership of intellectual properties. Although results from the interview revealed that these laws are very active but enforcement level is low.

The law is needed and without law one might virtually be doing nothing. Fortunately for us here in Ghana, we have the law but the other essential thing we need is enforcement. If the law is in existence and yet not enforced, one might as well go and sleep. There is the law and we need to strengthen the enforcement.

These laws enacted are for organisations, to work through the protection of rights peacefully. This therefore propels the progress of GHAMRO and makes the mode of collection from the media houses, advertising companies, and other commercial venues, very easy to execute.

The enforcement of intellectual property rights thus protects local commercial and industrial innovation, as well as encouraging technology transfer and foreign investment. Enforcement is therefore part of a developing country's economic development strategy (Blakeney, 2005). Law enforcement is available to enhance the culture that surrounds the protection of works and the relishing of revenue that intellectual properties bring. Also, its strengthening provides some sort of sound mind and safekeeping, knowing that achievements and returns from your work are guaranteed.

Dugbenu (2023) suggests the importance of enforcing music copyright economic benefits: Music copyright allows music creators, such as songwriters, composers, and performers, to earn money

by charging royalties for the use of their works. This promotes the growth of the music industry and contributes to the overall growth of the economy. Preservation of cultural heritage: Copyright helps to preserve and protect cultural heritage by providing legal protection for traditional music and ensuring that its creators and performers are properly recognised and compensated. Encouraging creativity: Copyright incentivizes music creators to create new and original works by granting them exclusive rights to control and profit from their works. This promotes creativity and innovation in the music industry, which benefits both creators and the public.


According to Adams (2018), the Copyright Act, 2005 (Act 690) establishes a Copyright Office which performs the following statutory functions among others in line with section 66 of the Copyright Act;

1. Implements copyright and copyright-related laws and regulations and provides for copyright administration.
2. Investigate and redress cases of infringement of copyright and settle disputes where such disputes have not been reserved for settlement by the copyright tribunal.
3. Responsible for the administration of external copyright relations.
4. Administers copyright of which the state is the owner.
5. Registers copyright works, productions, publications and associations.

Copyright Act, 2005 (Act 690) provides enforcement provisions that ensure observance of the laws enacted, making the work of the Copyright Office easy. As indicated in the Copyright Act, 2005 (Act 690), sections 25-27 enforce the safety of copyright works, which is administered by the Copyright Office as part of their functions. The department's implementation of copyright laws enforces Section 25 which states that a manufacturer, importer, or publisher of sound or audio-

visual recording must purchase a security device from the Internal Revenue Service for copyright protection. The device must be affixed to each copy of the work, and without one, the offense is punishable by a fine of up to five hundred penalty units.

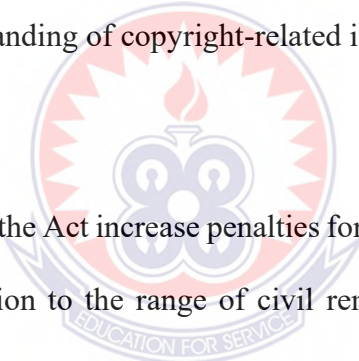
Its management of external copyright relations also enforces Section 27 which states that devices used to copyrighted materials are subject to a fee under the Copyright Act, which is collected by Customs, Excise, and Preventive Service. The Auditor-General then carries out annual audits and distributes the fee to rights holders with penalties for non-payment. The department's regulation on copyright infringement also enforces Section 26 which states that unless the material is verified not to be pirated, Customs agents are not permitted to import copyrighted work without written permission from the copyright owner and the Copyright Office.



As revealed by Adams (2018), the Legal Service Board is the governing body of the Copyright Office responsible for administering Copyright Acts. This Copyright Act outlines provisions for public domain works, registration options for copyright owners, and the consequences of copyright infringement. Infringement can result in fines, imprisonment, or fines for continuing offenses, addressing copyright forfeiture victims. The Act also offers dispute resolution methods, including negotiation, mediation, and court. Authors, producers, performers, and publishers can form collective administration societies for their interests. A copyright monitoring team and tribunal are established with specific functions and rules. The Copyright office must therefore work hard, together with the police department and GHAMRO, to establish strong grounds for these laws to be known to improve the extent of enforcement in the music industry.

In Ghana, the reward system is not as developed as elsewhere Adams (2018) suggests, and as a result, copyright owners do not derive much benefit from their creative efforts. One hears of huge sums being paid to rights holders in the developed world. This does not happen in Ghana although, it is the law that intends to right this wrong (Adams, 2018).

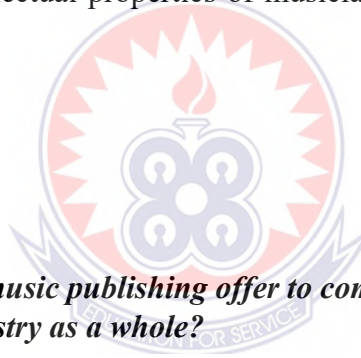
According to the Ghana Copyright Office (2023), the primary objective of the Office is to provide education to law enforcement, policymakers, and the public regarding the significance of copyright law and safeguarding the rights of copyright owners. To cultivate a culture of respect for copyright, the Office organises various interactive activities. These include conducting workshops, seminars, and lectures, as well as developing and distributing info-graphic materials throughout the country to promote awareness and understanding of copyright-related issues (Dugbenu, 2023).

The logo of the University of Education, Winneba, is a circular emblem. It features a central figure of a person with arms raised, set against a background of a sunburst. Below the figure is a banner with the motto "EDUCATION FOR SERVICE". The entire emblem is surrounded by a decorative border.

The enforcement provisions under the Act increase penalties for copyright infringement to the civil remedies provided there. In addition to the range of civil remedies available, the law imposes criminal liability to a fine or imprisonment up to three years or both on anyone found culpable of infringement Adusei et al. (2010) as cited in (Adams, 2018). In case of infringement of a copyright, Act 690 of 2005 provides the following remedies to apply; the owner of the copyright may; Petition the copyright administrator for the resettlement of such dispute through arbitration Institute criminal proceedings. If the offender is convicted, he stands to pay a fine. He can also institute proceedings in the court for an injunction to stop continuing infringement (Ndetei, 2022).

Generally, the enforcement mechanisms under the Copyright Act, 2005 (Act 690) would have to be activated vigorously like elsewhere to deter the activities of pirates from racking in what does

not belong to them. This is the only way Ghana can attract investments in the copyright industry with the rippling effect of job creation, employment, revenue mobilization for the state in the form of taxes, and contribution to the general economic well-being of the citizenry (Adams, 2018). The enforcement provision laws relieve one of losing huge earnings that may be coming from the public, media, or any company who might be taking for granted the existing laws that offer protection for the artistes. Enforcement has to be strengthened to create some sort of fairness in the system. When all these are put in check, it would incur some hope in Ghanaian musicians, and help them feel free to create more because the state is also working to protect intellectual properties to prevent losses. These enacted laws (Copyright Act, 2005 (Act 690) have been passed to be implemented, to protect the intellectual properties of musicians therefore the enforcement level must be strengthened.



RQ 3: What contributions does music publishing offer to complement and enhance the growth of musicians and the music industry as a whole?

Music publishing is one aspect of the music business that validates music as a profession as it is one of the major means to receiving returns as a performer and a composer. According to Landes and Posner (1989), many authors derive substantial benefits from publications that are over and beyond any royalties and also, an effective method of self-advertisement and self-promotion.

However, in Ghana, education on the subject of music publishing has not sunk into the minds of musicians. The few successful musicians, enlightened about music publishing, own publishing deals and have signed with well-structured publishing companies outside of Ghana just like the

findings revealed. Arhin et al. (2023) pointed out how musicians and music producers are not very much enlightened about music publishing. Given this, you will have some producers recording just songs and not even introducing split sheets plus other opportunities music publishing can render, should they sign to music publishing companies or even sign over to music publishers to handle and exploit these songs for more income. These artistes now finish with the song productions and begin to rely on record sales and entertainment shows to bring profits from investments made into their music productions. This means that, if the songs are not hits then there is no show to put on, or if the musician is an up-and-coming artiste, the struggle will then be real for this person. Because, even well-known artistes, do not have it easy when it comes to the exploitation of their songs and also, airing of their songs on television and radio stations, how much more an up-and-coming artiste?

Arhin et al. (2023) submissions reveal that for some musicians, their inability to benefit from the split sheet is not just ignorance but also a misunderstanding of the benefits they stand to gain. From another perspective, artistes are unwilling to ask for the split sheet, and in cases where they would want to utilise it, they think that producers do not have a right to their creative works. This therefore vitalizes the need for education on the subject of music publishing and its benefits to increase the importance of owning publishing deals for more income.

The findings revealed that the benefits of music publishing are enormous and an artistes can only enjoy these benefits if he or she understands what music publishing entails. It is the gateway to enjoying both fame and wealth as it can put one on a global platform for great opportunities. Sanders (1999) gave a scenario on how music publishing works and according to his account, an artiste enters into a contract with a music publishing company, music publisher then agrees to pay

the artiste a lump sum and fifty percent of all royalties derived from the musical composition. As a result of this agreement, the music publisher invests time and money in promoting the musical composition and policing its use. If the composition is successful, the music publisher issues licenses to various recording companies, film producers, and game companies. Some compositions in the music publisher's catalog Sanders (1999) indicated, might be unsuccessful and may not produce royalties while others may bring in a modest or substantial amount of royalties making up for the unsuccessful ones.

Sanders' (1999) submissions agree with the findings indicating that music publishing is essential because it enables publishers to keep an eye on how their artistes' work is being used, producing income and enabling them to become well-known and earn money from their work. And also, another finding specified that music publishing greatly benefits numerous musicians worldwide, allowing them to generate significant income while enjoying their songs' continuous play and regular playtime.

Music publishing is an essential asset to the musician's career as it is to the music industry at large. It creates some sort of comfort since it can sustain the career of the musicians both during productions including, working through the hurdles to launch national and international opportunities and deals. As Towse (2016) suggested, music publishing can acquire and manage copyright assets and spread and pool risks. Profitability in music publishing shows that they have been prosperous for a very long time because it now attracting major international companies. This submission suggests the strength of music publishing which proves its capacity by buying and

managing copyright assets, which is the company being able to exploit musical works and in addition, attract major international companies to generate more income for the artistes.

Also, as Selsky (1995) connotes, in many instances, record sales are the largest source of income for music publishers and writers. This authenticates the many deals and agreements publishing offers which can fetch more income that expands benefits musicians can receive for instance brand influencers, song usage as themes for gaming companies, color ringtones, and others. These can be attained both nationally and internationally and have the benefits one could enjoy.

Also, other revenues can come from royalties earned from other musicians, sampling compositions of artistes, streaming or download of songs, song usage by restaurants, clubs, hotels, pubs, media; radio and television stations, advertising companies, and all other commercial venues that use songs to boost their business sales. If the collective management organisation, works rightly with the music publishers/publishing companies and is in touch with the music monitoring organisation with satellites that monitors track usage all around the country, imagine the kind of returns the musician could make at the end of every year. Their returns and benefits would be enormous as these advanced technologies can detect music played and the number of times it has been played. If one play equals Ghc 2.00 or Ghc 10.00, it means for every minute at different venues, if the song is featured 30 times weekly, the yearly return will surely be a very significant amount. Music publishing is very rewarding and can easily change both the state of the musician and the country into a better one.

RQ 4: To what extent is the collection of royalties in the music industry in Ghana effective?

Royalty collection has been a very challenging situation as the results reveal. It is a condition that is still pending to receive solutions to jump-start great opportunities for the regular musician. GHAMRO, as the results reveal, is working on rectifying situations to change the conditions of the organisation to serve its member better. Also, the issue with GHAMRO and media houses arguing that logging is impossible, as they lack a record of songs played by them. They struggle to pay them due to a lack of premise and a lack of detailed structure for calculating payouts based on plays. Despite their major contributions to the Ghanaian music industry, the media in Ghana is increasingly turning into a place where renowned artistes who need assistance grovel for help. (Arhin et al., 2023).

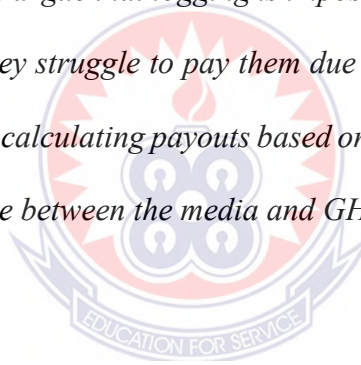
GHAMRO faces challenges in collecting revenue from media houses and corporate entities, with some threatened with legal action. They have been engaging the Ghana Broadcasting Association for a year to find a consensus. Despite gains in distributions, challenges persist due to non-payment and unpaid entities.

According to Jackson (2002), unlike the musical compositions they often contained, sound recordings were not protected by federal copyright law until 1971. At that time Congress declined to include a public performance right for sound recordings. Thus, radio stations pay a fee to perform the underlying song, but are not required to pay a fee to perform the sound recording of the song. Therefore, the songwriter and publishing company earn a royalty, but the recording artist and record label do not. He went further to express, that this anomaly is usually attributed to the strength of the broadcasting lobby when the 1971 law was passed. The distinction was justified by the argument that radio airplay benefits the record companies by promoting their sound recordings. Another factor was the concern among the PROs (primarily ASCAP and BMI) that Congress

would direct the PROs to share their royalties with the record companies rather than forcing the broadcasters to pay an additional license fee (Jackson, 2002).

Results from the findings proved otherwise as the struggle becomes a hurdle that does not allow the smooth collection of the fees from the media houses. This is very challenging indeed since the media does not recognise to submit to paying fees in order to help musicians also acquire what is due them. It also makes the work of GHAMRO very difficult with all the back and forth and legal actions involved.

GHAMRO and media houses argue that logging is impossible, as they lack a record of songs played by them. They struggle to pay them due to a lack of premise and a lack of detailed structure for calculating payouts based on plays. This is a significant hurdle in the ongoing dispute between the media and GHAMRO.



However, results revealed that the royalty collection system has been very challenging since GHAMRO does not have the log-ins and other technological software to keep track of the song usage in the various media houses. Solid rules on the collection, administration, and distribution of revenue generated by the exploitation of rights on the works in the repertoire managed by CMOs, are the cornerstone of an efficient collective management system for all parties concerned (Guibault & Van Gompel, 2006).

A log-in system would be helpful, but the issue has not been resolved. GHAMRO is working with entities to resolve the issue, but the system remains difficult until it is resolved.

The smooth collection and distribution of revenue is what makes a collective management organisation because that is what they stand for, to be the mediator and help musicians recover their earnings.

The Ghanaian collection agency lacks a reciprocal agreement with international agencies like ASCAP and BMI, preventing it from collecting money from music played in the states.

The collective management organisations (CMOs) in Western countries are well-structured in a way that they all have reciprocal agreements with other big collective management organisations which also completes the process of royalty collection and distribution. This way, these CMOs can feed off each other's strengths to equip them much better as a collective management organisation.

Comparing the Ghanaian collective organisation (GHAMRO) to other successful collective organisations and music publishing companies in Western countries namely, the American Society of Composers, Authors, and Publishers (ASCAP), Broadcast Music, Inc. (BMI), Society of European Stage Authors and Composers (SESAC) and Performing Rights Organisation (PRO), all employ some similar and different strategies to help them safeguard and administer royalty collections and distributions properly (Pallante, 2013).

Nearly 90% of every dollar raised by ASCAP is returned to members in the form of royalties, making it the only US PRO that is a membership organisation and operates on a non-profit basis. ASCAP offers musicians networking opportunities, workshops, and educational materials to assist them in understanding the music business. It also offers assistance in licensing, copyright

protection, and global royalty collection through its partnerships with international Performing Rights Organisations (PROs) (Connolly & Krueger, 2006).

For the benefit of songwriters, composers, and music publishers, PRO is a collective management company that defends and manages public performance rights. When music is publicly performed, broadcast, or streamed, PROs make sure that musicians get paid royalties (Gervais, 2010). PROs scour the world to make sure you get paid whenever your music is played or broadcast.

This confirms a huge gap with our collection agency (GHAMRO) as the results reveal that the organisations mode of collection was wrong and now, would have to up their game when it comes to both collection and distribution. Also, GHAMRO) has to affiliate with foreign CMOs to help them upgrade in technologies, and software and also educate them on how it is done to improve the state of the industry and artistes in general. McAndrew and Dallas-Conte (2002) disclose, that to ensure maximum revenues collected from the royalty, the collecting society should have legal rights to inspect the accounts and documentation of selling agents within the bounds of respect for their confidentiality. This right should be backed with the threat of potential sanctions to ensure compliance systems should be put into place for ongoing monitoring, evaluation, and review of the legislation itself and methods of implementation. This therefore implies that a CMO is only as good as its work outputs and will be able to assist musicians to maintain a certain level of prestige that validates their professional status.

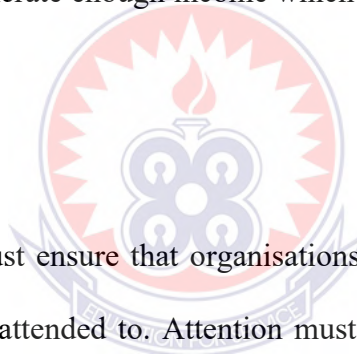
Unfortunately, the collective management (GHAMRO) needs more room for improvement as its mode of collection is a bit on the low. However, in the last couple of years, results revealed that

there has been an upsurge, especially when it comes to the mode of distribution of revenue and the mode of collection and that is because of the lack of enforcement. Also, as the results indicated, instead of artistes being restricted to GHAMRO, they ought to be given the chance to represent themselves in publication. Given that monopolies can be detrimental to the system, the attorney general ought to think about requiring numerous entities to collect and distribute royalties. To foster a vibrant atmosphere, artists should be given the option to select publishing houses and get support.

Music publishing is the big umbrella that carries all other royalties under its wings. Just as the informants revealed, there are fee payments for just playing the songs and usage of the songs and there are deals that embody the concept of music publishing which increases the revenue rate of the musician. Music publishing in itself creates a lot of avenues as the publisher prioritizes marketing the musical works to a national or international level and, therefore discloses how much a musician could be earning if the right means are taken to ensure an effective collection of royalties. According to Klingner et al. (2022), in the competitive increasingly international music business, publishers are developing new ways to increase the effectiveness and efficiency of the monetisation of the copyrights they own or manage. When structures are well placed, the rest of the implementations for successful revenue collection and distribution will be very smooth. According to Hesmondhalgh et al. (2021), there is considerable controversy about music creators' earnings. They suggested that music creators should be receiving greater rewards from the system, especially now that rights-holder revenues are increasing

All these submissions by authorities and the respondents of the study endorse music publishing to be the trail that provides grounds for musicians to have a space, thrive, and sail smoothly in the

creative arts industry and the world of business at large. According to Klingner et al. (2022), the business model of music publishers today involves management, promotion, and licensing of the use of copyrights of their represented writers. Due to the complexity and volume, the licensing of these rights is not feasible for a single economic entity. Therefore, this task is solved cooperatively: publishers become members of copyright collecting societies, authorizing them to handle the licensing of various types of copyright use on their behalf (Klingner et al., 2022). Music publishing becomes a roadmap to gaining more income to enable musicians to enjoy and make returns after their investments made; honing their talent. This, therefore remains an integral part of the music industry as its purpose is to make sure that the musicians are well taken care of and their creative works have been put to use to generate enough income which then becomes an essential factor to enjoying their line of work.



The Ghanaian music industry must ensure that organisations responsible for the collection and distribution of royalties are well attended to. Attention must be given to these organisations to ensure that they can execute well their functions and other key responsibilities in the line of the music business since there are a few industry players who are educated about the music business. Practitioners involved in the music industry must make sure to be well educated in order not to burden the organisations as this will help even the work ethics of organisations responsible for their boost in career.

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.0 Overview

This chapter is the summary of the key findings of the research, conclusions, and recommendations. The study sought to investigate the strengths, structure, and functions of GHMusic Publishing and Management, the extent of music publishing laws enforcement in the Ghanaian music industry, contributions music publishing offers that complement and enhance the growth of musicians and the music industry as a whole and the effectiveness of the collection of royalties in the music industry in Ghana.

5.1 Summary of Findings

It was revealed in the study that, GHMusic Publishing and Management is a modern music publishing company registered under the Registration of Business Name Act, 1962 (ACT 151). In terms of strength, GHMusic Publishing and Management has been able to procure digital software and other advanced technologies to help track the usage of musical works of their clients (musicians). The organisation is in contact with the music monitoring organisation and is now exposed to advanced technology and satellite that monitor the usage of musical works.

With regards to functions, GHMusic Publishing and Management is a Ghanaian Digital Music Publishing house that takes care of music administration, music registration, copyright licensing, royalties management, artist mentorship programme, music sheet printing, digital distribution, annual creative clinic, and global music monitoring. The organisation is also into licensing and

this has to do with giving permits for the usage of musical works of its clients to commercial venues or interested persons for a said number of years. GHMusic Publishing and Management's mission and vision is to make Ghanaian songwriters, composers, and performers' repertoire available to worldwide audiences, assist them in deriving maximum benefits from their intellectual property rights, and also, gain international recognition for their creations. The organisation also makes musical works available on digital platforms and usable, to generate more royalties for their clients (musicians). These services help artistes reach their ultimate goals in the music business results disclosed.

The findings continued to reveal that, GHMusic publishing and management sets out to make sure the industry chain is complete as it works on serving artistes and industry players with services in music publishing, to help improve the state of their careers and the industry as a whole. The organisation which is set up and works within the copyright law, looks into truth and is very transparent and accountable. The organisation also handles the works of their artistes and repertoires of artistes with a high sense of confidentiality in order not to create any disputes among clients. Findings also revealed, that GHMusic Publishing and Management is into training and educating the public to keep up with issues in music publishing including helping musicians understand the concept of music publishing and what it entails.

In terms of structure, GHMusic Publishing and Management works with a network of sub-publishers around the world to ensure those royalties are also collected. The organisation also

admitted to understudying international well-structured and developed music to improve its structure to help musicians reach their ultimate.

Secondly, the extent of music publishing law enforcement in the music industry in Ghana was revealed to be very low. The findings revealed the existence of laws, which as the Ghana's Copyright Act, 2005 (Act 690) but the enforcement level is low. The Copyright Act, 2005 (Act 690) under document review provided data on Copyright laws to be implemented within the confines of the music industry; Copyright, Duration of Copyright, permitted uses of Copyright, Copies of Sound Recordings, Mechanical Reproduction Rights of Composers, Enforcement Provisions, Protection of Performers and Broadcasting Organisations, General Provisions and Administration, the Copyright Office and Miscellaneous Matters. The Enforcement Mechanisms under the Copyright Act, 2005 (Act 690) are in three sections, (Sections 25-27): Security device for sound and audio-visual recording, Importation of pre-recorded music and other copyright works, and Levy on devices used for reproducing copyright materials. These enacted laws enforce observance of the copyright law and, in addition, protect the interest of right owners. Results revealed that despite the existence of these laws, the level and extent of enforcement are very minimal.

Thirdly, results disclosed that music publishing is one of the integral aspects of the industry and it is a path artistes use to generate royalties and huge returns. It was revealed that Publishing is a source of income for creative individuals and was created as a solution for musicians. Music Publishing was revealed to have the potential of significantly changing the creative industry in Ghana and also, aims to provide a more rewarding experience for musicians. It offers legal contracts and deals, which helps in generating other sources of income to expand the art. These

deals help generate opportunities with investors, advertising companies, and other commercial venues, helping artistes gain global recognition and creating more opportunities for external visibility around the globe. The Publisher monitors, and exploits musical works, and ensures airplay of musical works on radio stations, television stations, commercial entities, and gaming companies. These services help artistes reach their ultimate in their musical career.

Frequency of airplay in music publishing benefits artistes by increasing popularity and promoting their songs. Social media advertising complements traditional media efforts, and they play a vital role in presenting music and helping musicians sell their work. Publishers help with the monitoring of song usage by traditional media: radio television and social media. Artistes are therefore able to earn more income and gain large audiences, findings revealed.

To conclude, the findings on the effectiveness of the collection of royalties in the music industry in Ghana revealed challenges GHAMRO has been facing with the royalty system over the years: mode of collection and distribution, lack of software, system log-ins, and technologies to help track usage of musical works in the country. Findings revealed that the mode of collection still needs to be worked on although the distribution process has improved a bit. The mode of collection is the medium GHAMRO uses to ensure that all commercial venues use registered musical works for their benefit, and effect payments due to the organisation (GHAMRO). These monies serve as royalties for the musicians who have had their musical works used by these commercial venues. GHAMRO then serves as the mediator between their clients, the musicians, and these commercial users. The organisation chases these royalties so that musicians can profit from investments and inputs they make during the music production process. This is the mode of the collection process for GHAMRO. To determine accurate fees for both the users and musicians, a system log-in and

software must be used by GHAMRO. However, this has not been successful since GHAMRO does not have system log-ins and advanced software to implement accurate collection. Because the issue regarding the log-in system persists, challenges in the mode of collection will linger until it is resolved.

5.2 Conclusions

Some strengths of GHMusic Publishing and Management are the acquisition of digital software and advanced technologies in tracking the usage of songs by commercial users. In addition, is GHMusic Publishing and Management's association with the music monitoring organisation exposes them to more advanced software, and secondly, the music monitoring organisation's satellite helps in tracking the usage of songs both locally and internationally.

Functions of GHMusic Publishing and Management include the provision of services in music administration, music registration, copyright licensing, royalty management, artist mentorship programme, music sheet printing, digital distribution, annual creative clinic, and global music monitoring. Additionally, the organisation works within the confines of the copyright law and grants licenses of musical works to interested persons for a said number of years.

GHMusic Publishing and Management understudies well-structured international music publishing companies to improve their system and structure to help Ghanaian musicians attain global standards. The structure of a publishing company authorises the use of sub-publishers stationed around the world to help in tracking song usage in different territories. GHMusic Publishing and Management has a network of sub-publishers positioned around the world and they help in tracking song usage and collecting royalties.

It is worth stating that in Ghana, music publishing law enforcement in the music industry is very minimal as it lacks implementation strategies. The Copyright Act, 2005 (Act 690), provided by the state to help protect the intellectual properties of individuals in the music industry is active but logistics and facilities to make it work for the benefit of the musicians are not there. With regards to the benefits music publishing offers, it is worth stating that its benefits are enormous as it is one of the major avenues musicians make and earn money. It is an essential asset to the musician and the music industry as a whole since it is one of the integral aspects of the industry.

Regrettably, the effectiveness of the collection of royalties in the music industry in Ghana is still challenging. This is because GHAMRO is still having conflicts with the number one commercial user, the media and this persists because of the absence of log-in systems to charge accurate fees due to them (media). GHAMRO is also facing challenges with other cooperate entities when it comes to the collection of revenue. All these amounts to GHAMRO not having digital software and system log-ins to help tabulate fees and records of which company or media house played what songs and at which times and on which days. Until GHAMRO finds a way to clear these challenges, the effectiveness of the collection and distribution will be minimal.

5.3 Recommendations

Based on the conclusions from the study, the following are recommended in other to further indicate the state of music publishing in the music industry in Ghana: the existence of a well-structured music publishing company is dependent on better relationships with internationally well-structured and developed music publishing companies and collective management organisations as this improves collection and distribution process.

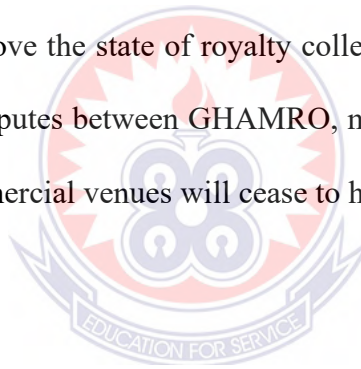
Secondly, publishing should not be limited to just one company or entity. Once an individual or a company has the resources, the establishment can be processed to represent artists when it comes to publishing, and these persons should be given the mandate to operate in Ghana. The government must allow a lot of companies to operate in the royalty collection and distribution system and not just GHAMRO, to allow artists to choose whichever publishing companies they would want to work with. Once this is done, support can be offered to musicians as it also creates an environment for musicians and industry players in the Ghanaian music industry to thrive.

Implementation strategies and advocacy for monitoring teams should be encouraged as this would help in the leveling up of law enforcement in the music industry in Ghana. There should be a monitoring team that must comprise staff from GHAMRO, Copyright Officers, and law enforcers to educate the public on the existing laws and penalties to decrease copyright infringement. Furthermore, the Copyright Act, 2005 (Act 690) insists on a monitoring team comprising several police officers, five representatives of Copyright owners, and two officers of the Copyright Office, monitoring copyright works, investigating cases in respect of copyright, undertaking anti-piracy activity, and perform other functions that are necessary to protect authors. Should these acts be encouraged, law enforcement would be effective.

Musicians, the public, and the music industry as a whole must be educated on music publishing and the music business in general. Again, the musicians and industry players must be educated on the existence of GHMusic Publishing and Management, to increase patronage and deals in music publishing. Education on the subject of music publishing increases the use of publishing deals such

as split sheets, traditional publishing deals, co-publishing deals, single song agreements, and others. Again, musicians would be aware that music publishers work on exploiting musical works which helps artistes obtain deals with investors and other big platforms around the world. These would increase profits to allow musicians to enjoy the benefits that come with music publishing, in addition to improving the career state of musicians and the state of music publishing in the Ghanaian music industry.

Finally, the effectiveness of the collection of royalties is based on GHAMRO's advanced log-in systems and digital software purchase, to help in accurate fee tabulation, and records of playlists from commercial venues to improve the state of royalty collection and distribution in the music industry in Ghana. This way, disputes between GHAMRO, music publishers and media houses, cooperate entities and other commercial venues will cease to hold.



5.4 Suggestions for Further Research

This study, focusing on its objectives may have only explored its scope, leaving other possible areas with great potential. Hence, future research should explore other areas in music publishing such as music marketing, how musicians and industry players, with the unending development of technology, can explore more avenues to take advantage of numerous channels of distribution for their products and services in the Ghanaian music industry and other parts of the world.

REFERENCES

- Abbas, H. (2011). Reforming Pakistan's Police and Law Enforcement Infrastructure. *Washington, DC: US Institute of Peace.*: <http://www.jstor.com/stable/resrep12443>.
- Acquah, E. O., & Acquah-Nunoo, M. O. (2021). The state of royalties in the music industry in Ghana. *Quantum Journal of Social Sciences and Humanities*, 2(2), 65-73.
- Arhin, B., Coffie, M., Konu, H., & Ferguson, A. E. (2023). Split Sheets in Ghanaian Recording Studios. *International Journal of Music Business Research*, 12 (1), 3-12.
- Beech, N., Gilmore, C., Hibbert, P., & Ybema, S. (2016). Identity-in-the-work and musicians' struggles: The production of self-questioning identity work. *Work, employment and society*, 30(3), 506-522.
- Bhat, P. I. (2009). The role of collective bodies in the protection of intellectual property rights in India. *Journal of Intellectual Property Rights*, 14, 214-225.
- Blakeney, M. (2005). Guidebook on enforcement of intellectual property rights. *Queen Mary Intellectual Property Research Institute Queen Mary, University of London*, 52, 6-9.
- Burnett, R. (1996). The global jukebox: The international music industry. *Psychology Press*. 18
- Citi Fm. (2018, September 5). AJ Sarpong writes: playing 100% Ghana music would not take us international. *Citinewsroom.com*. (<https://citinewsroom.com/2018/09/aj-sarpong-writes-playing-100-gh-music-wont-take-us-intl/>).
- Connolly, M., & Krueger, A. B. (2006). Rockonomics: The economics of popular music. *Handbook of the Economics of Art and Culture*, 1, 667-719.
- Crudden, A. (2002). Employment after vision loss: Results of a collective case study. *Journal of Visual Impairment & Blindness*, 96(9), 615-621.
- Davila, T., Epstein, M., & Shelton, R. (2012). Making innovation work: How to manage it, measure it, and profit from it. *FT press*.

- Desai, R. (2001). Music licensing, performance rights societies, and moral rights for music: a need in the current US music licensing scheme and a way to provide moral rights. *U. Balt. Intell. Prop. LJ*, 10, 1.
- Diehl, S., & Karmasin, M. (2013). Media and convergence management. *Springer*, Eds.
- Dugbenu, V. T. (2023). Music Copyright Infringement: The Case of Ghana. *Research Gate*. <https://www.researchgate.net/publication/373171542>.
- Etikan, I., Musa, S. A., & Alkassim, R. S., (2016). Comparison of convenience sampling. *American Journal of theoretical and applied statistics*, (5), 1-4.
- Fontana, A., & Frey, J. H. (2005). The interview. *The Sage handbook of qualitative research*. 3, 695-727.
- Gajjar, D. (2013). Ethical consideration in research. *Education*, 2(7), 8-15.
- Gervais, D. (2010). Keynote: The landscape of collective management schemes. *Colum. JL & Arts*, 34, 591.
- Ghana Business Regulatory Reforms. Copyright Act. 2005 (Act 690) as amended by the Copyright (Amendment), 2009 (Act 788). (2009/01/01). *Statuses and Acts*. (bcp.gov.gh). ([https://bcp.gov.gh/acc/registry/docs/COPYRIGHT%20ACT,%202005%20\(ACT%20690\).pdf](https://bcp.gov.gh/acc/registry/docs/COPYRIGHT%20ACT,%202005%20(ACT%20690).pdf)).
- GhanaWeb. (2022, January 11). Ghanaian Artistes do not enjoy Airplay because they're Stingy – Mike 2. *GhanaWeb*. (<https://www.happyghana.com>).
- Greenfield, S., & Osborn, G. (2004). Copyright law and power in the music industry. *Music and copyright*. 2, 89-102.
- Guibault, L., & Van Gompel, S. (2015). Collective management in the European Union. *Collective Management of Copyright and Related Rights, 3rd ed.*, Kluwer Law International, 139-174.
- Hesmondhalgh, D., Osborne, R., Sun, H., & Barr, K. (2021). Music creators' earnings in the digital era. *Intellectual Property Office Research Paper Forthcoming*.

- Hind, L. A. (2020). Analogue Africa: Establishing a History of Music Industry and Copyright Law in Senegal, Benin, and Ghana from the 1960s–2010s. *Research Gate.net*.
- Hull, G. (2004). The music business and recording industry. *Routledge*.
- Introducing the New Sony Music Publishing; Celebrates Sony Legacy and Revitalizes Mission with Launch of New Brand Identity. (2021, February 12). *Sony Music Publishing*. (<https://www.sony.com/en/SonyInfo/News/Press/202102/21-0212E/>).
- Jackson, M. (2002). From broadcast to webcast: Copyright law and streaming media. *Tex. Intell. Prop. LJ*. 11, 447.
- Janiszewska, K., & Insch, A. (2012). The strategic importance of brand positioning in the place brand concept: elements, structure and application capabilities. *Journal of International Studies*. 5(1), 9-19.
- Joy FM. (2022, July 20). We do not have a culture of paying for music – GHAMRO C.E.O. *MyJoyonline.com*. (<https://www.beta.myjoyonline.com/we-dont-have-a-culture-of-paying-for-music-ghamro-ceo/>).
- Karppinen, K., & Moe, H. (2012). What we talk about when we talk about document analysis. Trends in communication policy research: New theories, methods and subjects, Ed., Vol., 177-193.
- Kernfeld, B. (2011). Pop song piracy: Disobedient music distribution since 1929. *University of Chicago Press*.
- Klingner, S., Miller, M., Becker, M., & Schumacher, F. (2022). Direct Memberships in Foreign Copyright Collecting Societies as an Entrepreneurial Opportunity for Music Publishers—Needs, Challenges, Opportunities and Solutions. *Arts, Entrepreneurship, and Innovation*, 115-152. *Journal of Cultural Economics* (2021) 45:633–670 <https://doi.org/10.1007/s10824-021-09412-9>.
- Know about us. Ghana Music Publishing and Management. (<https://ghmusicpublishing.com/>).

- Kondalkar, V. G. (2009). Organisation development. *New Age International*.
- Mahama, A. K. (2012). Enforcing copyright in the book publishing industry in Ghana. *Publishing research quarterly*, 28, 41-52.
- Marshall, L. (2013). The 360 deal and the 'new' music industry. *European Journal of Cultural Studies*, 16(1), 77-99.
- Mason, C., & Brown, R. (2014). Entrepreneurial ecosystems and growth oriented entrepreneurship. *Final report to OECD, Paris*, 30(1), 77-102.
- McAndrew, C., & Dallas-Conte, L. (2002). Implementing Droit de Suite (artists' resale right) in England. *London: Arts Council of England*.
- Morgan, H. (2022). Conducting a qualitative document analysis. *The Qualitative Report*, 27(1), 64-77.
- Murray, M. D. (2023). Transfers and Licensing of Copyrights to NFT Purchasers. *Stan. J. Blockchain L. & Pol'y*, 6, 119.
- Music Publishing; Warner music group. What we do. *Warner Chappell Music*. (<https://www.wmg.com/>).
- Musicians will not be poor if we enforce the laws – GHAMRO. (2021, May 21). *Daily Guide Network*. (<https://dailyguidenetwork.com>).
- Ndetei, C. (2022). Copyright laws in Ghana and effects of breaking them. October 27, 2022. *Yen.com.gh*. (<https://yen.com.gh/110994-copyright-laws-ghana-effects-breaking-them.html>).
- Negus, K. (2011). Producing pop: Culture and conflict in the popular music industry. *Edward Arnold*.
- Nigerian Music Stars Who Are Making Waves In Afrobeat. (2023, April 11). *Independent Newspaper limited*. (<https://independent.ng/>).
- Nordgård, D. (2018). The music business and digital impacts: Innovations and disruptions in the music industries. *Springer*.

- O'Dair, M., Beaven, Z., Neilson, D., Osborne, R., & Pacifico, P. (2016). Music on the blockchain: blockchain for creative industries research cluster. *Middlesex University Report*, 1(1), 4-24.
- Ofori, O. (2020, June 15). GHAMRO collects money for all right holders, not only members – Agya Abraham. *MyInfogh*. (<https://myinfo.com.gh>).
- Ogden, J. R., Ogden, D. T., & Long, K. (2011). Music marketing: A history and landscape. *Journal of Retailing and Consumer Services*, 18(2), 120-125.
- Ouma, M. (2004). Copyright and the music industry in Africa. *J. World Intell. Prop.*, 7, 919.
- Owusu, G. C. (2022, January 21). GHAMRO Lacks Good Structures – Musicians. *Daily Guide Network*. (<https://dailyguidenetwork.com>).
- Oztemel, E., & Gursev, S. (2020). Literature review of Industry 4.0 and related technologies. *Journal of intelligent manufacturing*, 31, 127-182.
- Pallante, M. A. (2013). ASCAP at 100. *J. Copyright Soc'y USA*, 61, 545.
- Pastukhov, D. Music Publishing 101: Copyrights, Publishing Royalties, Common Deal Types, & More Published. (2019, November 20). (<https://soundcharts.com/blog/how-the-music-publishing-works>).
- Pitt, I. L. (2010). Economic analysis of music copyright: income, media and performances. *Springer Science & Business Media*.
- Rizzo, I., & Towse, R. (Eds.). (2016). Copyright and Music Publishing in the UK. *The Artful Economist: A New Look at Cultural Economics*. ISBN 978-3-319-40635-0, ISBN 978-3-319-40637-4 (eBook). *Springer International Publishing AG Switzerland*, 133-151.
- Ruslin, R., Mashuri, S., Rasak, M. S. A., Alhabsyi, F., & Syam, H. (2022). Semi-structured Interview: A methodological reflection on the development of a qualitative research instrument in educational studies. *IOSR Journal of Research & Method in Education (IOSR-JRME)*, 12(1), 22-29.

- Samuelson, P. (2002). Copyright and freedom of expression in historical perspective. *J. Intell. Prop. L.*, 10, 319.
- Sanders, R. (1999). The Second Circuit Denies Music Publishers the Benefits of the Derivative Works Exception: Fred Ahlert Music Corp v. Warner/Chappell Music, Inc. *Sw. UL Rev.*, 29, 655.
- Scherer, D. A. (2016). Money for Something: Music Licensing in the 21st Century. *Congressional Research Service 7-5700* www.crs.gov.
- Schultz, M. F. (2008). Live performance, copyright, and the future of the music business. *U. Rich. L. Rev.*, 43, 685.
- Seidu, A. (2018). Intellectual Property Rights and Copyright Protection in Ghana. *Catalog number: 470975. EBOOK 1- MAY 7, 2019.*
- Selsky, I. B. (1995). Music Publishing in the International Marketplace. *Whittier L. Rev.*, 17, 293.
- Simon, J. P. (2019). New players in the music industry: lifeboats or killer whales? The role of streaming platforms. *Digital Policy, Regulation and Governance*, 21(6), 525-549.
- Sobel, R., & Weissman, D. (2008). Music publishing: the roadmap to royalties. *Routledge*.
- Strasser, R. (2009). Music business: The key concepts. *Routledge*.
- Tilson, D., Sørensen, C., & Lyytinen, K. (2013, January). Platform complexity: Lessons from the music industry. In *2013 46th Hawaii International Conference on System Sciences* IEEE, 4625-4634.
- Towse, R. (2017). Economics of music publishing: copyright and the market. *Journal of Cultural Economics*, 41(4), 403-420.
- Toynbee, J. (2006). Copyright, the work and phonographic orality in music. *Social & Legal Studies*, 15(1), 77-99.

Tschmuck, P., Collopy, D., & Winter, C. (2012). International Journal of Music Business Research. *International Journal of Music Business Research*, October 2014, 3(2)

Weissman, D. (2017). Understanding the music business: Real world insights. *Routledge*.

Weller, S. C., Vickers, B., Bernard, H. R., Blackburn, A. M., Borgatti, S., Gravlee, C. C., & Johnson, J. C. (2018). Open-ended interview questions and saturation. *PloS one* e0198606, 13(6).

Why Nigerian music artists are globally recognised more than other African artists. (2023, February 21). *Premium times*. (<https://www.premiumtimesng.com/promoted/>).

Williamson, J., & Cloonan, M. (2007). Rethinking the music industry. *Popular music*, 26(2), 305-322.

Wimpenny, P., & Gass, J. (2000). Interviewing in phenomenology and grounded theory: is there a difference? *Journal of Advanced Nursing*, 31(6), 1485-1492.



APPENDIX

INTERVIEW GUIDE FOR RESPONDENTS

A. STRENGTHS, FUNCTIONS, AND STRUCTURE OF GHMUSIC PUBLISHING AND MANAGEMENT

1. Give a brief simple description of a licensed music publishing company.
2. How many well-structured music publishing companies are there in Ghana and how many of them are functioning properly?
 - a) Do these companies receive support from the government to help with monetary issues for any form of maintenance?
3. How many musicians have registered with your company or other music publishing companies and is GHMusic Publishing and Management educating the public and musicians concerning music publishing?
4. Does the company have a network of sub publishers and in which countries?
5. What is the vision and mission statement(s) of the company?
6. What is the purpose of GHMusic Publishing and Management, the music industry, and the rules governing legitimate actions in the field?
7. What are the strengths, functions, and structure of GHMusic Publishing and Management?
8. Does the structure go through reviews that would help strengthen its core values, and also serve its functions to create more opportunities for artistes to also enjoy their work?
9. What rules govern the organisation and how effective it is about the structures that aid in its mission and vision statement?

B. THE EXTENT OF LAW ENFORCEMENT IN THE MUSIC INDUSTRY IN GHANA

1. Are there general publishing laws passed by the government to protect any form of publishing interest and are they enforced?
2. What are some publishing laws practiced in the music publishing business?
3. To what extent are music publishing laws, enforced in the music industry in Ghana?

C. MUSIC PUBLISHING AND ITS CONTRIBUTIONS

1. Give a general view of music publishing, its benefits, and the contributions it offers to the musician and the industry as a whole
2. Publishing deals are such that all participants such as songwriters, instrumentalists, and background vocals, receive their royalties as far as their input in the musical work is concerned. Is it strongly practiced here in Ghana and are there laws enforcing such acts?
3. How does music publishing affect musicians?
4. What are publishing deals and what are some common ones the management deals in?
5. Why is it important or what is considered to be special for a musician to have a publishing company manage affairs?

6. What challenges are faced by the management when it comes to working with the music industry to ensure the growth of its members concerning the benefits and contributions music publishing offers?
7. How does the organisation serve its members when it comes to increasing its audience and getting them to a global platform?
8. What is the role of the media in music business promotion?
9. How do the media receive musical works to aid musicians in selling their music and gaining a larger audience?
10. What do you think the music industry is lacking, and what can be done right to push things up a notch, to serve its members better when it comes to music publishing?
11. Give your opinion on the state of music publishing in Ghana. How would you describe it and what are some things to be done to improve the state of music publishing/music business in general?

D. EFFECTIVENESS OF COLLECTION OF ROYALTIES IN THE MUSIC INDUSTRY IN GHANA

1. What strategies and systems have been put in place to help in the collection and distribution of royalties and other revenues as far as music publishing is concerned?

2. Do music publishing or publishers ensure and enforce a punctual, detailed, and complete collection and distribution of royalties?
3. How effective is the collection of royalties in music publishing in the music industry in Ghana?
4. Are there challenges during the collection of royalties?
5. What kind of structures are made available to serve as monitoring systems to help check the emergence of new channels used in distributing works, and air-playing music including the usage of the internet to listening or downloading music?
6. What are some technologies that help in the smooth collection and distribution of royalties?

