



Ministry of Justice and Legal Affairs
Intellectual Property Office

P. O. Box 693
Top Floor, Independence House
North Independence Square Street
Basseterre, St Kitts, West Indies

Tel: 1 869) 467 1976/ 77/ 78
E-mail: ipo@gov.kn
Web: www.ipo.gov.kn

**Report on the 2025 Annual Inspection and Authorisation of the
Eastern Caribbean Collective Management Organisation for Music Rights
(ECCO)**

Pursuant to the Copyright (Collective Management Organisations) Regulations 2024

1. Introduction and Legal Framework

This Report is prepared pursuant to the **Copyright (Collective Management Organisations) Regulations 2024** ("CMO Regulations"), which establish the regulatory framework for the authorisation, monitoring, and inspection of collective management organisations (CMOs) operating in St. Kitts and Nevis (SKN).

Following the enactment of the **Copyright Act, 2024** on 10 May 2024 and the accompanying CMO Regulations on 6 December 2024, all CMOs are required to obtain prior authorisation from the Intellectual Property Office of St. Kitts and Nevis (IPOSKN) in order to legally operate within the Federation. The Regulations apply to both new and existing CMOs operating in SKN.

Once granted, continued authorisation is contingent upon the successful completion of an annual inspection and monitoring process conducted by IPOSKN.

This Report documents the 2025 annual inspection process for the Eastern Caribbean Collective Management Organisation for Music Rights (ECCO) to determine its eligibility for authorisation to continue operations in St. Kitts and Nevis for the 2026 calendar year.

In assessing ECCO's regulatory standing, IPOSKN also took note of ECCO's membership in the International Confederation of Societies of Authors and Composers (CISAC), a global umbrella organisation comprising over 200 collective management societies.

2. Background and Authorisation History

ECCO began operations in St. Kitts and Nevis in March 2013. Up until the 2024 CMO Regulations, there was no requirement for CMOs to seek authorisation to operate. In 2021, the World Intellectual

Property Organisation convened regional negotiations on model CMO Regulations for the English-speaking Caribbean. The negotiations ended in January 2023 with all regional CMOs (including ECCO) and intellectual property offices agreeing in part that CMO activity should be subject to an authorisation and monitoring procedure to ensure that their fiduciary duties to rights holders were being upheld. It was also felt that increased scrutiny of CMO activity in the region would encourage copyright law compliance by providing a new level of reassurance to users of copyright protected material. In May 2024, St. Kitts and Nevis passed a new Copyright Act requiring CMOs to be authorized in accordance with any regulations passed to regulate their operations. The Regulations, which were a local adoption of the model draft regulations went into effect officially on 6 December 2024.

ECCO was officially notified that the Regulations came into effect on 10 December 2024. ECCO initially sought time to comply but eventually submitted its initial application for authorisation to operate in St. Kitts and Nevis on 18 June 2025. Following review, authorisation was granted on 3 July 2025 for the period 3 July 2025 to 31 December 2025. Simultaneously, ECCO also commenced legal proceedings challenging the legality of the Regulation which barred CMOs from operating without authorisation.

Pursuant to the CMO Regulations, continued authorisation beyond that period was subject to successful completion of the annual inspection process. Since ECCO received authorisation from the IPOSKN to operate and the Court had not ordered a stay on the application of the CMO Regulations pending judgment, the inspection process commenced.

3. Monitoring and Public Complaints

As part of its statutory monitoring responsibilities, IPOSKN issued a public notice in May 2025 inviting complaints relating to ECCO's conduct that may constitute non-compliance with the CMO Regulations. Complaints were to be submitted directly to the Office via its official email address.

Prior to commencement of the inspection, one complaint was received. In accordance with principles of natural justice, the complaint was shared with ECCO and incorporated into the inspection process to allow for a full and fair response.

4. Inspection Process

4.1 Notification and Scheduling

By letter dated 7 November 2025 (Appendix A), ECCO was formally notified that the annual inspection period would commence.

Given that ECCO's head office is located in Saint Lucia, the organisation was invited to participate in a virtual inspection meeting, which was held on 18 November 2025 at 3:00 p.m.

4.2 Inspection Materials

In the written correspondence:

- ECCO was provided with inspection guidelines (also publicly available on the IPOSKN website);
- A series of written questions was issued based on publicly available information and previously submitted documentation;

- The public complaint received was shared for formal response.

4.3 Meeting and Supplemental Questions

The inspection meeting proceeded as scheduled. Minutes were prepared (Appendix B) and subsequently approved by ECCO as an accurate record.

Following the meeting, the Registrar submitted supplemental written questions, to which ECCO provided responses as part of the continuing inspection process.

5. Areas for Compliance Review

The inspection focused on the following eight areas:

1. CISAC Membership Status
2. Royalty Distribution Delays
3. Consultant Review of By-laws and Tariffs
4. Tariff Structure and Publication
5. Public Education and Outreach in St. Kitts and Nevis
6. Public Complaint
7. Reciprocal Agreements
8. Compliance with Other Laws of St. Kitts and Nevis

ECCO was afforded the opportunity to address each area through oral and written submissions. The questions posed by the IPOSKN appear at the beginning of each section in italics.

Substantive Inspection Issues

1. CISAC Membership Status

The 2025 CISAC Annual Report currently lists ECCO as a provisional member, whereas the 2022 report listed ECCO as a full member.

a. Has there been a change in your membership status?

b. Please explain the reason for the change and why the provisional status has persisted for over two years.

c. Has CISAC conducted any audits of ECCO within the last five years? If so, what were the findings?

The 2023, 2024 and 2025 CISAC Annual Reports list ECCO as a provisional member, whereas the 2022 report listed ECCO as a full member.

ECCO confirmed that its status was downgraded due to:

1. Administrative costs exceeding CISAC's 30% threshold (ECCO reported 44% of collections).
2. Non-compliance with CISAC royalty distribution policies. CISAC Rules require their societies to distribute royalties as soon as practicable possible or in any event, once per year.

ECCO explained that high administrative costs were largely attributable to low levels of copyright compliance across the OECS, resulting in litigation expenses and low collection volumes. It was noted

that in St. Kitts and Nevis, broadcasters represent a significant portion of music users and none are currently licensed.

ECCO stated that although its membership is provisional, it remains bound by CISAC rules. It has not been audited by CISAC within the past five years but is subject to annual compliance reviews which include submission of audited financial statements, annual reports, reciprocal agreements updates, by-laws (where amended), distribution rules (where amended), declarations of income and expenditure, and the Professional Rules Survey.

2. Royalty Distribution Delays

The latest ECCO annual report indicates that you have collected EC\$1.86 million in 2024. It also states that royalties for 2023 will be paid in June 2025, and those for 2024 by December 2025.

a. What caused the delay in the 2023 royalty distribution?

b. What challenges are preventing more timely distributions?

ECCO confirmed that distributions for the 2020–2022 period were made in 2024, and 2023 distributions were completed in June 2025. A final 2024 distribution is expected in December 2025, after which ECCO anticipates being current. Decisions regarding 2025 distributions (annual or biannual) will be made in Q1 2026.

Delays were attributed to:

- The impact of COVID-19 on collections beginning in 2020;
- Migration to the WIPO Connect system commencing in 2022, which required extensive data validation and conversion;
- Related delays in finalising audited financial statements.

ECCO confirmed that distributions made in 2025 were processed through the fully operational WIPO Connect system, which is an electronic database that helps link music played with its creators thereby increasing efficiency and accuracy in royalty distributions.

3. Consultant Review of By-laws and Tariffs

The latest ECCO Annual Report references a consultant engaged to guide changes to ECCO's bylaws and tariff structures.

a. What circumstances led to the need for this consultancy?

b. Has the consultant's report been finalised?

ECCO explains that a consultant was engaged because the membership had formally directed the Board at an Annual General Meeting to review and modernise the organisation's bylaws and tariff structures. This mandate became necessary after members approved the expansion of ECCO's administrative role to include the administration of related rights in addition to the public performance right. Expanding the scope would require new legal, governance, and representation requirements for the organisation. For example, ECCO would need to ensure that holders of related rights were properly included within its membership categories and formally represented on the Board.

The Board also identified that ECCO's growth across multiple territories required a more balanced governance structure that fairly reflected both territorial diversity and the different categories of members. Strengthening transparency, accountability, and alignment with international standards—particularly those set by CISAC—was another important driver behind commissioning the consultant. The consultant was therefore tasked with reviewing ECCO's operations, assessing its compliance framework, and proposing updated bylaws that would ensure modern, effective governance and better reflect the organisation's expanded scope.

ECCO confirmed that the consultant's report has been completed and received. However, the Board has postponed the Extraordinary General Meeting at which members were to consider the proposed bylaw amendments. This delay is due to significant ongoing and anticipated legislative reforms in ECCO's member territories that are expected to affect rights administration and compliance rules. ECCO notes that moving ahead with bylaw revisions before these reforms are finalised could result in immediate misalignment and the need for further changes. The organisation is also continuing consultations with key stakeholders, including government agencies and intellectual property authorities, to ensure that any amendments are fully aligned with regional regulatory developments and sector expectations.

4. Tariff Structure and Publication

- a. *Regulation 51(1) requires CMOs to publish their tariff structures on their websites. Please indicate where this information is located on ECCO's website.*
- b. *In 2022, an introductory rate was introduced for SKN. Confirm whether that tariff is (i) still applicable and (ii) available on the site*

ECCO confirmed that:

- Its current standard tariffs are published on its website in compliance with Regulation 51(1);
- The special introductory tariff for St. Kitts and Nevis introduced in 2022 is no longer in effect; Standard tariffs are currently applied and can be found on their website at https://www.eccorights.org/content_manager/documents/tariffs

5. Public Education and Outreach

In accordance with Regulation 3(1)(i) and (j), please outline ECCO's efforts to promote education and awareness regarding collective management, copyright, and related rights in St. Kitts and Nevis during 2025.

Regarding efforts to promote education and awareness in St. Kitts and Nevis during 2025, ECCO noted:

"[We] send weekly mass emails to all members about the music industry as well as the role of ECCO. We also inform members in these emails on how to improve on earnings. Also, in September 2025, ECCO hosted a webinar called "Where Does The Money Come From." This webinar was hosted by Intellectual Property expert Mr. Fabian Alfonso, and was open to all members, music users and the general public of all six territories. Also, ECCO, its role and obligations have been in the SKN media for the entire 2025."

6. Public Complaint

One complaint was received and shared with ECCO.

An undated correspondence was sent to the IPOSKN email address following the Office's public invitation for persons to report any instances of noncompliance with regards to the respective laws and Regulations. The Regulations establish that the IPOSKN's role in these complaints is not to adjudicate or resolve these matters but to consider same in the inspection process:

While not identifying a specific Regulation, the complainant expressed concern about:

- A perceived decline in transparency and engagement with its membership in recent years
- The processes leading to the dismissal of the former CEO and the subsequent appointment of the current CEO were in his estimation, mishandled and did not meet expected governance standards
- Decisions regarding the relocation and management of ECCO's office building
- The organisation's demotion by CISAC,
- The prioritisation of overseas travel over member-related expenditures.
- Board leadership, particularly regarding the eligibility of the current Chair in light of a past criminal conviction

In response ECCO's averred that the Chair is legally eligible to serve as a director, noting that past conviction and served sentence over a decade ago do not disqualify the position under the Companies Act. The organisation explained that the CEO's appointment followed a transparent, merit-based process managed by an independent HR consultancy, and that the selected candidate met the required qualifications. Regarding the relocation of the headquarters, ECCO cited structural deterioration and staff safety concerns as the basis for moving to rented premises, with renovation of the owned building planned. ECCO also maintains that the CEO's international travel is essential for meeting CISAC standards, securing partnerships, and improving member services. Details of weekly mass emails to members about the music industry as well as the role of ECCO were also provided in their response. Finally, ECCO notes that previous leadership decisions were made in accordance with its by-laws and that efforts have been undertaken to strengthen compliance and address CISAC-related concerns.

7. Reciprocal Agreements

Confirm whether all the reciprocal agreements that were submitted during the authorisation process are in effect

ECCO submitted copies of reciprocal agreements with foreign CMOs during the authorisation process. These agreements form the legal basis for cross-border royalty collection and distribution. By email dated 29 December 2025, ECCO confirmed that all agreements submitted remain in effect.

8. Compliance with Other Laws

As a registered external company under the Companies Act, ECCO is required to file Annual Returns with the Financial Services Regulatory Commission.

A Certificate of Good Standing dated 2 June 2025 was provided (Appendix C). While ECCO had previously failed to file annual returns for three consecutive years, it has regularised its status and committed to continued compliance.

6. IPOSKN Findings and Conclusions

Having examined all documentation and representations, IPOSKN makes the following findings:

• Operational Challenges and CISAC Membership Status Demotion

The IPOSKN acknowledges ECCO's submission that it has experienced operational and financial difficulties, due in part to low levels of copyright compliance in St. Kitts and Nevis and the wider Eastern Caribbean. These challenges have adversely affected ECCO's revenue base and its ability to satisfy the operating cost standards established by CISAC, ultimately resulting in the demotion of its membership status from full member to provisional member.

Demotion within CISAC signifies non-compliance with applicable standards and, if not remedied, may result in further disciplinary measures, including suspension or expulsion. From its review of publicly available information, the IPOSKN notes that provisional membership is generally intended to be temporary and corrective in nature. It should therefore serve as a clear signal to ECCO of the need for strengthened financial management, improved royalty distribution practices, and enhanced compliance with international standards.

At the same time, the IPOSKN recognises that improved copyright compliance across St. Kitts and Nevis and the Eastern Caribbean is critical to ECCO's long-term sustainability. Increased compliance would not only support more consistent royalty payments to authors and composers but would also strengthen ECCO's ability to meet its broader obligations, including public education, member development, and governance improvements, all of which contribute to the growth of a sustainable creative economy.

Further to the IPOSKN's request during the inspection, ECCO provided correspondence from CISAC outlining the specific reasons for its demotion from full membership status, thereby confirming the basis for the action taken.

• Public Education and Voluntary Compliance

While recognising ECCO's operational challenges and being mindful of its public perception in St. Kitts and Nevis, the IPOSKN emphasises the importance of significantly strengthening public education and outreach initiatives within the Federation. Enhanced engagement is necessary to promote voluntary compliance with copyright law and to improve public understanding of the role and value of collective management. Objections about the tariff structure and quantum have been expressed on social media and it may augur well for ECCO to consider hearing submissions from music users on what they consider to be fair tariffs.

Greater and more consistent engagement with ECCO's local membership is also encouraged. Despite ECCO's submissions that they send weekly mass emails, some local ECCO members have expressed that they are not aware of happenings with or in ECCO. Empowered and informed members can serve as advocates for their own rights and contribute to fostering a culture of compliance within the creative sector.

The IPOSKN also acknowledges its own statutory responsibility to raise awareness regarding the role of CMOs and their importance within the entertainment and creative ecosystem and commits to doing more in this regard.

• **Royalty Distribution Delays**

The delays in royalty distributions covering the period 2020 to 2023 are unacceptable and represent a significant compliance concern, particularly given the fiduciary nature of a CMO's obligations to rights holders.

Notwithstanding this, the IPOSKN notes positively that ECCO has sought and obtained technical support from the World Intellectual Property Organization through the adoption of the WIPO Connect system. This technology is designed to enhance operational efficiency, data accuracy, and transparency in royalty processing and distribution. The Office further notes that ECCO's implementation of WIPO Connect was referenced by WIPO Director General Daren Tang during his opening address to the WIPO General Assemblies in July 2025, reflecting international recognition of the system's deployment.

The effectiveness of this system in improving timeliness and accuracy of future distributions will continue to be monitored.

• **Monitoring Obligations as a Member of CISAC**

The transparency, governance, and accountability standards established by CISAC, together with the reporting obligations contained in its 2018 Professional Rules for Musical Societies (Appendix D), impose an additional layer of oversight on its member organisations, including ECCO.

While the IPOSKN is not legally required to rely upon or enforce CISAC review findings, the existence of these international monitoring mechanisms reinforces the seriousness of a CMO's fiduciary obligations to rights holders. The dual oversight framework - domestic regulatory supervision by IPOSKN and international compliance monitoring by CISAC - should provide assurance to the public and rights holders that ECCO is subject to multiple levels of accountability.

• **Potential Expansion of ECCO's Administrative Scope**

The IPOSKN notes ECCO's submission that it has received a mandate from its membership to expand its scope of rights administration to include related rights - namely, the rights of performers, producers of sound recordings, and broadcasting organisations - in addition to the public performance rights of authors and composers.

This proposed expansion represents a significant development and presents an opportunity to strengthen collective rights management within the region. If properly implemented, it may improve the protection and monetisation of creative works across multiple categories of rights holders.

It is essential that any such expansion be preceded by comprehensive public education and stakeholder engagement. Potential users, members, and other affected parties must clearly understand the financial, administrative, and compliance implications associated with the expanded mandate.

As ECCO seeks to develop its governance structures and align its operations with evolving legislative and industry standards, transparent decision-making and proactive consultation will be critical. Continued collaboration with regional intellectual property offices and other stakeholders will support the development of a more efficient, compliant, and resilient rights administration framework, ultimately benefiting creators, rights holders, music users, and the broader creative economy.

• The Public Complaint

With respect to the public complaint received, the IPOSKN makes the following findings:

i. The complaint contained statements concerning individuals associated with ECCO that could potentially be defamatory in nature. Accordingly, the identity of the complainant and contents of the complaint will not be reproduced in the final public report.

ii. ECCO provided photographic evidence demonstrating visible structural deterioration of its office building. The Board-approved decision to relocate operations to a rented commercial space was explained as a measure to address urgent safety concerns, ensure continuity of operations, and avoid immediate large capital expenditure associated with reconstruction. The Office notes that the Board has commissioned a comprehensive renovation of the owned premises, with works scheduled to commence in the first quarter of 2026, subject to final technical, financial, and regulatory approvals. The financial implications of this renovation, particularly as they relate to administrative cost ratios, should be carefully considered and monitored.

iii. CMOs are statutorily required to conduct their operations with integrity, transparency, efficiency, and in a non-discriminatory manner, the complaint did not provide specific evidence or particulars substantiating the alleged decline in transparency or member engagement.

iv. In relation to allegations concerning the qualifications and past criminal history of certain officers, neither the Companies Act of St. Kitts and Nevis (under which ECCO is registered as an external company) nor the copyright legislative framework imposes educational or criminal background requirements for directors in this context. These matters are governed by ECCO's internal by-laws. The Office's review confirms that the by-laws do not prescribe minimum academic qualifications for directors nor prohibit persons with prior criminal convictions from holding office. The appointments referenced have remained in place without challenge from the general membership for approximately three years.

v. The issue of ECCO's demotion within CISAC was independently examined as a substantive matter during the inspection and is addressed separately in this report.

vi. The CMO Regulations require that administrative costs be maintained at a reasonable level. During the inspection process, ECCO submitted that participation in certain overseas engagements is

necessary to maintain international relationships, meet compliance standards, and improve operational effectiveness. The IPOSKN proceeds on the basis that such engagements are undertaken with appropriate Board oversight and approval, and not as unilateral executive decisions.

7. Outcome and Authorisation

IPOSKN is satisfied that ECCO has implemented and continues to pursue measures to address operational deficiencies and regulatory concerns although there is great room for improvement for public engagement and education in St. Kitts and Nevis.

Accordingly, the IPOSKN found that ECCO has met the requirements of the Copyright (Collective Management Organisations) Regulations 2024 and was eligible for continued authorisation.

ECCO was granted authorisation to operate in St. Kitts and Nevis for the period **1 January 2026 to 31 December 2026**. The Authorisation Certificate was issued on 31 December 2025 (Appendix E).

8. Lessons for Future Inspections

- IPOSKN and ECCO agreed that future inspection periods should commence earlier in the authorisation cycle to allow sufficient time for documentation review and assessment. The timelines in the inspection guidelines will be adjusted.
- A Certificate of Good Standing issued by the Financial Services Regulatory Commission pursuant to the Companies Act will be a standard document presented during inspection.

9. Appendices

- Appendix A – Inspection Notification Letter (7 November 2025)
- Appendix B – Minutes of Inspection Meeting (18 November 2025)
- Appendix C – Certificate of Good Standing (2 June 2025)
- Appendix D – CISAC Professional Rules for Musical Societies
- Appendix E – Authorisation Certificate (31 December 2025)

Report prepared by

Jihan Williams-Knight
Registrar, IPOSKN
27 February 2026



Ministry of Justice and Legal Affairs
Intellectual Property Office

Top Floor, Independence House
North Independence Square Street
P. O. Box 693
Basseterre, St Kitts, West Indies

Tel: 1 869) 467 1976/ 77/ 78
E-mail: ipo@gov.kn
Web: www.ipo.gov.kn

7 November 2025

Mr. Martin James
Chief Executive Officer
ECCO
Julian Charles Road. Sans Soucis
Castries, Saint Lucia

Email: mjames@eccorights.com

Dear Mr. James,

Re: Notice of Annual Inspection – ECCO Compliance Review under Regulation 5(1)

Pursuant to Regulation 5(1) of the Copyright (Collective Management Organisations) Regulations and in accordance with the attached annual procedural guidelines, this letter serves as formal notice that the Eastern Caribbean Collective Organisation for Music Rights (ECCO) is due for its annual inspection.

The purpose of this inspection is to assess ECCO's operations, promote best practices, and reinforce principles of trust, accountability, and good governance within the collective management framework. This process is not intended to be punitive. The Intellectual Property Office of St. Kitts and Nevis (IPOSKN) recognises the critical role that collective management plays in supporting the creative industries. However, our Office also has a statutory responsibility to ensure that all stakeholders in the creative ecosystem are adequately protected. We view this inspection as an opportunity for constructive engagement and mutual improvement.

Inspection Process

The inspection will involve a review of ECCO's compliance with its obligations under the Copyright Act and the Regulations. Given the recent submission of your authorisation documents, we propose convening a virtual meeting to facilitate this process. During the meeting, ECCO will have the opportunity to respond to questions from our Office (see below) and address any public complaints received. Following the meeting, IPOSKN will prepare and share minutes within seven (7) days for your review and approval.

Meeting Arrangements

We request that ECCO's representation at the virtual meeting include the CEO and any local agents. You may also include any additional representatives you deem necessary.

To ensure timely completion of the inspection process by December 10, 2025, we propose the following timeline:

1. Final comments, clarifications, or supporting documentation should be submitted by December 3, 2025.
2. The virtual meeting should ideally be held between November 17 and 21, 2025. We are available on weekdays between 8:00 a.m. and 7:00 p.m., and will accommodate your preferred time within this window. A two-hour maximum duration is anticipated.

Please note that these dates are only suggestive. The IPOSKN will continue operations throughout December (excluding public holidays). However, we are mindful of the tendency for year-end leave and the fact that ECCO's current authorisation expires on December 31, 2025.

Questions for ECCO

The inspection meeting will explore the following questions:

1. CISAC Membership Status:

The 2025 CISAC Annual Report currently lists ECCO as a provisional member, whereas the 2022 report listed ECCO as a full member.

- a. Has there been a change in your membership status?
- b. Please explain the reason for the change and why the provisional status has persisted for over two years.
- c. Has CISAC conducted any audits of ECCO within the last five years? If so, what were the findings?

2. Royalty Distribution Delays:

The latest ECCO annual report indicates that you have collected EC\$1.86 million in 2024. It also states that royalties for 2023 will be paid in June 2025, and those for 2024 by December 2025.

- a. What caused the delay in the 2023 royalty distribution?
- b. What challenges are preventing more timely distributions?

3. Consultant Report on Bylaws and Tariffs:

The latest ECCO Annual Report references a consultant engaged to guide changes to ECCO's bylaws and tariff structures.

- a. What circumstances led to the need for this consultancy?
- b. Has the consultant's report been finalised?

4. Tariff Structure Availability:

Regulation 51(1) requires CMOs to publish their tariff structures on their websites. Please indicate where this information is located on ECCO's website.

5. Public Education and Outreach in St. Kitts and Nevis (2025):

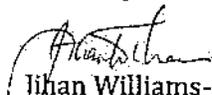
In accordance with Regulation 3(1)(i) and (j), please outline ECCO's efforts to promote education and awareness regarding collective management, copyright, and related rights in St. Kitts and Nevis during 2025.

6. Public Complaint:

Pursuant to Regulation 6, we have received one public complaint concerning ECCO. Please find the complaint attached for your review and response.

We look forward to your confirmation of a time for the virtual meeting and your cooperation and productive engagement

Sincerely,



Jihan Williams-Knight

Registrar

Intellectual Property Office of St. Kitts and Nevis



Ministry of Justice and Legal Affairs
Intellectual Property Office

Top Floor, Independence House
North Independence Square Street
P. O. Box 693
Basseterre, St Kitts, West Indies

Tel: 1 869) 467 1976/ 77/ 78
E-mail: ipo@gov.kn
Web: www.ipo.gov.kn

Annual CMO Inspection Guidelines

Reg. 5(2), Copyright (Collective Management Organisations) Regulations, 2024

Overview

The Intellectual Property Office of St. Kitts and Nevis (IPOSKN) is responsible for supervising all authorised Collective Management Organisations (CMOs) to ensure continued compliance with the Copyright Act and the Collective Management Regulations. The Office's oversight helps to promote transparency, efficiency, and the protection of the interests of members, rights holders, and users.

Each authorised CMO is subject to one annual inspection conducted by the IPOSKN to confirm ongoing compliance with:

- The authorisation requirements (Regulation 4)
- The organisation's prescribed roles and functions (Regulation 3)
- Applicable laws, regulations, and reporting obligations

Annual inspections are designed to collaboratively assess operations, encourage best practices, and strengthen trust, accountability, and good governance within the collective management framework. Pursuant to Regulation 5(2) of the Collective Management Organisation Regulations, the IPOSKN hereby issues these procedural guidelines governing the annual inspection process.

Inspection Process

1. Notification

CMOs will receive written notice of inspection at least 45 days before the expiration of their current certificate of authorisation.

The notification will include:

- The proposed timeframe for inspection;
- The scope, format and focus areas of the inspection; and
- Any documents or information required in advance.

The IPOSKN may also include specific questions regarding the CMO's operations. Any complaints received from the public will be forwarded to the CMO for review and response.

While the IPOSKN will aim to include all relevant queries in the initial notice, it reserves the right to request additional information after submissions have been reviewed.

2. Information Sharing and Inspection

During the inspection, the IPOSKN may examine, among other materials:

- Authorisation documents
- Annual reports and audited financial statements
- Membership and governance policies
- Distribution and deduction policies
- Records of rights revenue collection and distribution
- Tariffs and licence agreements
- Complaints received from the public
- Public information on the CMO's website or other media
- Media reports concerning the CMO

Inspectors may request meetings with the CMO's Board, management, or staff to seek clarification or additional information on procedures and practices.

The CMO may choose to have legal counsel or another representative present during the inspection.

Information may be provided through document submissions and/or virtual meetings. Minutes of any virtual meeting will be prepared by the IPOSKN and shared with the CMO for review and approval within seven (7) days of the meeting.

3. Findings and Report

The CMO should submit any final comments, clarifications, or supporting documentation at least 28 days before the expiration of its current certificate of authorisation to prevent any interruption in authorisation.

Following review, the IPOSKN will issue a final inspection report no later than 21 days before the expiration of the certificate. The report will include either:

- A renewed certificate of authorisation for the subsequent year; or
- Details of any sanctions or remedial measures to be imposed.

"B"

Draft Meeting Minutes
Annual Collective Management Organisation Inspection Meeting for the
Eastern Caribbean Collective Management Organisation for Music Rights
November 18th 2025
3:00 p.m.
Via Zoom

Present

IPOSKN: Jihan Williams-Knight, Registrar
Candisié Franklin, Counsel

ECCO: Martin James, Chief Executive Officer
Keen Cotter, Operations Manager
Ladimer Gumbs, Director
Victor Elliott-Hamilton, Counsel
Adana Romeo, Counsel

ECCO Annual IP Inspection

The Intellectual Property Office of St. Kitts and Nevis (IPOSKN) convened a meeting with ECCO pursuant to their annual inspection obligations under the Copyright (Collective Management Organisations) Regulations. The purpose of the meeting was to hear ECCO's responses to questions posed by the IPOSKN about their operations in order to ensure that they, as an authorised CMO, were being compliant with the laws of St. Kitts and Nevis. The questions, which were sent to ECCO on November 7, 2025 were:

1. CISAC Membership Status

The 2025 CISAC Annual Report currently lists ECCO as a provisional member, whereas the 2022 report listed ECCO as a full member.

- a. Has there been a change in your membership status?
- b. Please explain the reason for the change and why the provisional status has persisted for over two years.
- c. Has CISAC conducted any audits of ECCO within the last five years? If so, what were the findings?

2. Royalty Distribution Delays:

The latest ECCO annual report indicates that you have collected EC\$1.86 million in 2024. It also states that royalties for 2023 will be paid in June 2025, and those for 2024 by December 2025.

- a. What caused the delay in the 2023 royalty distribution?
- b. What challenges are preventing more timely distributions?

3. Consultant Report on Bylaws and Tariffs:

The latest ECCO Annual Report references a consultant engaged to guide changes to ECCO's bylaws and tariff structures.

- a. What circumstances led to the need for this consultancy?
- b. Has the consultant's report been finalised?

4. Tariff Structure Availability:

Regulation 51(1) requires CMOs to publish their tariff structures on their websites. Please indicate where this information is located on ECCO's website.

5. Public Education and Outreach in St. Kitts and Nevis (2025):

In accordance with Regulation 3(1)(i) and (j), please outline ECCO's efforts to promote education and awareness regarding collective management, copyright, and related rights in St. Kitts and Nevis during 2025.

6. Public Complaints:

Pursuant to Regulation 6, we have received one public complaint concerning ECCO. Please find the complaint attached for your review and response.

Opening Statements

The Registrar outlined the inspection process and emphasized that the inspection is not focused on being punitive but it is aimed to provide oversight so that public concerns can be addressed. The process also lends credibility to collective rights management as it is an important element in the creative economy. Mr. James emphasized ECCO's commitment to operating within the law and working in the best interest of their members and affiliates.

Question 1: ECCO's CISAC Membership Status Update

The substantive discussion opened with ECCO's recent change from full to provisional membership in CISAC, which from an examination of CISAC's annual reports, the Registrar noted had been the case for the past 3 years. ECCO confirmed the status demotion and explained that it was due to two reasons:

- 1) CISAC requires CMOs to not expend more than 30% of collections on administrative costs and ECCO's costs amounted to 44% of their collections.
- 2) ECCO had not complied with CISAC's royalty distribution policies.

Mr. James explained that even though ECCO had been operating with only bare necessities, their administrative expenses rate exceeded the 30% cap largely because of challenges with low music user compliance that leads to litigation cost. The cost of operating in the OECS territories was also cited as a reason for the high administrative expenses. They noted that since collections were low, it would be difficult for them to operate within the 30% requirement. Mr. James noted that broadcasters in St. Kitts and Nevis represent a significant portion of music users in St. Kitts and Nevis and none of them are licensed.

CISAC continues to regularly audit ECCO [how often]. ECCO agreed to send correspondence that outline CISAC's concerns to form part of the record.

Question 2: Royalty Distribution Delays

On the issue of the royalty distribution matter, ECCO noted that they made distributions for the 2021-2022 period in 2024 and for 2023 in June 2025. They expect to make a final distribution for 2024 in December 2025, bringing them current with distributions. Mr. James explained that decisions on whether 2025 payouts will be annual or biannual will be made by the first quarter of 2026.

They also outlined that the challenges surrounding royalty distribution also affected their ability to have audited financial statements in a timely manner.

ECCO noted that the challenges surrounding distribution were initially due to the COVID 19 pandemic in 2020 which reduced public performance events and ECCO's overall collection efforts. Additionally, ECCO noted that their migration to the new WIPO Connect system, which began in 2022, had also delayed distributions since migration required a data validation and conversion process. The payouts in 2025 were made through WIPO Connect after the system was fully integrated and operational in 2024. The Registrar noted that the Director General of WIPO mentioned ECCO's successful use of WIPO Connect in his opening address to the WIPO General Assemblies in July 2025. ECCO asked to be directed to the speech.

Mr. Cotter noted that as a provisional member of CISAC, ECCO is still bound to observe the CISAC rules but their financial responsibilities to CISAC have decreased. The Registrar requested a copy of, or to be directed to the CISAC governance policies and business rules.

Question 3: ECCO Bylaws and Tariff Review

In response to Question 3, ECCO noted that before COVID, its Board engaged a consultant to review its bylaws and tariff parameters, but the implementation of those recommendations has been paused as the Board continues to evaluate them in light of recent changes including AI developments and the introduction of digital service providers (DSPs) operating without licenses in the region. The Board is currently maintaining existing tariff structures while exploring adjustments to better align with economic conditions and new policies, particularly in St. Kitts and Nevis where an introductory rate was introduced for businesses and events.

ECCO noted that the introductory rate worked well in tandem with the Royal St. Christopher and Nevis' Police Force's decision that persons applying for noise permits also had to show proof that they obtained a public performance copyright license. However, when the Police Force received a directive to stop insisting on copyright licenses, compliance levels dropped again.

Mr. Elliott-Hamilton noted that the Police Force has an obligation to ensure that the laws of the land are being observed and their decision to insist on proof of a copyright license was supported by virtue of the Copyright Act provision that public performances of copyright protected work must be licensed. Mr. James noted the Police Force in Saint Lucia requests proof of a copyright license for events.

Question 4: Tariff Transparency

ECCO confirmed that the full tariffs are published on their website under the "Music Users" section on the "Home" tab.

Question 5: Public Engagement

ECCO outlined public consultations in 2025, with Mr. James explaining their efforts to engage stakeholders through media and member meetings, including a webinar on 11th September 2025 that was open to the public. They also explained that they reach out directly to business owners and other public users.

The Registrar expressed concerns about the public perception of ECCO and suggested that they should consider integrating more collaborative and consultative approaches. She emphasized the need for better education and understanding of collective management's purpose and benefits, suggesting that more could be done to improve communication and messaging. While agreeing that more public education is needed, Mr. Elliott Hamilton noted that often even where ECCO has provided information when the public has requested, compliance still remains low because unfortunately the public sees the license like "another tax". They expressed that repeated explanations have not effectively addressed the lack of understanding around collective management.

Since the IPOSKN has a mandate to educate the public on intellectual property, both organisations agreed that more impactful education needs to occur.

Question 6: Public Complaint

Pursuant to Regulation 6 of the CMO Regulations, members of the public were allowed to submit public complaints for consideration in the authorisation process. The IPOSKN received one complaint from Darby Etienne in which several allegations of impropriety were made. ECCO requested to respond in writing to this complaint.

Other Issues Raised During the Inspection Meeting

A. Caribbean Copyright Enforcement Challenges

The discussion also touched on copyright enforcement challenges in Caribbean jurisdictions, particularly regarding the gaps in the legal frameworks in countries like Antigua and Barbuda and Grenada, which hampers effective collection of licensing fees. Mr. James and Mr. Elliott-Hamilton highlighted that voluntary payments are the only mechanism for collections in these territories, leading to administrative burdens and difficulties in enforcing foreign copyright. The Registrar explained that the new inspection process at the IPO office would provide an independent venue for document review and help address public concerns about collection practices, while also potentially supporting advocacy efforts for the creative economy at the OECS regional level.

B. Neighboring Rights Administration Discussion

Currently ECCO only administers public performance rights and mechanical rights for music but they noted that they discussed neighboring rights and performance rights administration. They are however cognisant of the fact that moving into neighboring rights would require time, additions to their governance structure and more resources which may redound to potentially higher tariffs and increased administrative costs and compliance challenges.

C. ECCO Compliance with Other Laws

The Registrar emphasized the importance of ECCO staying compliant with its obligations under the Companies Act to avoid any issues. Mr. James sought to reassure the IPOSKN that any shortfalls in that regard were an anomaly and in the past as ECCO is fully committed to remaining in compliance with the law.

D. Next Steps in the Inspection Process

IPOSKN agreed to endeavour to complete the inspection process by December 19th. The IPOSKN will prepare a final report of the process, which will include a copy of these minutes. The final report will be sent to ECCO and will be available on the IPOSKN website.

Follow Up Actions

- **The Registrar:**
 - To send meeting minutes and any follow up questions to ECCO by November 25th
 - To direct ECCO to the WIPO Director General's speech where he mentioned their integration of WIPO Connect
 - To prepare the final inspection report after receiving ECCO's written responses
- **ECCO:**
 - To send copies of correspondence from CISAC regarding their change in membership status
 - To review the draft minutes and return with any comments or amendments that do not accurately reflect what was said before December 3rd
 - To provide a written response to the complaint from Etienne by November 25
 - To send or direct the Registrar to the most recent CISAC Governance and Business Rules

The meeting ended at 4:40 p.m.



Saint Christopher and Nevis
FINANCIAL SERVICES REGULATORY COMMISSION

I hereby Certify that

**EASTERN CARIBBEAN COLLECTIVE ORGANISATION
FOR MUSIC RIGHTS (ECCO) INC.**

an Ordinary External Company with limited liability, Incorporated under The
Companies Act Cap 21.03 on the 8th of March 2013, is in Good Standing on
the Register of Companies as of the 2nd day of June, 2025

Given under the Hand and Seal of the
Registrar of Companies, Saint Christopher,
this 2nd day of June, 2025



Janeel S.
Registrar of Companies



“D”
SERVING AUTHORS WORLDWIDE
AU SERVICE DES AUTEURS DANS LE MONDE
AL SERVICIO DE LOS AUTORES EN EL MUNDO

SG13-0787R4

Board of Directors

Paris, 04/12/2018 - 05/12/2018

Source Language: English

Published on: 15/11/2018

Professional Rules for Musical Societies

Status: ADOPTED by the Board of Directors (Paris, 04/12/2018 - 05/12/2018) ([BOD18-0794](#)) and the General Assembly (Tokyo, 30/05/2019) ([AG19-0597](#))

Date: 05/12/2018 and 30/05/2019

Access rights: External

Preamble

The overarching objectives governing the conduct of the Members are as follows:

- a. to have as its aim and effectively ensure the advancement of Creators' moral interests and the defense of the material interests of Creators and, where relevant, publishers;
- b. to have at its disposal effective machinery for the collection and distribution of Income to Creators and, where relevant, publishers and assume full responsibility for the administration of the rights entrusted to it;
- c. to have regard to its high and long-standing duty to its Creators and, where relevant, publishers in the conduct of all its operations;
- d. to encourage the lawful dissemination of Works by facilitating the licensing of rights in return for equitable payment ("Licensing Income");
- e. to distribute Income (less reasonable Expenditure) to Creators and, where relevant, publishers, and Sister Societies on a fair and non-discriminatory basis;
- f. to conduct its operations with integrity, transparency and efficiency;
- g. to strive to adopt best practice in the collective administration field; and
- h. to adapt continually to market and technological developments.

Part 1

General Provisions

1. In the Rules, unless the context otherwise requires, the words and phrases set out in the left hand column below shall have the meaning given to them in the corresponding right hand column below.

Affiliate	A Creator or, where relevant, a publisher affiliated by contract with a Musical Society.
Binding Resolutions	The resolutions laid down by CISAC from time to time which are binding on Members and, as the case may be, on Client RMEs.
Compliance Thresholds	The thresholds based on Societies Domestic Incomes, defined from time to time by the General Assembly for each category of Repertoire.
Confidential Information	Any information: <ul style="list-style-type: none">a which is privileged;b which constitutes a trade secret or protected business secret;c from which a person may derive independent economic benefit (including a formula, pattern, compilation, program device, method, technique, or process);d relating to the business of a Member, Associate, Provisional or Affiliate;e relating to the financial arrangements of a Member, Associate, Provisional or Affiliate;f belonging to a Member, Associate, Provisional or Affiliate about a Work, or belonging to those who own or control such Work; org which a Member, Associate, Provisional or Affiliate reasonably specifies in writing (prior to or at the time of the disclosure of such information).
Income	Any licensing or other income received by the Society.
Documentation	Any essential data required for the identification of a Work and for the administration of the rights in such Work.
Distribution	The act of a Member: <ul style="list-style-type: none">a allocating Royalties (at regular and set intervals) among Affiliates or Sister Societies; and

- b paying such Royalties to the relevant Affiliates or Sister Societies once such Royalties have been allocated.

Royalties	Any Income allocated and payable to the Affiliate or Sister Society of a Member.
Expenditure	The administrative costs, fees, provisions, depreciation and any other agreed expenditure (including but not limited to social and cultural expenditure) deducted by a Society from time to time from its Income prior to distribution of such Income.
Management Body	Management team, whether collegiate or not, with the responsibility for the day-to-day management of the Society
Rules	CISAC's Professional Rules, as set out in this document.
Sister Society	A Society represented by another Society by means of a current representation agreement.
Statutes	CISAC's statutes for the time being in force.
Supervisory Body	Collegiate Body supervising the Management Body (independently from the local wording "Board", "Supervisory Board", "Board of Directors")
Work	Copyright Work.

2. Unless the context otherwise requires, the words and phrases:

- a. defined in the Statutes; and
- b. used in both the Statutes and in the Rules

shall have the meaning given to them in the Statutes.

Application

- 3. For the avoidance of doubt, these Rules apply only to each Member which is a Musical Society.
- 4. The provisions of the Rules shall at all times be subject to all relevant and applicable laws and regulations.

Part 2

Rules of Conduct

Corporate Governance

5. Each Member shall at all times:
 - a. be open to Creators and, where relevant, publishers of all nationalities;
 - b. refrain from discriminating between Creators and, where relevant, publishers or between Sister Societies in any manner which is legally unjustifiable, or which cannot be objectively justified;
 - c. permit a Creator and, where relevant, a publisher to terminate the affiliation agreement with such Member, provided that such Member may impose reasonable conditions in relation to the termination of such agreement;
 - d. (where the Board is composed of Creators and publishers) maintain a fair balance on its Board between Creators on the one hand and publishers on the other hand;
 - e. conduct its business in accordance with all relevant and applicable laws and regulations; and
 - f. act in accordance with its own constitution.
 - g. ensure that the by-laws -and/or internal rules- of each Member:
 - (i) provide for a Supervisory Body whose role is to supervise the Member's business as carried out by the Management Body;
 - (ii) ensure that such Supervisory Body effectively and independently supervises the Management Body, by means of setting up specific rules to this effect including, without limitation, the following rules:
 - (a) rules regarding the distinction and separation of the function of a member of the Management Body on the one hand and that of a member of the Supervisory Body on the other hand, or
 - (b) in the absence of such separation rules, rules prohibiting a member of the Management Body from having, (merely because of his status as a member of the Management Body) the right to vote during meetings of the Supervisory Body, or at the very least, a blocking minority voting right or any right of veto whatsoever, and
 - (iii) prohibit any improper interference of the Supervisory Body in decisions falling within the scope of the exclusive powers (if any) of the Management Body.
6. If a Member is unable to comply with any part of the Rules as a result of any national, legal or regulatory provision to which it is subject, then it shall with due promptness, with full particularity, and with appropriate documentary justification, inform CISAC in writing that it is unable so to comply.

Transparency and Accountability

7. In each Calendar Year, and before the 1 June of such Calendar Year, each Member shall supply CISAC with:
 - a. any amendments which it has made to its constitution in the preceding Calendar Year and which might reasonably be considered to be pertinent to such Member's qualification for CISAC membership;
 - b. its audited accounts in respect of the fiscal year which immediately precedes such Calendar Year. Such accounts may be provided in the native language of the Member.
8. With the objective of making the provided information available to all CISAC Members and Provisionals, each Member shall supply CISAC in each Calendar Year (within three Months after CISAC has requested such details and in a form as well as in a manner laid down by CISAC), with:
 - a. the Statement of Professional Rules Compliance, stating, among other declarations, that it has complied with all relevant and applicable laws and regulations;
 - b. a list enumerating each of its Sister Societies and indicating the scope of the territory in respect of which it has been mandated by each such Sister Society;
 - c. the Statement of Income and Expenditure in respect to the preceding Fiscal Year, which will be available only to the other CISAC Members and Provisionals that have completed their own Statement of Income and Expenditures for the same Fiscal Year;
 - d. an annual report in respect of the fiscal year which immediately precedes such Calendar Year, in one of CISAC's three official languages (English, French and Spanish);
 - e. an accurate statement of its current distribution rules and methods in accordance with Binding Resolution 17, in one of CISAC's three official languages (English, French and Spanish);
 - f. any declaration or document submitted by a Member to CISAC in accordance with Rules 8 (c) and 7 (b) above must be signed by Chief Financial Officer or equivalent of the Member.
 - g. any declaration or document submitted by a Member to CISAC in accordance with Rules 7 (a), 8 (a) and 8 (d) above must be signed by Chief Executive Officer or the equivalent of the Member.
9. At least once in every calendar year, each Member shall make available to each of its Affiliates and Sister Societies, a description of its internal rules on the treatment and management of unidentified uses/works, and associated monies. The description shall include, at a minimum, the following:
 - a. the internal process(es) used by the Member to efficiently and diligently identify and link works to corresponding uses;
 - b. the internal practices, policies and procedures applied by the Member in respect of the disposition of monies attached to unidentified uses / works.

10. At least once in every calendar year, each Member shall make available to each of its Affiliates and Sister Societies, a description of the Member's internal Rules concerning financial and other non-copyright related income. This description shall also address the use made by the Member of this income.
11. In each Calendar Year, each Member shall make available to each of its Affiliates:
 - a. an annual report in respect of the fiscal year which immediately precedes such Calendar Year; and
 - b. a summary of its domestic and international Income in respect of the fiscal year which immediately precedes such Calendar Year;
 - c. a clear explanation of the purpose and the amount of all Expenditure which it makes from the Royalties due to such Affiliate; and
 - d. a clear explanation of its distribution rules.
12. In each Calendar Year, each Member shall make available to each Sister Society an annual report in respect of the fiscal year which immediately precedes such Calendar Year.

Confidentiality

13. Subject to Rule 14, each Member shall refrain from disclosing any Confidential Information.
14. Nothing contained within Rule 13 shall prevent a Member from disclosing or otherwise making available Confidential Information:
 - a. which has entered the public domain otherwise than as a result of a breach of contract;
 - b. which must be disclosed or otherwise made available by virtue of a legislative provision, court order, court decision, administrative order or administrative decision; or
 - c. which is disclosed to another Member pursuant to a representation agreement or any other contract.

Licensing and collections

15. Each Member shall use its reasonable endeavors to:
 - a. license all uses of its repertoire in accordance with and subject to the scope of its mandate;
 - b. promptly collect all Licensing Income due under the licenses which it issues and take all steps it may consider appropriate to collect unpaid Licensing Income;
 - c. monitor and protect the use, and prevent the unauthorized use, of its repertoire; and

- d. promptly collect relevant information about Works exploited by its licensees.

16. Each Member shall:

- a. grant licenses on the basis of objective criteria and, when applicable, meet the requirements to operate as set by the national legislation, provided that a Member shall not be obliged to grant licenses to users who have previously failed to comply with such Musical Society's licensing terms and conditions; and
- b. not unjustifiably discriminate between users.

Documentation

17. Each Member shall, in accordance with the Binding Resolutions, keep accurate and up to date documentation relating to the scope of:

- a. its repertoire;
- b. the rights which it is mandated to administer in respect of such repertoire; and
- c. the territory in which it is mandated to administer in respect of such repertoire.

Distribution

18A Each Member shall:

- a. base its distributions on actual usage of Works or, if not practicable, on the basis of a statistically valid sample of actual usage of Works;
- b. apply the same level of diligence and fairness to all distributions, including, but not limited to, the frequency of distributions, irrespective of whether such distributions are being made to its Affiliates or to its Sister Societies; and
- c. distribute any Royalties due to its Sister Societies or to its Affiliates in accordance with the Binding Resolutions.

18B Subject to Rule 18C below, each Member shall distribute any Royalties due to each Sister Society as soon as practicable after collection and in any event no less than once a year.

18C Each Member whose previous year total annual global collections are over €10M shall:

- a. target quarterly distribution as soon as practicable subject to quality and in any event distribute Royalties for a revenue stream due to its Sister Societies not less frequently than the Royalties for the same revenue stream due to its own Affiliates;
- b. distribute Royalties to its Sister Societies within thirty days of payments to its own Affiliates.

Litigation

19. Each Member shall be obliged to provide to another Member any document which is within its power to produce and which such other Member may reasonably require for the purpose of legal proceedings.

Authorization to operate

20. If a Member is legally required to obtain authorization from a statutory body in order to operate, then it shall ensure that it so obtains such authorization prior to so operating.
21. If a Member is appealing against the refusal of such statutory body to allow it to operate, it shall continue as a Member at least until the final appeal decision has been delivered.

Administration

22. Each Member shall encourage the development of appropriate skills and knowledge amongst its staff by having in place training and development programme for the benefit of all staff.

Dispute settlement

23. Each Member shall resolve any dispute which arises between it and:
 - a. one of its Affiliates in accordance with the provisions of its affiliation agreement with such Affiliate and in accordance with the law governing such agreement; and
 - b. each Sister Society in accordance with the provisions of the contract for the time being in force between such Societies and with the law governing such Contract.

Complaints by a Sister Society

24. The Board shall appoint an Executive Governance Committee ("Committee"). The Committee shall consist of:
 - a. a number of Directors appointed by the Board; and
 - b. the Director General or a duly authorized representative of the Director General.
25. If a Member believes that a Sister Society is in breach of the Rules, then it shall:
 - a. inform the CISAC Secretariat in writing of this fact ("Complaint"); and
 - b. furnish the CISAC Secretariat with any documentation which it believes supports or otherwise justifies its Complaint.
26. The CISAC Secretariat shall:
 - a. review the documentation provided by the Member;

- b. request information from the Sister Society to confirm whether it is in breach of the Rules or not and, if so, to justify the reasons why it is in breach of the Rules; and
 - c. report its analysis to the Committee.
27. Subject to Article 28, the Committee shall, in relation to each Complaint:
- a. uphold the Complaint, draft a recommendation on how to address the Complaint, and refer the Complaint and its recommendation to the Board for the Board's consideration in accordance with the provisions of Article 22 of the Statutes; or
 - b. dismiss the Complaint, giving a written justification to the Member which submitted the Complaint.
28. If any Director appointed to the Committee in accordance with Rule 24 has an interest in the Complaint, he shall recuse himself from hearing the Complaint and shall be replaced for the purposes only of such Complaint by another Director appointed by the Chairperson of the CISAC Board of Directors.

Request from a third party

29. If the CISAC Secretariat receives a request ("Request") from a third party that believes a Member is in breach of the Rules, the CISAC Secretariat shall:
- a. duly validate that the third party represents a group of Creators or music publishers with a broad representation, or a government agency responsible for copyright or collective management matters. For the avoidance of doubt, CISAC will not accept a request from an individual creator or publisher;
 - b. request any documentation and evidence that the third party can provide to support its request;
 - c. review the documentation provided by the third party (in cooperation with the relevant Regional Director);
 - d. inform the Member about the request and ask for information from the Member to confirm whether it is in breach of the Rules or not, and, if so, to justify the reasons why it is in breach of the Rules; and
 - e. report its analysis to the Committee.
30. Subject to Article 31, the Committee shall, in relation to each Request:
- a. uphold the Request, draft a recommendation on how to address the Request, and refer the Request and its recommendation to the Board, for the Board's consideration in accordance with the provisions of Article 22 of the Statutes; or
 - b. dismiss the Request, giving a written justification to the third party which submitted the Request.

31. If any Director appointed to the Committee in accordance with Rule 24 has an interest in the Request, he shall recuse himself from hearing the Request and shall be replaced for the purposes only of such Request by another Director appointed by the Chairperson of the CISAC Board of Directors.

Compliance and Developmental Reviews

32. Each Member, and Provisional where relevant, shall be subject either to a Compliance Review or a Developmental Review.

33. The type of review shall depend on the Compliance Thresholds:

- a. A Compliance Review shall be conducted on Members whose Domestic Income is above the Compliance Thresholds. The goal of the Compliance Review is to ensure compliance of the Member with the Professional Rules;
- b. A Developmental Review shall be conducted on Members and Provisionals whose Domestic Income is below the Compliance Thresholds. The goal of the Developmental Review is to identify areas of improvement and define a support plan to help the Member or the Provisional in meeting the standards set out in the Professional Rules.

The CISAC Secretariat may propose to move a Member to either side of the Compliance Thresholds in specific cases and upon objective criteria.

34. The process for Compliance Reviews shall be organised as follows:

- a. The CISAC Secretariat shall prepare the list of Members that may be subject to Compliance Reviews as defined in Article 33 a;
- b. The Committee shall approve the list prepared by the CISAC Secretariat;
- c. A number of Members (as determined by the Board of Directors) shall be selected from the list *via* a random process at the Annual General Assembly;
- d. The Compliance Review will be conducted according to a process defined by the CISAC Secretariat.

35. The process for Developmental Reviews shall be organized as follows:

- a. The CISAC Secretariat shall propose a number of candidates (as determined by the Board of Directors) for approval by the Committee;
- b. The Committee shall review the proposed candidates for recommendation for approval by the Board and
- c. The Developmental Review will be conducted according to a process defined by the CISAC Secretariat.

Interpretation

36. Each Member shall have the ability to request from the Committee, through the CISAC Secretariat, the interpretation of a Rule or of a Binding Resolution.
37. The French version of the Rules shall be the only authorized text. The Director-General shall have translations in English and Spanish made and circulated to the appropriate Members, provided that if there is any divergence or conflict in the wording, the French text shall be authoritative.
38. To the extent that there is any conflict between, or ambiguity relating to, any or all of the Rules and the Statutes, the wording of the Statutes shall prevail.
39. Article headings in the Rules are for ease of reference only and shall not affect the interpretation of the Rules.

"E"



IPOSKN

THE INTELLECTUAL PROPERTY OFFICE
OF ST. KITTS & NEVIS

CERTIFICATE OF AUTHORISATION

Having satisfactorily completed the 2025 annual inspection pursuant to Regulation 5 of the Copyright (Collective Management Organisations) Regulations (No. 47 of 2024), the Intellectual Property Office of St. Kitts and Nevis grants authorisation to the

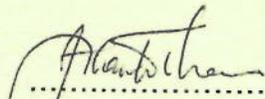
Eastern Caribbean Collective Management Organisation for Music Rights (ECCO) Inc.

a registered collective management organisation as defined in s. 94(1) of the Copyright Act (No. 14 of 2024), to operate in St. Kitts and Nevis in respect of the right of public performance of musical works for the period 1st January 2026 to 31 December 2026.

Authorisation is subject to annual inspection and monitoring.

Given under the Hand and Seal of the
Registrar of Intellectual Property, St. Kitts
And Nevis this 31st day of December 2025




.....
Registrar

Intellectual Property Office of St. Kitts and Nevis