



Kenya Medical Association

NATIONAL EXECUTIVE

KMA CENTRE, CHYULU ROAD, P.O. BOX 48502 – 00100 GPO, NAIROBI-KENYA

Mobile: 0722-275695

Email: nec@kma.co.ke

Website: www.kma.co.ke

19th September 2025

Nyakweba M. George
Acting Executive Director
Kenya Copyright Board
Nairobi

Dear Sir,

RE: REJECTION OF THE NEW MUSIC COPYRIGHT SOCIETY REGULATIONS 2025

The Kenya Medical Association (KMA), the national umbrella body representing doctors and healthcare professionals, acknowledges receipt of the notice on the new Music Copyright Society of Kenya (MCSK) Regulations 2025.

After careful review, KMA must formally reject the regulations for the following reasons:

Unfair Double Financial Burden on Health Facilities

Hospitals and health facilities already pay substantial statutory and regulatory fees to the Kenya Medical Practitioners and Dentists Council (KMPDC) for licensing and compliance. These fees are significantly high and already strain the operational costs of health institutions. Imposing additional MCSK charges amounts to double taxation and is unjustifiable.

Public Health Institutions; Not Commercial Entertainment Spaces

Health facilities use music in limited, incidental contexts to support patient recovery and well-being, not for commercial gain. Equating them with entertainment venues such as clubs or hotels is unreasonable and inappropriate.

Judicial Precedent Against Such Levies

The Milimani Law Courts, in Petition E076 of 2025, delivered on 29th July 2025, expressly prohibited MCSK from levying fees on medical facilities. Any attempt to reintroduce these charges is therefore not only unfair but also unlawful and in direct contravention of a valid court ruling.

Risk to Patient-Centered Care

Burdening hospitals with extra costs will ultimately divert resources away from direct patient care and service delivery, undermining the health sector's mandate to improve access and quality of care.

President Dr. Simon Kigundu	Vice-President Dr. Ibrahim Matende	Secretary-General Dr. Diana Marion	Assistant Secretary-General Dr. Elizabeth Gitau	Treasurer-General Dr. Lyndah Kemunto
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Lack of Sector-Specific Consultation

The new regulations were introduced without engaging the health sector. This omission overlooks the unique context in which healthcare facilities operate, and fails to balance the rights of artists with the realities of essential service providers.

In light of the above, KMA categorically rejects the implementation of these regulations on healthcare institutions. We further remind MCSK that compliance with the Milimani Law Courts ruling is mandatory.

We urge the Society to withdraw these regulations as they apply to medical facilities, and instead engage in a structured consultative process to develop a framework that protects artists' rights while respecting the legal, financial, and operational realities of hospitals.



DR. BRENDA OBONDO
CHIEF EXECUTIVE OFFICER

KENYA MEDICAL ASSOCIATION