A. GENERAL INTRODUCTIONS

The 24th Annual General Meeting of the Jamaica Association of Composers, Authors and Publishers Ltd. (JACAP) was held on Sunday, November 3, 2024, at the Pavilion, Terra Nova All Suite Hotel. The meeting was called to order at 10:08 A.M. by the Board's Chairman, Mr Stephen Stewart.

Board of Directors: Stephen Stewart (Chairman), Joy Fairclough (vice-Chair), Paula Surtees (Board Secretary), Desmond Young, Augustus Clarke, Dennis McKay, Pamella Hall, Mario Clarke, Omar Currie, Steve Golding (honorary Dir) and Joan Andrea-Hutchinson. **Online**: Leroy Cohall, Gavin Blair & Tashon Williams **Absent**: Lilyclaire Bellamy (JIPO) & Raquel Hewitt (AGD). **Apologies**: None were recorded.

B. PRAYER ..... Dir. Mario Clarke

C. OPENING REMARKS

Joy Fairclough, Vice-Chair, emphasized the importance of self-worth and creativity within the JACAP community, encouraging attendees to recognize the value of their ideas as contributions deserving a global audience. She reflected on the past year's accomplishments while urging a focus on future opportunities.

Ms. Fairclough identified the Member's Forum as a key platform for fostering shared creativity and called for increased participation to maximize its resources and insights. She explained the practicalities of sharing creative works through BMAT, an international database for tracking artistic creations, highlighting the forums' role in equipping members for effective work management and collaborative learning. She urged those not yet involved in the forums to contribute, as their participation can enhance community dialogue and artistic growth.
Additionally, Ms. Fairclough praised the PR Committee's efforts in elevating JACAP social media presence and announced a new website

launch that garnered positive feedback, promoting community connectivity.

She encouraged attendees to actively engage with JACAP's operations and welcomed questions about writing projects. Fairclough expressed gratitude for members' participation and enthusiasm and stressed the importance of nurturing a vibrant, collaborative environment that celebrates the creative voices within JACAP.

D. WELCOME ..... Chairman, Stephen Stewart

E. JACAP BOARD OF DIRECTORS

The introduction of the Board was conducted by the Chair, Mr. Stephen Stewart, as noted in the 2023 Annual Report on pages 5 and 6.

F. ADOPTION OF AGM MINUTES, SUNDAY, OCTOBER 29, 2023

The minutes from the 23rd Annual General Meeting held on October 29, 2023, were reviewed. Mrs. Paula Surtees moved to adopt the minutes, Mr. Fredrick Brooks first confirmed, and Ms. Shernet Wilson seconded the motion.

Corrections to the Meeting Minutes

There were no corrections raised.

G. MATTERS ARISING

1. **E-Registry**: Member Glenard McLenon, also known as 'Prophet', asked about the e-registry. He was advised that the same would be addressed later in the meeting.

2. **A Moment of Silence** *(Celebration of Life for Members Who Passed Away in 2023)*

- Frantz Morris (Alias: Franchino)
- Karell Wisdom
- Winston Bell (Alias: Bello)

- Arif Cooper (Alias: Supa Cooper)
- May Sterling (Alias: Lady May)
- Joy Martin-Bell

H. CHAIRMAN'S MESSAGE

The Chairman's message highlighted the profound impact of Jamaica's songwriters and the evolution of its music into a globally celebrated genre. This transformation has not only opened new financial avenues for creators but has also bolstered the national economy. The Jamaica Association of Authors, Composers, and Publishers (JACAP) is committed to safeguarding its members' intellectual property rights while enhancing their earnings. This commitment aligns with JACAP's vision: "to become the leader in the business of collective management of copyright by providing superior quality service to our members, our regional and international affiliates, and our customers."

In 2023, JACAP encountered both challenges and achievements. On the downside, ongoing violations of creators' rights persisted, compounded by an unfavorable court ruling against Restaurants of Jamaica (KFC). On the positive side, JACAP secured victories against three cable companies, saw local revenue soar by 40% to JM$229 million, and achieved a 48% increase in international royalty collections. Remarkably, the organization distributed a record JM$101 million in royalties, marking a 171% increase from the previous year.

In addition to financial milestones, JACAP welcomed 47 new members in 2023, raising the total to 4,023. Educational initiatives, such as forums titled "Mek Yuh Music Mek Money" and "How to Make Money from Your Music," empowered members to explore new revenue streams through monetization and social media engagement. The organization also recognized outstanding contributions from its members within the industry. JACAP extended its outreach further by providing care packages

to elderly members and supporting local schools during the Christmas season.

Looking ahead, JACAP is dedicated to promoting positive outcomes by advocating for improvements to the regulatory framework governing collective management organizations (CMOs) and raising public awareness about the importance of creators' rights. The Chairman expressed gratitude to the Board, staff, and all members for their unwavering dedication, underscoring the organization's commitment to nurturing a vibrant music ecosystem in Jamaica.

I. CORRECTIONS TO THE 2023 ANNUAL REPORT:

1. **Page 3, The Chairman's Message:**
   Original: "International Royalty collected increased by 48% from JM$13,400,000 to JM$119,800,000."
   Changed to: "The Chairman's message: 'International Royalty collected increased by 48% from JM$13,400,000 to JM$19,800,000.'"
2. **Page 8, 2023 Operational Review:**
   Original: "Royalty Income received from our international partners increased by 48% from JM$13.4 million to JM$119.8 million."
   Changed to: "Royalty Income received from our international partners increased by 48% from JM$13.4 million to JM$19.8 million."

J. 2023 OPERATIONAL REVIEW SUMMARY

In her presentation, General Manager Ms. Lydia Rose expressed gratitude for member participation and highlighted the organization's regained momentum and growth in 2023.

Membership Growth: JACAP welcomed 47 new members, increasing total membership to 4,023. Ms. Rose emphasized the importance of visibility for members' works and the organization's commitment to collection, distribution, and education to promote revenue generation.

Member Engagement and Support: She encouraged active participation in the Members' Forum and solicitation of specific workshop needs. Ms. Rose noted that 10% of overseas collections fund the Forum, reaffirming JACAP's mission to effectively support its members.

Financial Performance: Revenue collection exceeded pre-pandemic levels, with a significant 40% increase in domestic revenues, totaling $229 million in 2023. JACAP also benefited from reciprocal agreements with major societies for effective royalty collection. The general licenses pool now includes digital works, and JACAP is in discussions with WIPO regarding YouTube listings.

Royalty Distribution: A total of $101.1 million was distributed to members and affiliates, reflecting a 171% increase over the previous year. Ms. Rose urged members to report performances abroad for accurate international royalty collection.

Collection Sources and Trends: Revenue breakdown showed permits were the largest source at $103 million, followed by hotel and radio revenues. Ms. Rose cautioned about declining radio collections and encouraged a focus on live performances and digital platforms.

Technological Advancements: The introduction of AKI LMS licensing software aims to enhance operational efficiency and transparency in the licensing process. Collaboration with WIPO is ongoing to improve copyright management.

Legal and Legislative Challenges: Ms. Rose highlighted the need for legislative changes to protect artists' rights, referencing a recent court case loss. The partnership with the Jamaica Intellectual Property Office (JIPO) remains essential for legislative support.

Conclusion and Future Direction: Ms. Rose reaffirmed JACAP's commitment to advocating for members and encouraged enhanced communication within the organization. She assured members that the organization encourages their questions, suggestions, and solutions.

Operational Review 2023 Summary: *Q & A*

1. ***Caswell Dale (Q):*** Asked if collections were done via Facebook, and why he is being told that he's breaching copyright when trying to upload his music to Facebook?

GM (A): Usually, you must have a publisher to guide you on the uploading/usage of musical works on social media. Your uploads may trigger copyright notices due to algorithms used by platforms. Speak to your publisher to clarify permissions regarding the usage of your music on Facebook and Instagram. Consider attending a workshopfor more details on uploading your works.

2. ***Leonard McTaggart "Prophet T"*** **(Q)**: Suggested that a member should be able to visit the JACAP website and view his works. He mentioned that there was a fire at his house and is asking JACAP to provide him with physical copies of his works.

   The GM (A)**:** It was advised that physical copies of works are being stored by the National Library reserve. Soft copies are uploaded in MP3 format via BMAT, allowing individuals to retrieve their uploaded works from the platform. It was mentioned that there was a live BMAT demonstration at a previous AGM. The next Members' Forum will feature another session on BMAT. Members are also encouraged to visit the secretariat for any related or further queries.

3. ***Queen Pauline Williams "Queen Paulie"*** **(Q):** Is there an issue of collections from TikTok?

   The GM (A): TikTok currently has several legal problems that need to be resolved before collections can occur.

4. ***Frederick Brooks*** "Lieutenant Brooksie" **(*Q*):** Will there be a next JACAP Member's show, how is the selection done, and will performers be reimbursed? Can JACAP assist in producing a Christmas/Easter show for JACAP members?

   The GM (A): Yes, there will be another JACAP mini showcase. The PR committee will share performance forms with members, and those performing will be compensated for their expenses. However, the budget and resources for a complete major concert will need to be examined. The Board has asked JaRIA to include more JACAP members in the February celebrations next year. Nonetheless, members are encouraged to continually share their ideas and

suggestions at the Members Forum or send them directly to the Board for consideration regarding potential future showcases.

5. ***Everton Sutherland*** "Minister Real Warren" **(*Q*):** Will CD Baby send my works to Spotify, YouTube, and other distributors? Do I receive the same royalties through JACAP?

   The GM ***(A):*** Yes, JACAP has contracts with iTunes, Spotify, and YouTube, and will collect royalties from those platforms, but there may be thresholds for payments. Monitor your JACAP account via the new website for real-time updates on your royalties status.

6. ***Senior Prince*** **(Q): (a)**Will JACAP be able to take back the restaurants of Jamaica (KFC) to court given the anticipated amendment? **(b)**Also, with regards to the hundreds of thousands of works to be matched for YouTube, is AI being considered to assist in the matching process?

   The GM (A)**: (a)**KFC has stopped playing music in their establishments to avoid paying JACAP for the use of copyrighted music in Jamaica. **(b)** There are considerations to pursue AI to assist in the operations of the CMOs, including the matching of works.

K. THE AUDITOR'S REPORT

A summary of the independently audited financial statements of the Jamaica Association of Composers, Authors and Publishers Ltd. (JACAP) was presented by Ms. Caren Aaron, the BDO representative (Chartered Accountants).

The Auditor's Report: Q & A and Suggestions

1. ***Andy Jackson*** **(Q):** Could the financial statement be explained in an explanatory mode rather than read verbatim only?

   GM (A)**:** The GM indicated that the audited financial statements were broken down in the operational review presented earlier in the meeting.

2. ***Earl Greene*** **(Q):** Did the benefits or rewards of the lawsuits outweigh the overall costs of the legal fees incurred? Can the benefits be quantified or measured as short-term or long-term goals or achievements?

The GM (A)**:** The GM indicated that JACAP's legal fees constitute the bulk of the professional fees. These fees are essential for our ability to collect payments and to ensure that our name is well represented. We are focused on marketing and promotion, and any effort in these areas is important.

Also, CISAC, the regional regulating body, along with our membership, wants us to act against the respective agents who are shortchanging our members of their deserved royalties. I believe that, in the long term, these actions will be beneficial, even if the short-term rewards may not be easily quantifiable."

Approval of Audited Financial Statements

Membership approved the audited Financial Report by a majority vote.

Appointment of the Auditors (by Membership)

The membership voted to approve BDO (chartered accountants) as the auditors for the organization's financial statements for the upcoming financial year 2024/2025.

L. ELECTIONS TO THE BOARD OF DIRECTORS

1. ***Board Vacancies****:* 3 Publishers & 6Writer Members

The nomination forms submitted by each candidate vying for the Board are available on the JACAP website. These forms were read verbatim during the meeting when the nominees were introduced.

The Table Below Shows the Results of the Board Elections

No	Names of Nominees	Elected	Re-elected	Number of

				Votes
ELECTED PUBLISHER-MEMBERS				
1	**Augustus Clarke**		✓	Majority
2	**Pamella Hall**		✓	Majority
3	**Mrs. Paula Surtees**		✓	Majority
ELECTED WRITER-MEMBERS				
4	**Stephen Stewart**		✓	41
5	**Desmond Young**		✓	40
6	**Denis McKay**		✓	38
7	**Gavin Blair**		✓	32
8	**Andy Livingston**	✓		31
9	**Lubert Levy**		✓	21

M. ANY OTHER BUSINESS

1. E-Registry: I want to inform you that JACAP is always working in your interest, and part of that effort is to ensure wehave representatives on the Entertainment Advisory Board(EAB). JACAP currently has two representatives on the EAB: Mr. Gussie Clark and yours truly, Mrs. Paula Surtees, we were recently reappointed. Registration guidelines will be shared via email blasts and WhatsApp.

The following information was provided by the Ministry of Culture, Gender, Entertainment, and Sports (MCGES) regarding the National Registry of Entertainment and Creative Industries Practitioners (the E Registry):

"Registered practitioners in the entertainment, culture, and creative industries are the primary means by which individuals and companies can seek and receive benefits underthe Fiscal Incentives Act. The E Registry includes individuals from all creative sectors covered by the Act, including architects, arts and crafts, antiques, audio-visual production, film, culinary design, fashion, interactive media and animation, web and mobile, music, performing arts, and publishing.

- Registrants must be entertainment and creative industry practitioners or companies residing or operating in Jamaica to be eligible for various benefits, which include, but are not limited to:

- Duty-free access and waivers on equipment, musical instruments, and technical apparatus for music and film producers.

- Opportunities for funding, such as tour support and visa facilitation for artists and crew members through attestation from the Ministry.

- Access to the Jamaica Screen Development Initiative, which has made JMD 1 billion available for local filmmakers.

- Participation in the Jamaica Entertainers and Creative Practitioners Life Insurance Scheme and a health insurance scheme for all verified registrants.

- It is crucial for those who are not yet registered to do so because there are significant benefits associated with the registry."

For emphasis, please note that life insurance and health insurance will incur no cost to practitioners, meaning you won't have to pay anything.

In conclusion, Mrs. Surtees encouraged individuals who would like to know how to register to speak with her or visit the secretariat. She also noted that at the next Members' Forum, a representative from the Ministry will provide more details and assist with registration.

2. ***Earl Greene*** suggested that recording incoming and outgoing calls may help deter or minimize the verbal abuse staff, even if the calls are not actually recorded. In today's business culture, this practice could be essential."

3. ***Andi Green*** supported Mr. Green's Quality Assurance suggestion and its effectiveness. Also, she praised & emphasized the importance of the Public Service Announcements Committee in promoting JACAP's responsibilities and contributions to the local & international community.

   She called for greater public awareness to counter existing misconceptions about the organization's purpose and urged members to advocate for the respect and recognition of JACAP. Additionally, she requested that the organization explore new avenues of visibility beyond traditional social media platforms, recognizing that their audience extends beyond social media users.

4. ***Frederick Brooks*** "Lieutenant Brooksy" asked if he could renew his JACAP ID. He was told yes and that the process is facilitated by the Membership Officer.

5. ***Shernet Wilson,*** *a new* member, thanked Ms. Fairclough for her awareness of JACAP and its relevance to her as a gospel artist. She asked for assistance regarding the marketing of her brand. She was advised to seek counsel from a PR/marketing professional and not to miss the upcoming Members' Forum. The same discussion will be tabled at the next Member's Forum.

6. **Andy Jackson** asked why payments are necessary to the following entities: JAMMS, JACAP, the Fire Brigade, and the Parish Council (PC). The GM advised him that these payments are mandated by law. However, she clarified that live bands do not require a JAMMS license.

7. ***Jason Barett,*** He indicated that he took an ID photo over a year ago and has been waiting for it since then. He has followed up on several occasions, only to be informed that it is still not ready. He was advised to speak with the Membership Officer, Ms. Hewitt.

8. ***David Dunkley,*** *following* up on the previous AGM minutes, Mr. Dunkley asked about the possibility of a JACAP radio station to boost the airplay of local music.

9. ***"Jomo Fire"*** asked what steps were needed to create a JACAP radio station and how to incorporate it into the association's articles. The General Manager promised to review the Copyright Act and report her findings next year. She suggested that the members could establish the radio station themselves."

   Jomo Fire was also advised that the articles were available on JACAP's website. Members were encouraged to review the articles and share their thoughts with the secretariat and at the Members Forum. Additionally, Mr. Steve Golding stated that JACAP is part of a local and international community with reciprocal obligations; therefore, strict adherence is expected.

10. ***Mr. Denis McKay*** It was suggested that, instead of establishing a JACAP radio station, interested members could set up an internet radio station on their own accord. Thiswould allow for international broadcasting and provide anadditional avenue for 'pay to play.'

    This approach is more suitable and is less likely to conflict with the organization's mandate. It was affirmed that internet

radio has a JM locator, and some stations are currently licensed, which allows for potential income generation.

11. ***Deidre Hamilton*** mentioned that he possesses several works linked to various individuals and albums. He is seeking assistance in identifying these works and registering them with JACAP. The General Manager assured Mr. Hamilton that, while he is welcome to call, it would be preferable for him to visit the office to receive the necessary assistance.

N. CLOSING REMARKS

Mr. Stewart commended all attendees for their participation in the 24th Annual General Meeting of the Jamaica Association of Composers, Authors and Publishers Ltd. (JACAP).

O. ADJOURNMENT

A motion for the adjournment of the meeting was moved at 12:50 P.M. by Mr. Stephen Stewart; first confirmed by Andi Green-Browne and seconded by Mr. Errol Bailey.

The-After-AGM Show: Spotlight on Talent

We had an incredible lineup of talented individuals who performed at the after-AGM gathering held at the Pavilion, Terra Nova All-Suite Hotel. Their lyrics and performances were nothing short of amazing and spectacular! 🎤✨ They were:

- Rohan Tulloch
- Jomo Heron
- Christina Evans
- Pauline Williams
- Robert Squire
- Kaarel Johnson
- Jerome Butler
- Courtney Gardner
- Caswell Dale
- Deirtrich Hamilton
- Tafaeiva Morgan
- Garth Morgan
- Jabari Miller
- Angel Eyes