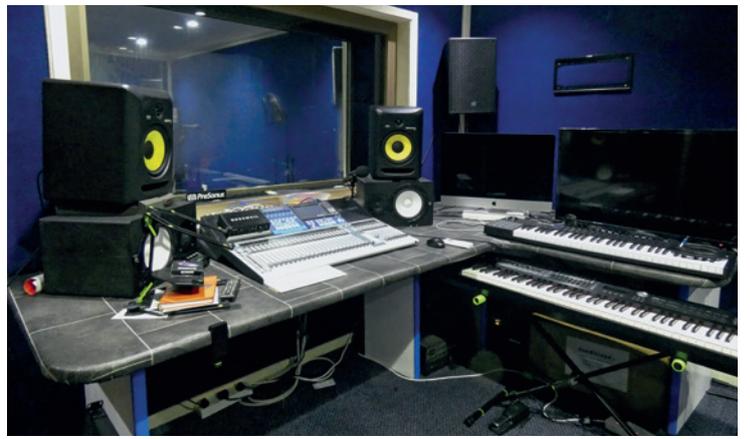
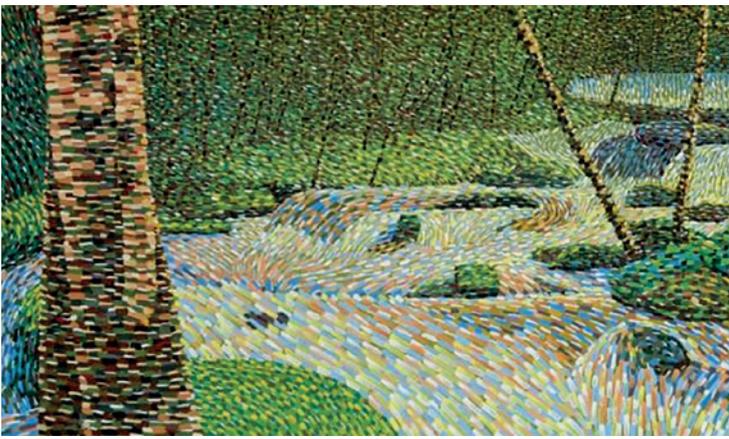


# The Economic Contribution of Copyright Industries in Ghana





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**REPUBLIC OF GHANA**

**COPYRIGHT OFFICE  
OFFICE OF THE ATTORNEY-GENERAL  
& MINISTRY OF JUSTICE**

The Swiss-Ghanaian Intellectual Property Project Phase II (SGIP II). A project financed by the State Secretariat for Economic Affairs



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## Acronyms

AGOA	African Growth and Opportunity Act
ARSOG	Audiovisual Rights Society of Ghana
CIF	Cost, Insurance and Freight
COTVET	Council for Technical and Vocational Education and Training
CPC	Central Product Classification
CPI	Consumer Price Index
CPP	Convention Peoples Party
FOB	Free On Board
GAPI	Ghana Association of Phonographic Industries
GBC	Ghana Broadcasting Corporation
GFIC	Ghana Film Industry Corporation
Gh¢	Ghanaian Cedis – the local currency
GHAMRO	Ghana Music Rights Organisation
GRA	Ghana Revenue Authority
GSS	Ghana Statistical Service
HS	Harmonised System
IP	Intellectual property
IPI	Swiss Federal Institute of Intellectual Property
ISIC	International Standard Industrial Classification
JHS	Junior High School
KNUST	Kwame Nkrumah University of Science and Technology
MUSIGA	Musicians Union of Ghana
NAFTI	National Film and Television Institute
NCA	National Communications Authority
NMC	National Media Commission
PNDC	Provisional National Defence Council
PPI	Producer Price Index
SDG	Sustainable Development Goals
SHS	Senior High School
SNA	System of National Accounts
SPA	School of Performing Arts
VHS	Video Home System
WIPO	World Intellectual Property Organization



## Executive Summary

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The interest in quantifying the contribution of copyright and related rights-based industries to national economies is spreading globally. Literature suggests that substantial parts of today's economies are associated with creative activities that rely on sound and well-designed copyright laws (UNESCO, 1992; Howkins, 2001; WIPO, 2014). Studies in this field seek to highlight creativity and innovation as growth factors and to facilitate discussions on the role of copyright in development as a factor to be considered in economic policy decision-making. This is a departure from the previous treatment of copyright issues mostly from a regulatory standpoint, which did not link it explicitly to economic policy.

This study was requested by the Ghana Copyright Office as part of the Swiss-Ghanaian Intellectual Property Project Phase II (SGIP II). The main objective of the study is to provide empirical evidence on the contribution of copyright and related rights-based industries to the economic performance of Ghana. The policy-oriented analysis of this study thus represents an initial contribution to developing a better understanding of the key issues underlying the copyright economy and its development dimensions in Ghana. The results of the study, therefore, provide data and the economic rationale for evidence-based policy-making in the field of copyright protection and enforcement.

This study relied mainly on data from the 2013 Integrated Business and Establishment Survey (IBES) conducted by the Ghana Statistical Service (GSS) to arrive at the baseline estimates. This was supplemented with secondary data obtained from various government departments and financial statements of other relevant institutions. The institutions that provided data for the study include the Ghana Revenue Authority (GRA), Ghana Music Rights Organisation (GHAMRO), Reprographic Rights Organisation (CopyGhana), and several published reports from the Bank of Ghana and the GSS. This study covers the period from 2013 to 2016.

This study followed the methodology of the World Intellectual Property Organization's (WIPO) 2015 Revised "Guide on Surveying the Economic Contribution of the Copyright Industries". The WIPO methodology distinguishes between 4 different groups of copyright industries based on their level of dependence on copyright material – namely "core", "interdependent", "partial" and "non-dedicated support" industries.

The results of the study confirm the importance of copyright industries for the overall economic performance of the country. The contribution of copyright-based industries to the economy continued to grow over the study period, increasing from a share of 3.07 percent of GDP in 2013 to 4.02 percent in 2016. The largest increase in GDP was recorded between 2014 and 2015 with a change of 0.77 percentage points. Compared to other sectors of the economy, the copyright sector's share in GDP was higher than 10 of the 22 sectors of the economy in 2013 and 2014. In 2015 and 2016, the copyright sector was the eighth largest contributor to the GDP.

Among the four different copyright industry groups, the core copyright industry group (i.e. industries whose business is fully based on copyright-related activities) accounted for the largest contribution to GDP. Its share of GDP ranged from 1.44 percent in 2013 to 2.48 percent in 2016. The interdependent copyright-based industries made the second largest contribution to GDP, with an average of 0.84 percent over the period. The non-dedicated copyright industries contributed an average of 0.48 percent, while the partial copyright-based industries contributed the lowest percentage (0.29%).

Industries in the press and literature category made the largest contribution to the core copyright industry group's value added, with contributions between 71 and 83 percent over the study period. This finding is consistent with the results of most of the similar studies conducted in other countries. Other core copyright industries, whose average contributions ranged between 5 and 10 percent of the group's value added, are radio and television broadcasting, advertising, and software and databases. Advertising and software development have been the fastest-growing industries.

The manufacture of paper was the largest contributor of the interdependent copyright-based industries, with a share of between 67 and 80 percent of the group's value added over the four-year study period. Within the partial industry group, the manufacture and sale of jewellery contributed an average of 80 percent, obviously the largest contribution of the group. General transportation dominated in the non-dedicated industry group.

In terms of employment, the copyright sector accounted for 2.98 percent of the national workforce in 2013. The sector's importance in terms of job creation increased over the study period, employing 4.77 percent of the national workforce in 2016. The core copyright industry group was the largest employer of the four copyright groups, employing 1.55 percent of the country's total workforce in 2013, with consistent growth up to 2.48 percent in 2016. Labour productivity was found to be higher in the copyright-based industries than the average for the economy. Thus, the empirical evidence robustly demonstrates the copyright sector's potential in terms of its contribution to employment, poverty reduction and the economy as a whole.

The importation of copyright goods was significant, averaging 2.61 percent of total imports over the four-year study period. The percentage export share of copyright goods averaged 0.61 percent, far below the import share. Trade deficits were recorded for all years for copyrighted products. Jewellery, however, recorded large trade surpluses.

Evidence from the study shows that creative industries are essential for the growth of a modern economy. The sector is not homogeneous, but is spread across industries with differing scales – from independent professionals to small businesses to large studios. This means there is no one-size-fits-all model for supporting industry participants. Therefore, policy interventions—most importantly those that aim to nurture creative talent and encourage the development of IP—need to be carefully targeted to help individual artists and creative companies of all sizes to succeed. Thus, government needs to become more strategic by targeting interventions that increase the supply and sustainability of creative talent, that encourage demand for and development of local IP, and that foster a more efficient and robust creative ecosystem.

An active copyright sector is necessary to generate investment opportunities which will result in a higher employment rate and increased levels of income and will further lead to poverty alleviation. The overall policy goal must be to retain existing copyright sector employees, improve job security and income of those already in the sector, and address barriers to entry and growth to create room for new entrants and employment expansion. The advantages of greater formalisation should be considered, including the benefits of investment for building up skill capital and knowledge of the formal aspects of the music business. Thus, policy must enable and support enterprises and workers in the copyright sector.

Improving the quality of data obtainable for studies such as this one is very important. Having recognised the interconnectivity of the copyright sector with other sectors of the economy, there is a need to strengthen the evidence base through rigorous data collection as a fundamental upstream investment in any coherent creative economy development policy. Comprehensive data on the sector provides a blueprint for analysing the critical success factors that contribute to the continuous growth of the sector. It is recommended that the GSS should include satellite accounts for the copyright sector and other growing sectors such as tourism in the national accounts compilation. The GSS should also lead in harmonising all classification systems used by the different public institutions to overcome the challenges of misclassification encountered during this study.

In conclusion, the total development and sustainability of the creative sector can be enhanced through stimulation by the government (judicial effectiveness, trade freedom, good financial system etc.), the legal system (property rights and well-established copyrights practices with the necessary enforcements) and the business environment (infrastructure facilities for creators, tax exemptions and subsidies for start-ups in the creative sector).

# 1. INTRODUCTION TO THE STUDY

## 1.1 Introduction

The role of creativity and innovation in the economic, social, and cultural development of countries has been recognised globally. Literature suggests that a substantial part of today's economies is associated with creative activities that rely on sound and well-designed copyright laws (UNESCO, 1992; Howkins, 2001; WIPO, 2014). This recognition has created a high demand for information and evidence for decision-making. Thus, the interest in estimating the contribution of copyright and related rights-based industries to the national economies is spreading globally. Studies in this field seek to highlight creativity and innovation as growth factors and to facilitate discussions on the role of copyright in development as a factor to be considered in economic policy decision-making. This is a departure from the previous treatment of copyright issues mostly from a regulatory standpoint, which did not link it explicitly to economic policy.

A number of activities have been undertaken by the World Intellectual Property Organization (WIPO) to support countries in undertaking studies on the economic performance of their copyright industries and on establishing the impact that copyright has had on these countries. The assistance has been in the form of funding of the studies, methodological advice and guidance in undertaking the studies, training, policy development, and research on the economics of copyright. As of the end of 2018, over 50 countries worldwide had undertaken such studies. The results of these studies have clearly shown the direct and indirect economic contributions of copyright and related rights-based industries.

Among the countries that have successfully carried out the studies, five are from Africa, namely, Kenya (2011), South Africa (2012), Malawi (2013), Tanzania (2013), and Ethiopia (2014). The studies in these countries showed that the copyright industries' contribution accounted for a significant proportion of the GDP, ranging from 3.46 percent in Malawi to 5.32 percent in Kenya. In respect of employment, the copyright industries provided employment to between 3.26 and 5.0 percent of the labour force of these countries.

This study was requested by the Ghana Copyright Office as part of the four-year Swiss-Ghanaian Intellectual Property Project (SGIP) implemented by the Swiss Federal Institute of Intellectual Property (IPI). The purpose of the study is to provide empirical evidence of the contribution of copyright and related rights-based industries to the economic performance of Ghana. The policy-oriented analysis of this study will thus represent an initial contribution to developing a better understanding of the key issues underlying the copyright economy and its development dimensions. The results of the study will therefore provide the economic rationale for sound and appropriate protection and enforcement of copyright and related rights in Ghana.

The study uses the WIPO definition of copyright industries, which groups these industries into four main categories based on the extent of their reliance on copyright activities. According to the definition, copyright industries are industries that make use of copyright and related rights protection. These are industries, that are engaged in the creation, production and manufacturing, performance, broadcast, communication and exhibition, or distribution and sales of works and other protected subjects.

## 1.2 Objectives of the study

The overall objective of the study is to assess the economic impact of the copyright sector on Ghana's economy. The specific objectives are as follows:

1. Identify and quantify the economic contribution of copyright and related rights-based industries in Ghana by estimating their value added to GDP, share of national employment and revenue generated from foreign trade;
2. Analyse and elaborate on selected copyright and related rights-based industries of importance to Ghana— their national market structure, value chain, supply and demand patterns, labour market, policy framework, the role of collective management organisations and other copyright-related organisations; and

3. Propose policy, strategy and institutional interventions for encouraging the growth and development of copyright and related rights-based industries in the country.

### 1.3 Scope of the study

The cross-cutting nature of copyright industries makes it possible to estimate its contribution to the national economy by using the satellite account methodology in the national accounts. Satellite accounts are supplementary to the core national accounts system. The idea of a satellite account was conceived in the System of National Accounts (SNA) in 1993 to expand the core national accounts for selected areas of interest, while using relevant concepts and structures from the core national accounts. To simplify the steps that need to be undertaken in surveying copyright industries using the satellite account methodology, the 2015 WIPO Guide has detailed the scope of the study, and a step-by-step guide to achieve the objectives outlined in section 1.2.

In the current study,

1. the first step in ensuring that all in-scope industries were covered was the identification of all copyright and related rights-based industries to be studied, using Annex I of the Guide as reference. The cross-cutting nature of the copyright and related rights-based industries has led to their categorisation into core, interdependent, partial and non-dedicated copyright industries.
2. The second step was the collection of data, mainly from secondary sources. These were supplemented by data collected using questionnaires to fill data gaps, extrapolation, interpolation and projections.
3. The third step was the compilation of data by industry class as defined in the 2015 WIPO Guide, and disaggregating them to the required level of detail.
4. The final step was the measurement and calculation of the contribution of the copyright and related rights-based industries studied to the national output, employment and foreign trade, using a selected approach provided in the Guide.

### 1.4 Motivation for the study

Ghana has a diverse arts and cultural heritage resulting from the multi-ethnic composition of its society. The country can boast of many craftsmen, creators and inventors who produce goods and services which are unique to the Ghanaian society. Most of these creations are released for public consumption without any copyright protection and are subject to indiscriminate copying. However, cultural and creative industries have increasingly been integrated into the policy agenda of the country, and a government ministry has been created to promote and sustain them.

Ghana has signed most of the international Agreements, Treaties and Protocols related to intellectual property rights. This includes the Convention Establishing the WIPO, The Berne Convention for the Protection of Literary and Artistic Works, and the WIPO Copyright Treaty. Ghana is also a member of the WIPO Performances and Phonograms Treaty (WPPT), the Beijing and the Marrakesh Treaties. Locally, a number of intellectual property laws have been enacted. The Government developed the first National Intellectual Property Policy and Strategy (NIPPS) in 2016 to strengthen the management of the IP system in Ghana and encourage innovation and creativity within the system. All these efforts show that Ghana recognises the protection of creators and inventors.

The fact that a study on the economic contribution of copyright industries had never been undertaken in Ghana makes it difficult to realise the fundamental role of copyright in value creation. Knowing the contribution of the copyright and related rights-based industries to the economy will therefore give the necessary evidence to policymakers to foster collaboration between the regulatory authorities, private sector, and consumers to help protect intellectual property rights.

## 1.5 Arrangement of the sections

There are seven chapters in this report. The first chapter introduces the objectives, scope and justification. Chapter 2 takes a look at Ghana's people, culture and arts, the economy, and the impact of economic changes on the supply and demand of creative arts goods and services. The chapter is intended to show the economic, social, and political importance of copyright policy. Chapter 3 gives an overview of intellectual property rights and their enforcement in Ghana. The evolution of intellectual property laws is narrated under this section as well as a brief discussion of the different copyright and related rights laws. Chapter 4 describes the approach and methodology used in the estimation of the economic contribution of copyright and related rights-based industries. Sources of data, technical issues, challenges faced and limitations of the study are among the contents of this chapter. Chapter 5 is a presentation of the analysis and findings, while chapter 6 discusses how the copyright law is being enforced by the state and the ways in which the collective management organisations are protecting the intellectual property rights of their members. Chapter 7 discusses the developments in the creative sector and challenges that confront some of the core copyright industries. Finally, Chapter 8 provides the conclusions and recommendations.

## 2. GHANA IN PERSPECTIVE – THE PEOPLE, ARTS AND CULTURE, AND ECONOMY

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### 2.1 The people

The history of present day Ghana shows that the area has been inhabited by different ethnic groups at different times. This glorious history gives evidence to some impressive milestones in the evolution of the arts and culture of the country. The post-independence population census of 1960 placed emphasis on the ethnic and cultural composition of the population, and recorded about 100 linguistic and cultural groups. Later censuses, however, put less emphasis on ethnic and cultural composition, thus focusing on the total number of people and their demographic and economic characteristics.

The 2010 Population and Housing Census recorded eight major ethnic groups in Ghana, namely, Akan, Ga-Dangme, Gurma, Guan, Ewe, Mole-Dagbon, Grusi, and Mande. Akan is the largest ethnic group with a share of 47.5 percent of the population. These main ethnic groups have subgroups that possess a similar history, origin, cultural tradition, and verbal language. However, no part of the country is ethnically homogeneous, with the urban localities being the most ethnically mixed because of migration to towns and cities by people in search of employment. Although many facets of the Ghanaian culture vary between ethnic groups, as Thomas (2018) puts it, the overall unification of the culture is perhaps one of the reasons why Ghana has enjoyed a stable and peaceful political climate in the post-colonial era.

### 2.2 Arts and culture

The arts and culture of Ghana represents the rich heritage of the country. The harmonious coexistence between different ethnic groups has generated cultural assimilation, producing a blend of different cultures in some cases. However, people move from wherever they are in the country to participate in festivals and other traditional gatherings of their roots.

Three distinct types of music can be identified in the country. The first is the ethnic or traditional music. This type of music is normally played during festivals and at funerals using purely traditional instruments. The second is highlife, a music genre that originated in Ghana early in the 20th century. It uses the melodic and main rhythmic structures of traditional Akan music, but is played with Western instruments. The third is choral music, which is performed in concert halls, churches, schools, and colleges. A new generation highlife known as hiplife has emerged. Hiplife is a Ghanaian musical style that fuses Ghanaian culture and a broad range of musical styles. Hiplife is predominantly recorded in the Akan language and is known to be gaining popularity beyond the borders of Ghana.

Ethnic groups also have their own traditional dances, which are performed for different occasions such as funerals, festivals and marriage ceremonies. Some of the dances have meanings and the dancer can communicate to the audience through gestures of the hands and legs. The dances are so unique to the tribes that it is easy to identify a person's tribe by the type of dance.

Each ethnic group specialises in particular artworks. The Akan, for instance, are noted for their hands-on experience in several forms of craftwork such as weaving, wood-carving, ceramics, metallurgy and pottery-making. The manufacturing of many Akan crafts is restricted to male specialists. Pottery making is the only craft that is primarily a female activity. Bead making is associated with the Ga-Dangme ethnic group and is also a female activity.

The use of symbols is an integral part of human society. In Ghana, Adinkra symbols are among the most widely used. The Adinkra symbols are of philosophical significance, representing the cultural expressions and values of the Akan ethnic group. Originally, the symbols were printed on the cloths of the Ashanti royals who wore them to important ceremonies. Because the symbols have meanings, the type of symbol used on a cloth depends very much on the type of ceremony. The symbols have assumed global significance, and can now

be found on artefacts such as furniture, sculpture, carvings, rings, bracelets and clothing. Picture 1(a) shows selected Adinkra symbols and their meanings.

An account of Ghana's history cannot be complete without talking about the goldsmithing craft. Ghana's handcrafted gold jewellery are moulded in the form of unique cultural symbols, especially in traditional Adinkra and contemporary designs that embody the Ghanaian personality. The success of the goldsmithing craft would not have been possible without the patronage of the noble and wealthy Asante Kings, who resourced the skilled goldsmiths, which enabled them to produce ornaments for the elite and their officials and to use as state regalia.

**Figure 2-1: Some arts and crafts in Ghana**

 think ahead	 welcome	 good living	 learn from your mistakes	 two heads are better than one	 truth
 hand come, hand go	 congratulations	 wisdom/knowledge	 good-bye	 have courage	 I salute you
 strength	 faithfulness	 enjoy yourself	 royalty	 good fortune	 performing the unusual/impossible
 give me your heart	 forgiveness	 faith	 I shall meet you again	 hope	 love eye
 two good friends	 you have changed	 house of peace	 the king sees all	 understanding	 drum
					 peace

(a) Adinkra symbols and their meanings

Figure 2-1 (continued)



(b) Kente



(c) Jewelry and gold art



(d) Beads



(e) Artwork



(f) Gold Art



(g) Woodcarving

There are also textiles and apparel that are unique and portray the true cultural identity of Ghana. The most popular among them are Kente and Batakari. Ghanaian Kente is the most famous and the most celebrated of all the textiles used in Ghana. Kente cloth is well-known for its complex patterns of bright and lively colours and quality. Like the Adinkra, Kente designs are symbolic and have been handed over through the ages. New creative designs are being made and the creators give names to these emerging designs. The Kente and Batakari weaving business is done on an individual and informal level, making protection of intellectual property rights difficult to enforce. Samples of Kente designs are shown in Picture 1(b).

In traditional Ghanaian culture, carved wooden stools occupy an important place in chieftaincy and in individual homes. In the southern and middle parts of Ghana, a chief's highest symbol of office is the stool. Stools are also given as gifts for certain special occasions. The creativity of the artist/carver is shown in the design of a wide range of symbols each with a meaning, between the base and the seat of the stool (Picture 1(g)).

Source (a): Ministry of Tourism, Arts & Culture Ghana

Source (b-d,f): courtesy of Ghana Union of Professional Photographers

Source (g): courtesy of Affum Handicraft

Source (e): courtesy of Betty Acquah

## 2.3 The economy

Ghana's economy after independence has gone through different periods of turbulence. The economy suffered a lot due to political instability. During the period between 1969 and the early 1980s, the country could be described as a "troubled economy". By the early 1980s, the economy was in total distress. Per capita gross domestic product (GDP) exhibited negative growth, averaging 3.2 percent annually between 1970 and 1981. Prices soared due to shortages of essential goods, with annual inflation averaging a rate of over 50 percent between 1976 and 1981. Inflation hit 116.5 percent in 1981. Real minimum wages dropped from an index of 75 in 1975 to 15.4 in 1981. Productivity, the standard of living, and the government's resources plummeted dramatically. The Bretton Woods institutions had to step in in the early 1980s to save the country from further deterioration.

The macroeconomic policies pursued under the economic recovery programme initiated by the IMF/World Bank in the 1980s (market liberalisation, reforms in the banking sector, private sector competitiveness, improvement in public sector management, regulatory reforms etc.) to rescue the country from the economic downturn created in the 1970s, continued under different successive governments under democratic rule. Policies and strategies were also geared towards bridging the significant gap that existed in the access to and utilisation of basic services by the poor. Some of the pro-poor policies include gender equality, increased access to education and health, extension of electricity to rural areas, and increased financial inclusion. Infrastructure development was stepped-up to ensure location equity and quality.

All these interventions led to rapid economic growth and, by 2007, the country had achieved a lower middle-income status. Average annual growth of GDP between 2006 and 2016 was 6.5 percent. Correspondingly, there has been growth in per capita income. In the local currency, per capita GDP increased from GH¢1,126.43 in 2006 to GH¢8,863.0 in 2016. In US dollar terms, per capita GDP increased from US\$929.23 in 2006 to US\$2,034.50 in 2016.

The growth of the economy had an impact on the poverty rate. Poverty incidence reduced by more than half from 51.2 percent in 1992 to 23.4 percent in 2017. The reduction in poverty occurred in both rural and urban localities. Disposable incomes increased and expenditure patterns changed. For instance, household expenditure on recreation, entertainment and culture increased from 1.5 percent in 1999 to 2.5 percent in 2013.

Ownership of household electronics recorded great increases both in urban and rural localities. In the urban localities, ownership of TV sets by households was 40 percent in 1999. This increased to 75 percent by 2013. Household ownership of mobile phones was negligible in 1999 but by 2013, 70 percent of households owned mobile phones. In 2013, 18 percent of urban households owned computers, compared to 4 percent in 2006. Household ownership of radios gave a different picture, as there was an increase in the proportion in 2006 compared to 1999 but a decline in 2013. One possible reason for the decline in household ownership of radio sets is the fact that most mobile phones have radio receivers built into them, therefore reducing the need for a radio set.

The supply response to the increasing demand for recreational and cultural goods and services has been remarkable. As of September 30 2017, the number of FM broadcasting stations operating in the country was 367, compared to just one in 1990. A total of 53 TV operators out of the 128 authorised operators were operational at the end of September 2017. This compares to one TV station in 1990.

The supply response to the demand for copyright-related goods and services generated employment. The competition created by the copyright industries also increased the demand for quality labour. The quality of human resource is dependent on its skills, creative abilities, training, and education. Consequently, there was a rise in enrolment in courses like journalism, film-making, fashion design, graphic design, photography, performing arts, computer programming and software development etc. and newly established private universities offered their support to the public institutions in this direction. Job openings have also been created for repairers of electronic goods like TV, radio sets, computers etc.

It has been shown clearly in the above analysis that growth of the cultural and creative sector can have both direct and indirect impacts on the economy as a whole. Therefore, a broader assessment of the economic impact of copyright and related-rights based industries is key to providing a fuller picture of the real impact of the copyright sector.

## 3. OVERVIEW OF THE COPYRIGHT LAW OF GHANA

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### 3.1 Ghana's experience with copyright legislation

Copyright is the part of Intellectual Property (IP) law, which grants legal protection to authors or creators of literary and artistic works such as books, music, paintings, films, computer software, sculpture, etc.

The first copyright legislation in Ghana was the Copyright Ordinance of 1914 (Cap 126). This law, which was a replica of the British Copyright Act of 1911 was repealed in 1961 and replaced by the Copyright Act, 1961 (Act 85). Act 85 was also repealed by the Copyright Law of 1985, Provisional National Defence Council Law (PNDC Law 110). PNDC Law 110 was considered as a landmark piece of legislation because it generally conformed to the standards of the Berne Convention for the Protection of Literary and Artistic Works and also contained other significant provisions such as the provision for the establishment of a collective administration society and the Copyright Office, an office responsible for the administration of copyright in Ghana.

Although PNDC Law 110 was considered an important milestone in Ghana's copyright legislative experience, it soon proved inadequate in the face of the rapid technological developments of the 1990s and the international copyright treaties concluded after 1985, i.e. the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) (1994), the WIPO Copyright Treaty (WCT) (1996) and the WIPO Performances and Phonograms Treaty (WPPT) (1996). Ghana as a developing country was also obliged under the TRIPS Agreement to amend its copyright legislation to be TRIPS compliant by the year 2000. The Copyright Act, 2005 (Act 690) was enacted in 2005 to address the inadequacies of PNDC Law 110.

The law governing copyright in Ghana is the Copyright Act, 2005 (Act 690) as amended and its implementing regulations, Copyright Regulations, 2010 (L.I. 1962).

Act 690, to a large extent conforms to the TRIPS Agreement, the WCT and the WPPT.

There is also other useful legislation, which complements the Copyright Act, 2005 (Act 690) in the administration of copyright in Ghana. These are the High Court Civil Procedure Rules, 2004 (C.I. 47) which provide specialized rules for the enforcement of intellectual property rights (IPR) and the Electronic Transactions Act, 2008 (Act 772).

It is worth noting that the Copyright Act, 2005 (Act 690) contains a number of enhanced legislative provisions and some 'novel' institutions, which aim to make the administration of copyright more effective. These include:

1. Enhanced economic rights for copyright owners
2. Enhanced rights of performers
3. Broadened scope of works eligible for copyright protection
4. Enhanced penalty for copyright infringement
5. Liberalised collective management system
6. Institutionalised levy on devices used for copying copyright protected works
7. Establishment of the Copyright Monitoring Team
8. Establishment of the Copyright Tribunal to adjudicate in disputes relating to royalties
9. Expanded provisions for protection, use and administration of folklore
10. Voluntary registration of copyright

## 3.2 The Copyright Act of 2005 (Act 690)

### 3.2.1 *Subject matter of copyright protection*

Act 690 expanded the scope of copyright protection as compared to what could be obtained under PNDC Law 110.

The works eligible for copyright protection under Section 1 of Act 690 are as follows:

1. Literary work (e.g. novels, textbooks, stories, poetical works, stage directions, film scenarios, encyclopedias, dictionaries, databases, essays, histories, etc.)
2. Artistic work (e.g. painting, architectural design, etching, lithograph, engraving, maps, fashion and wood design, sculpture, etc.)
3. Musical work
4. Sound recording
5. Audiovisual work
6. Choreographic work
7. Derivative work, and
8. Computer software or programs

An author, co-author or joint author of any of the above-mentioned works is entitled to copyright protection as stipulated in the law.

An author within the context of the law is a natural person whose intellectual activity leads to the creation of a work.

Although copyright protection is automatically acquired from the time a work is created, the work must satisfy the following conditions in order to enjoy the copyright protection:

1. It must be original in character (i.e. must be a product of the independent effort of the author).
2. It must be fixed in any definite medium of expression.
  - (a) It must be created by a citizen of Ghana or a person who is ordinarily resident in the Republic,
  - (b) It must be first published in Ghana and, in the case of a work first published outside Ghana, it must be subsequently published in the Republic within thirty days of its publication outside Ghana, OR
  - (c) It must be a work in respect of which Ghana has an obligation under an international treaty to grant protection.

Ghana is party to the following international treaties and is therefore obliged to grant protection to the works of authors from other Contracting Parties.

**Table 3-1: Treaties/Conventions Ghana has signed**

S/N	Treaty/Convention	Date of Accession / Ratification by Ghana	Date of Entry into Force
1	Berne Convention for the Protection of Literary and Artistic Works (1971)	Accession: July 11, 1991	October 11, 1991
2	Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) (1994)	-	December 31, 1994
3	WIPO Copyright Treaty (WCT) (1996)	Ratification: August 18, 2006	November 18, 2006
4	WIPO Performances and Phonograms Treaty (WPPT) (1996)	Ratification: November 16, 2012	February 16, 2013
5	The Marrakesh Treaty to Facilitate Access to Published Works for Persons Who are Blind, Visually Impaired or Otherwise Print Disabled	Ratification: May 11, 2018	August 11, 2018

### 3.2.2 Economic rights of authors

'Economic right' is a legal right, which empowers the author or the creator of a work to monetize their creativity.

Section 5 of Act 690 gives an author the exclusive right to authorize or prohibit any of the following acts in relation to the work:

1. The reproduction of the work in any manner or form.
2. The translation, adaptation, arrangement or any other transformation of the work.
3. The public performance, broadcasting and communication of the work to the public.
4. The distribution to the public of originals or copies of the work by way of first sale or other first transfer of ownership, and
5. The commercial rental to the public of originals or copies of the work.

### 3.2.3 Moral rights of authors

Act 690 also confers moral rights on authors. 'Moral right' is a legal term which describes the perpetual bond between a copyright protected work and its author/creator. It is therefore granted to natural persons and exists in perpetuity. It cannot be waived even if the author assigns or transfers all his economic rights in the work.

The moral rights granted under Act 690 are:

1. The right to claim authorship of the work and to be named as the author
2. The right to object and seek relief in case of any distortion, mutilation or modification of the work, where that act would be prejudicial to the reputation of the author.

### 3.2.4 Related rights

Related rights or neighbouring rights refer to the legal protection accorded to certain individuals or legal entities who contribute to the dissemination of a work by making it available to the public. The term of protection for related rights is however limited.

The three (3) main beneficiaries of related rights are:

1. Performers
2. Producers of sound recordings or phonograms, and
3. Broadcasting organizations

The Copyright Act, 2005 (Act 690) grants performers rights in their performances, producers of phonograms rights in their phonograms and broadcasting organizations rights in their broadcasts.

### **3.2.5 *Transfer of copyright***

An author or a copyright owner can transfer all or part of his economic rights in a work to another person or entity. Under the law, such a transfer must be done through a written contract and the person or entity who acquires the rights becomes the holder of the rights.

Under Section 9 of Act 690, copyright can be transferred by assignment (sale), testamentary disposition or by operation of the law.

Copyright owners can also grant licences to other persons to use their works for a specific period of time after which the rights revert to the copyright owner.

### **3.2.6 *Duration of copyright***

The economic rights of an author are protected during the life of the author and 70 years following his/her death.

In the case of corporate bodies, sound recordings and audiovisual works, the term of protection is 70 years.

### **3.2.7 *Permitted uses of copyright***

Sections 19 to 23 of Act 690 provide for exceptions to the exclusive rights conferred on copyright owners. Thus, under specified conditions, copyright works can be used without the consent of the author or rightsholder as the case may be. The permitted uses include use of the work for private and personal purposes, teaching & research and current news reporting. In the case of computer programs, a single copy of the program can be reproduced as a backup; likewise, libraries and archives can make a single copy of a protected work (book) for backup. However, a whole book or a substantial part of a book cannot be reproduced for any private or personal purpose.

### **3.2.8 *Enforcement of copyright and related rights***

Civil remedies and criminal sanctions are available under the Copyright Act, 2005 (Act 690) to deal with copyright infringement.

A person whose rights are infringed can apply to the High Court for an injunction to prevent the infringement and can also recover damages for the losses suffered as a result of the infringement.

Section 42 of the Copyright Act, 2005 (Act 690) sets out the various copyright offences. The penalty for a copyright offence ranges between a fine of five hundred penalty units and one thousand penalty units; a term of imprisonment of not more than three years; or both.

The law also provides for an alternative dispute resolution mechanism where parties to a copyright dispute can apply to the Copyright Office for a mediation.

### **3.2.9 *The copyright monitoring team***

The Copyright Monitoring Team was established to assist the Copyright Office in its enforcement activities. The team comprises two officers of the Copyright Office, a number of police officers and five representatives of copyright owner organizations. The team, since its inception has assisted the Copyright Office in its anti-piracy exercises as well as educational copyright campaigns.

### **3.2.10 *Collective management of rights***

The first collective management organisation to be set up in Ghana was the Copyright Society of Ghana (COSGA). It was established in 1986 in accordance with Section 42 of PNDC Law 110. In 1992, the Copyright

Society of Ghana (COSGA) Regulations (L.I. 1527) were passed to regulate the activities of COSGA. COSGA was supposed to be a multi-disciplinary collecting society, administering the rights of all copyright owners. However, COSGA ended up administering the rights of only music rightsholders.

The Copyright Act, 2005 (Act 690) liberalised the formation of collective management organisations. At the moment, there are three (3) collective management organisations in Ghana namely:

1. The Audiovisual Rights Society of Ghana (ARSOG)
2. CopyGhana (Reprographic Rights Organization) and
3. The Ghana Music Rights Organization (GHAMRO)

The mandate and activities of these organisations are discussed in chapter 6 of the study.

### ***3.2.11 Voluntary registration of copyright***

Act 690 provides for the voluntary registration of copyright. The purposes of the registration as stipulated under Section 39 of Act 690 are:

1. To maintain a record of works
2. To publicise the rights of the owners and
3. To give evidence of the ownership and authentication of intellectual property.

On average, 940 works are registered annually.

The copyright system is very dynamic. The rapid advancement in technology makes it imperative for copyright legislations to be updated on regular basis. Although Ghana has a relatively good copyright legislation, complying with minimum international standards in copyright, there is the need to review it in order to keep pace with the ever-changing developments in copyright. In this regard, the Copyright Office is in the process of reviewing the copyright legislation of Ghana.

## 4. APPROACH AND METHODOLOGY

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The cross-cutting nature of the copyright sector implies that measuring the economic contribution of a copyright product should involve studying the activities resulting from the multiple effects of copyright on the economy: on creators, rightsholders, distributors, users, equipment manufacturers, advertisers, etc. To ensure that the study is as comprehensive as possible, it is necessary to try to identify and incorporate all relevant economic values related to works and other protected subject matter, which are within the production boundaries of the SNA.

### 4.1 Identification and classification of the copyright industries and products

The highly diversified nature of the creative markets leads to substantial differences within the various industries and kinds of copyright activity to be studied. The 2015 WIPO Guide defines and categorises the different industries to be studied as follows:

1. The **core copyright industries** are industries, which are wholly engaged in the creation, production and manufacture, performance, broadcasting, communication and exhibition, or distribution and sale of works and other protected subject matter.
2. **Interdependent copyright industries** are industries which are engaged in the production, manufacture and sale, and renting or leasing of equipment. Their function is wholly or primarily to facilitate the creation, production, or use of works and other protected subject matter.
3. The **partial copyright industries** are industries in which a portion of the activities is related to works and other protected subject matter and may involve creation, production and manufacture, performance, broadcasting, communication and exhibition, and distribution and sales.
4. **Non-dedicated support industries** are those in which a portion of the activities is related to facilitating broadcast communication and the distribution or sale of works and other protected subject matter whose activities have not been included in the core copyright industries.

With these definitions and using the link between International Standard Industrial Classification (ISIC) Rev.4 and copyright industries codes provided in Annex IIA of the 2015 WIPO Guide, the identified industries in Ghana's business register were grouped to match the WIPO groups, divisions, and sections in much the same way as in the SNA. Ghana has not adopted its own customised coding of economic activities; therefore, the classifications used in the economic census is coterminous with the classifications in the 2015 WIPO Guide. The classifications and corresponding number of establishments is presented in Table 4-1. The information used for the study covered a total of 442,520 establishments.

**Table 4-1: Industries classified by type of copyright group and number of establishments**

ECONOMIC ACTIVITIES	ISIC 4 CODES	DESCRIPTION	NO. OF ESTAB.
<b>CORE COPYRIGHT INDUSTRIES</b>			
Authors, writers, and translators	9000	Creative, arts, and entertainment activities +++	438
	7490	Other professional, scientific, and technical activities n.e.c. (inc. translation and interpretation activities)	177
	8299	Other business support service activities n.e.c. (inc. real-time, i.e. simultaneous, closed captioning of live television performances of meetings, conferences)	53
Newspapers	5813	Publishing of newspapers, journals, and periodicals	41
News and feature agencies etc.	6391	News agency activities	31
Book publishing	5811	Book publishing	121
Cards, maps, directories, & other published materials	5812	Publishing of directories and mailing lists	8
	5819	Other publishing activities	193
Pre-press, printing, and post-press of books, magazines, newspapers, advertising materials	1812	Service activities related to printing	1,761
	8219	Photocopying, document preparation, and other specialized office support activities	3,286
Wholesale and retail of press and literature (bookstores, news-stands, etc.)	4649	Wholesale of other household goods (inc. wholesale of DVDs)	1,518
	4761	Retail sale of books, newspapers, and stationery in specialized	3,056
	7729	Renting and leasing of other personal and household goods (inc.	542
Libraries	9101	Library and archives activities	120
Printing and publishing of music	5920	Sound recording and music publishing activities	127
Production/manufacturing of recorded music	1820	Reproduction of recorded media	33
Wholesale, retail and rentals of recorded music	4649	Wholesale of other household goods (inc. wholesale of recorded audio, CDs)	1,518
	4762	Retail sale of music and video recordings in stores	1,029
Performances and allied agencies	7990	Other reservation service and related activities (inc. ticket sales, activities for theatrical, sports and other amusement and entertainment events)	50
Motion picture and video	5911	Motion picture, video, and television program production	176
Motion picture exhibition	5914	Motion picture projection activities	89
	7722	Renting of video tapes and disks	65
National radio and television broadcasting companies	6010	Radio broadcasting	498
	6020	Television programming and broadcasting activities	54
Independent producers	5911	Motion picture, video, and television program production	176
Studios and commercial photography	7420	Photographic activities	1,996
Programming, development and design, of software	5820	Software publishing	29
	6201	Computer programming activities	179
	6209	Other information technology and computer service activities	136
Wholesale and retail prepackaged software (business programs, video games, educational programs, etc.)	4741	Retail sale of computers, peripheral units, software and telecommunications equipment in specialized stores (inc. retail sale of non-customized software, including video games)	4,625
Database processing and publishing	6311	Data processing, hosting, and related activities	44
	6312	Web portals	29

Picture framing and other	7420	Photographic activities	246
	7410	Specialized design activities (inc. graphic designers)	324
Agencies, buying services	7310	Advertising	278
	7320	Market research and public opinion polling (inc. marketing studies)	33
Copyright Collecting Societies	9412	Activities of professional membership organizations (inc. associations of specialists engaged in cultural activities)	3
<b>Subtotal</b>			<b>23,082</b>
<b>PARTIAL COPYRIGHT INDUSTRIES</b>			
Apparel, textiles, and footwear	1410	Manufacture of wearing apparel	52,437
	1392	Manufacture of made-up textile articles, except apparel	401
	1520	Manufacture of footwear	2,565
	4641	Wholesale of textiles, clothing, and footwear	1,093
	4751	Retail sale of textiles in specialized stores	4,662
	4771	Retail sale of clothing, footwear, and leather articles in specialized stores	17,733
Jewelry and coins	3211	Manufacture of jewelry and related articles	181
	4719	Other retail sales in non-specialized stores (inc. jewelry)	11,762
	4773	Other retail sales of new goods in specialized stores (inc. jewelry)	10,036
Furniture	3100	Manufacture of furniture	6,869
Household goods, china and glass	2310	Manufacture of glass and glass products	516
	1391	Manufacture of knitted and crocheted fabrics	111
	1430	Manufacture of knitted and crocheted apparel	242
	1629	Manufacture of other products of wood	279
	2599	Manufacture of other fabricated metal products n.e.c.	732
	4649	Wholesale of other household goods (inc. china and	1,518
	4752	Retail sale of hardware, paints, and glass in specialized store	15,174
	7410	Specialized design activities (inc. graphic designers)	1,930
	1709	Manufacture of other articles of paper and paperboard	57
	4753	Retail sale of carpets, rugs, wall, and floor coverings in specialized stores	588
	7410	Specialized design activities (inc. interior decorations)	1,930
Architecture, engineering,	7110	Architectural and engineering activities and related activities	954
Museums	9102	Museums activities and preservation of historical sites and buildings	20
<b>Subtotal</b>			<b>131,790</b>
<b>INTERDEPENDENT COPYRIGHT INDUSTRIES</b>			
TV Sets, Radios, VCRs, CD players, electronic game equipment and similar equipment	2630	Manufacture of communication equipment (inc. radio and TV studio and broadcasting equip.)	10
	2640	Manufacture of consumer electronics (inc. TVs, VCRs, DVDs, Hi-Fis, consoles)	67
	7730	Renting and leasing of other machinery, equipment, and tangible goods (inc. profess. radio and TV equip.)	157

Computers and Equipment	2620	Manufacture of computers and peripheral equipment	4
	4651	Wholesale of computers, computer peripheral equipment, and software (inc. computers and computer equipment)	53
Musical Instruments	3220	Manufacture of musical instruments	40
	4759	Retail sale of electrical household appliances (inc. musical instruments)	15,265
Paper	1701	Manufacture of pulp, paper, and paperboard	20
	1702	Manufacture of corrugated paper and paperboard and of containers of paper and paperboard	10
<b>Subtotal</b>			<b>15,626</b>
<b>NON-DEDICATED SUPPORT INDUSTRIES</b>			
General wholesale and retailing (G)	46	Wholesale trade and commission trade, except of motor vehicles and motorcycles	12,800
	47	Retail trade, except of motor vehicles and motorcycles; repair of personal and household goods	252,667
General transportation	49	Land transport; transport via pipelines	2,362
	50	Water transport	224
	51	Air transport	85
	52.21/ 22/23/ 24/29	Support activities for transportation	1,246
	53	Postal and courier activities	307
Information and communication (J)	79	Travel agency, tour operator, reservation service,	511
	61	Telecommunications	1,820
<b>Subtotal</b>			<b>272,022</b>
<b>Grand total</b>			<b>442,520</b>

Source : Integrated Business Establishment Survey (IBES), GSS

+++++ This description includes composers, lyricists, arrangers, choreographers, writers, directors, performers and other personnel

## 4.2 Data sources

Different data sources have been used for the study, including survey, trade, tax and published data. The following are the main sources of the data:

1. Integrated Business Establishment Survey (IBES) data: The IBES is an economic census on the full set of economic units across all sectors of the Ghanaian economy in 2013. In-scope are all units of production whose physical locations are fixed and can be described and traced. The survey was carried out in two phases. The first phase (IBES I) was the listing of all economic units where information was collected on employment sizes. Phase II was a survey that collected detailed information on the establishments' inputs, outputs, and all relevant information that can help in the compilation of economic aggregates and indicators such as value added, investment, input-output ratio, and labour input ratio. Among the specific objectives of the IBES is the collection of relevant data to measure the contribution of each sector to the economy's production and also to provide benchmark data for rebasing, revising and updating the GDP and other economic series. The primary data is available at 4-digit ISIC level.
2. 2004 Supply and Use Table (SUT).
3. External trade statistics from GSS with detailed information on imports and exports of copyright-protected goods and services using the correspondence between Harmonised System (HS) 2012 and ISIC Rev. 4.
4. Value Added Tax (VAT) data: The VAT data contains information on the output and input of establishments registered under the VAT Act to collect VAT receipts. The VAT data is useful for extrapolation since economic surveys are not conducted regularly by the GSS.

5. GDP estimates published by the GSS
6. Labour force survey by the GSS
7. Statistical Bulletin by Bank of Ghana
8. Annual reports of collective management organisations (CMOs)

### 4.3 Estimation methodology

In order to estimate the economic contribution of copyright-based industries, there is a need to measure the size of the copyright-based industries in terms of their contribution to GDP, employment and earnings, and foreign trade. This section presents the strategies used to estimate the different indicators mentioned.

#### 4.3.1 Value added

There are three approaches to estimate GDP. The output approach has been chosen as the preferred one for this study. This approach presents the production side of GDP, which is the total value of whatever was produced by the various activities by the copyright and related rights-based industries covered by the ISIC. The study, therefore, applied the standard value added formula as follows:

$$\text{Value added} = \text{output} \textit{ minus} \textit{ intermediate consumption}$$

Output is the value of goods and services produced by an establishment in the economy, which become available for use outside that establishment. Intermediate consumption includes goods and services, which are entirely used up by producers in the course of production to produce output of goods and services during the accounting period.

Both direct and indirect methods were used to arrive at the output value. The direct method involved the extraction of information from survey data and other sources that contain information on gross output and intermediate consumption. The commodity flow method (indirect method) was used mostly for wholesale and retail trade activities because the majority of shops deal in multiple goods, making it difficult to account for copyright-protected goods only.

#### 4.3.2 Employment and earnings

The main sources of data used for employment estimation are:

1. Labour force survey (2015): Detailed data on employment by industry at 2-digit ISIC Rev. 4 level, covering all persons in the economy.
2. Integrated business establishment survey (IBES) (2013): Detailed data on businesses at 4-digit ISIC level. This was used to estimate the value added of the copyright sector. It also contains information on employed persons per economic activity at ISIC 4 level, which was used for the employment figures in 2013. However, the data on employment excluded some economic activities – mainly agriculture and some informal activities.

These two data sources have their own limitations as, in the labour force survey, the industry of employment was coded at the 2-digit level of ISIC Rev. 4 covering all persons, while the IBES data was coded at the 4-digit level of ISIC Rev. 4 but excluded some informal economic activities, as well as some employees. Therefore, the following assumptions were made in order to be able to use both sources of data to complement each other:

1. Employment levels within an industry are closely tied to the amount of value added generated. Thus, technology is held constant.
2. Employment-value added ratio is constant. So the employment-value added ratio for 2013 (base period) for each subsector is used for subsequent years.

- Growth in the employed population moves at the same rate as overall population growth. This assumption is not far from the truth since there is evidence that the economically active population is growing faster than the population growth, leading to a growing rate of unemployment – from 5.2% in 2010 to 11.2% in 2015.

In order to discount the influence of price changes on value added of the copyright sector, all nominal values of each copyright industry were discounted using the deflators applied by the GSS to estimate real values of the national accounts. The main deflators are the consumer price index (CPI) and producer price index (PPI)<sup>1</sup>. Table 4-2 gives the details of the deflators used for each industry. 2013 was used as the base year, which is the same as the base year for Ghana's GDP estimates.

Employment to value added ratios were derived by dividing the number of people in employment per copyright subsector in 2013 by the corresponding value added generated by the subsector. These ratios were kept fixed to estimate the employment values for the subsequent years. For example, persons employed by an industry *i* of the copyright sector in 2014 was estimated as follows:

$$\text{Employed persons } (i)_{2014} = \frac{\text{real VA}(i)_{2014}}{2013 \text{ VA}(i)/E(i)}$$

Where,

Real VA(*i*) = real value added of industry (*i*)

E(*i*) = persons employed in industry (*i*) in 2013

The employment values generated by the subsectors were summed up to arrive at the aggregate for each sector.

**Table 4-2: Indicators used in deflating current price estimates of value added of copyright industries**

Core copyright industries	Deflator	Description
Press and literature	PPI	Publishing, printing & reproduction of recorded media
Music, theatrical productions, operas	CPI	Recreation, entertainment& cultural services
Motion picture and video	CPI	Recreation, entertainment& cultural services
Radio and television broadcasting	CPI	Advertising
Photography	CPI	Recreation, entertainment& cultural services
Software, databases and computer games	CPI	Computer and equipment
Visual and graphic arts	CPI	Recreation, entertainment& cultural services
Advertising	CPI	Advertisement
Copyright collecting societies	CPI	Miscellaneous goods & services
Interdependent copyright industries		
Consumer electronics	CPI	Consumer electronics
Computers and equipment	CPI	Computer and equipment
Musical instruments	CPI	Consumer electronics
Photographic and cinematography	CPI	Computer and equipment
Photocopiers	CPI	Computer and equipment
Blank recording materials	CPI	Miscellaneous goods & services
Paper	PPI	Manufacture of paper & paper products
Partial copyright industries		

<sup>1</sup> The PPI is used to deflate the value of goods produced locally while the CPI is used to deflate the value of services as well as goods that are imported. The value of some of the activities is deflated by the deflator used for the class in which that economic activity belongs.

Apparel, textiles and footwear	CPI	Clothing and footwear
Jewelry and coins	PPI	Manufacture of basic precious and non-ferrous metal
Furniture	PPI	Manufacture of furniture
Household goods, china and glass	CPI	Household goods and services
Wall coverings and carpets (trade)	CPI	Household goods and services
Toys and games (trade)	CPI	Household goods and services
Architecture, engineering, surveying	CPI	Overall CPI
Design	CPI	Overall CPI
Museums	CPI	Miscellaneous goods & services
Non-dedicated copyright industries		
General wholesale and retailing	CPI	Overall CPI
General transportation	CPI	Transport
Information and communication	CPI	Communication

#### 4.3.2.1 Labour productivity

Labour productivity is defined as the ability to make a given contribution to the national GDP by employing a given share of labour resources. It is calculated as the proportion between the share of GDP and share of national employment attributed to copyright industries.

#### 4.3.2.2 Foreign trade

The correspondence table for HS 2012 and ISIC 4 was used to classify copyright products (goods and services) under core, interdependent and partial copyright industries in the import and export database of the GSS. For example, ISIC 4 code 2640 is a copyright industry whose activity is “manufacture of consumer electronics”. The HS codes that correspond to this economic activity (2640) include 8519, 8521, 8522, 8523, 8525, 8527, and 8528. These are products such as television sets, radio sets, VCRs, DVDs, Hi-Fis, consoles etc. The same information was used in the commodity flow approach. Imports are presented in cost, insurance and freight (CIF) values, while exports are valued at free on board (FOB).

## 4.4 Determining copyright factors

The 2015 WIPO Guide defines a copyright factor as “an estimate of the proportion of the copyright-based component of the inputs or outputs of an industry or sector, or of trade in goods or services”. As stated in the 2015 WIPO Guide, the contribution of core copyright industries is counted as 100 percent, that is, a value of 1.0. In this study, the contribution of interdependent industries has also been counted as 100 percent.

To estimate the copyright factors for the partial copyright industries, the study adapted a questionnaire from the 2015 WIPO Guide to collect data from establishments in the partial copyright industry group. The response rate was very poor, so the data could not be used. The 2015 WIPO Guide suggests other ways of estimating the copyright factors and an input-output (I-O) table was the first option considered.

An I-O table transformed from the SUT depicts the interdependency among sectors (groups of industries) in the whole economy, so it offers a way of analysing how industries use copyright-protected materials as inputs. The available SUT for Ghana was constructed in 2004 based on ISIC 3.1. The SUT could not capture details of some of the activities. A more recent study that could be used for generating the copyright factors, as other African countries have done, is the Ghana Living Standards Survey Round 6 (GLSS 6) conducted in 2013. This source, which is a household income and expenditure survey provides data on average household expenditure on partial copyright goods. The expenditure shares on the different partial copyright products were used as the copyright factors for the industries in the Malawi, Tanzania, and Ethiopia studies. Though the SUT is older, it clearly identifies the interdependencies between industries which the household survey data cannot. So, a weighted average of the two ratios (70% for the SUT and 30% for the household survey information) was used to determine the copyright factors for the partial copyright industries.

For architecture, engineering and surveying, the copyright factor was taken from the “Conditions of Engagement and Scale of Professional Fees” of the Ghana Institute of Architects.

As shown in the 2015 WIPO Guide (Page 130), the formula for the copyright factor for non-dedicated industries is:

$$Factor = \frac{[(Core - d) + (Interdependent - d) + (Partial - d)]}{GDP - D}$$

Where,

d = value added of dedicated distribution industries; and

D = value added of the three Non-Dedicated Support Industries

The formula yields different copyright factors for different years. Unlike the fixed copyright factors used for all the years for the partial copyright industries, that for the non-dedicated industries varies from year to year. The same copyright factor for a given year is assigned to all the industries. The copyright factors used are shown in Tables 4-3 and 4-4.

**Table 4-3: Copyright factors for core, interdependent and partial copyright industries**

Copyright Industry	Copyright factor
Core	
Press and literature	1.00
Music, theatrical productions, operas	1.00
Motion picture and video	1.00
Radio and television broadcasting	1.00
Photography	1.00
Software, databases and computer games	1.00
Visual and graphic arts	1.00
Advertising	1.00
Copyright collecting societies	1.00
Interdependent	
Consumer electronics	1.00
Computers and equipment	1.00
Musical instruments	1.00
Photographic and cinematography	1.00
Photocopiers	1.00
Blank recording materials	1.00
Paper	1.00
Partial	
Apparel, textiles and footwear	0.050
Jewelry and coins	0.153
Furniture	0.026
Household goods, china and glass	0.031
Wall coverings and carpets	0.031
Toys and games	0.031
Architecture, engineering, surveying	0.093
Design	0.093
Museums	0.050

**Table 4-4: Copyright factors for non-dedicated copyright industries**

Non-dedicated	2013	2014	2015	2016
General wholesale and retailing	0.044	0.041	0.062	0.061
General transportation	0.044	0.041	0.062	0.061
Information and communication	0.044	0.041	0.062	0.061

### 4.3.3 Contribution of copyright industries to economic growth

The percentage contribution of copyright industries to the overall growth rate of the economy has been estimated using the following formula:

$$\Delta S_{ci} = \frac{S_{ci} \times \Delta G_{ci}}{\Delta G_E} \times 100$$

Where,

$S_{ci}$  = copyright share of the GDP in year  $t$ ,

$\Delta G_{ci}$  = copyright growth rate from period  $t$  to  $t+1$ ,

$\Delta G_E$  = total economy's GDP growth rate from period  $t$  to  $t+1$ ,

The consumer price index (CPI) and producer price index (PPI) were used in deflating the value added estimates of the copyright industries to arrive at constant 2013 prices. This is in conformity with the new rebased GDP of Ghana, which has 2013 as the base year and CPI and PPI as deflators for most of the economic activities. The deflators used for the different copyright industries are presented in Table 4-2.

## 4.5 Challenges

Several challenges were encountered. Adding imports to domestic production to arrive at total supply for use in the commodity flow approach was problematic. This is as a result of imports being classified according to HS while domestic production is classified by central product classification (CPC). To overcome this problem, some of the trade data had to be aggregated to 2-digit HS while some were at the 4-digit level.

Disaggregation of some of the activities under the core copyright industries posed a challenge. For instance, the activity with ISIC code 9000, that is, Creative, Arts, and Entertainment Activities cuts across Press and Literature; Music, Theatrical Production and Operas; and Motion Picture and Video. The only solution was to group all the values under Press and Literature.

Another challenge faced was misclassification of some of the establishments in the VAT data. Comparing the ISIC codes assigned to some establishments in the tax data showed a clear misclassification as compared to their classification in the IBES database. Reconciliation of these sources of data needed to be carried out before it could be used.

Yet another challenge related to computing copyright factors using primary data. Collecting information to compute the copyright factors for the non-core copyright industries using the WIPO sample questionnaire was a failure due to a high non-response rate. Respondents were afraid of the information being used for taxation purposes.

## 4.6 Limitations of the study

The methodology for this study is based on official data sources from the economic survey whose coverage excluded some sections of the workforce. As a result, goods and services like creative products that are produced and distributed in the informal economy may not be accounted for in the survey statistics. The same applies to employment and earnings, which may not be fully reflected in the IBES statistics if creative activities fall outside the scope of the adopted statistical survey methodology.

The assumptions underlying the estimated employment figures for 2014 to 2016 may be biased if technology played a significant role in increases in the value added of economic activities in the copyright sector. Labour productivity index could not be computed for 2014 to 2016 because of a lack of data on earnings.

## 5. CONTRIBUTION OF THE COPYRIGHT SECTOR TO GHANA'S ECONOMY

This chapter analyses the performance of the copyright and related rights-based industries in relation to the economy in terms of three key macroeconomic areas: GDP, employment, and foreign trade. A comparison is made between the performance of the copyright industries and other sectors of the economy. Analysis of the structure of the copyright sector is also carried out, outlining trends and patterns in a comparative perspective to reveal the growth or decline of the sector.

### 5.1 Contribution of copyright industries to GDP

A central indicator used in most studies to determine the importance of an industry within the economy is the value added produced by the industry, expressed as a percentage of the GDP. In 2013, the copyright sector contributed a total of GH¢3,793.48 million out of the total GDP of GH¢123,650.0 million, representing 3.07 percent (Table 5-1). The value added produced by the copyright sector increased annually, recording GH¢8,643.20 million in 2016 which represented a share of 4.02 percent of total GDP. Thus, the overall performance of the copyright sector with respect to GDP indicated a consistent increase in the sector's share from 3.07 percent in 2013 to 4.02 percent in 2016. The largest increase in the contribution of the copyright sector to GDP was recorded between 2014 and 2015.

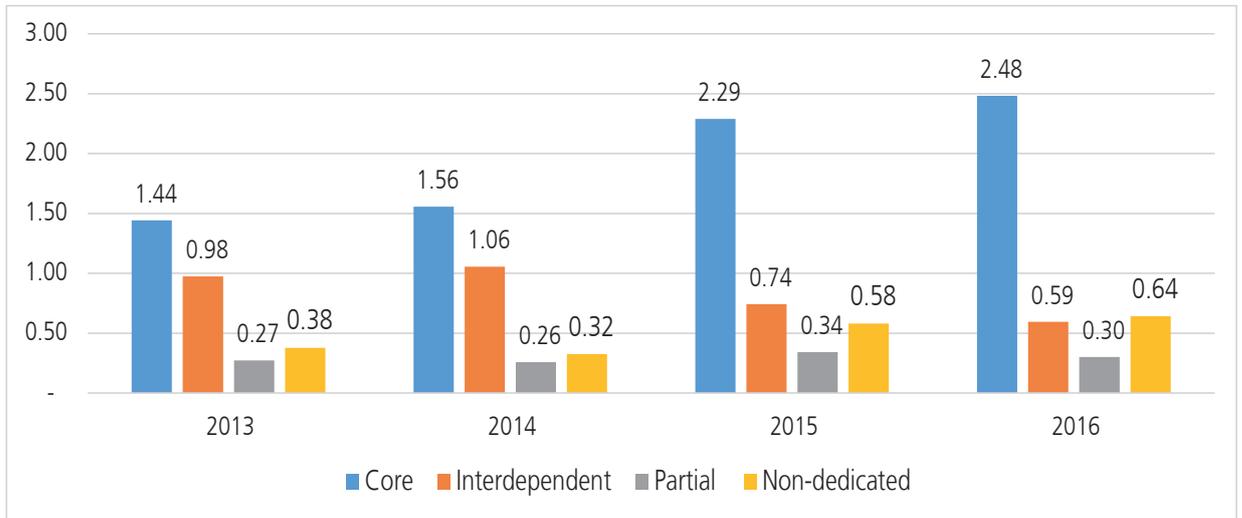
**Table 5-1: Value added of copyright industries (million GH¢) and their shares in national GDP**

Category of industry	2013		2014		2015		2016	
	Valued added of copyright industries	% of national GDP	Valued added of copyright industries	% of national GDP	Valued added of copyright industries	% of national GDP	Valued added of copyright industries	% of national GDP
Core	1,783.80	1.44	2,419.16	1.56	4,129.66	2.29	5,337.47	2.48
Interdependent	1,205.62	0.98	1,640.90	1.06	1,340.29	0.74	1,278.34	0.59
Partial	337.23	0.27	401.06	0.26	616.80	0.34	648.09	0.30
Non-dedicated	466.84	0.38	503.67	0.32	1,049.17	0.58	1,379.30	0.64
Total copyright GDP	3,793.48	3.07	4,964.79	3.19	7,135.91	3.96	8,643.20	4.02
National GDP	123,650.00	100.00	155,433.00	100.00	180,399.00	100.00	215,077.00	100.00

Source of data: GSS  
Note: Value added figures are weighted by their respective copyright factors (see Table 2 and Table 3)

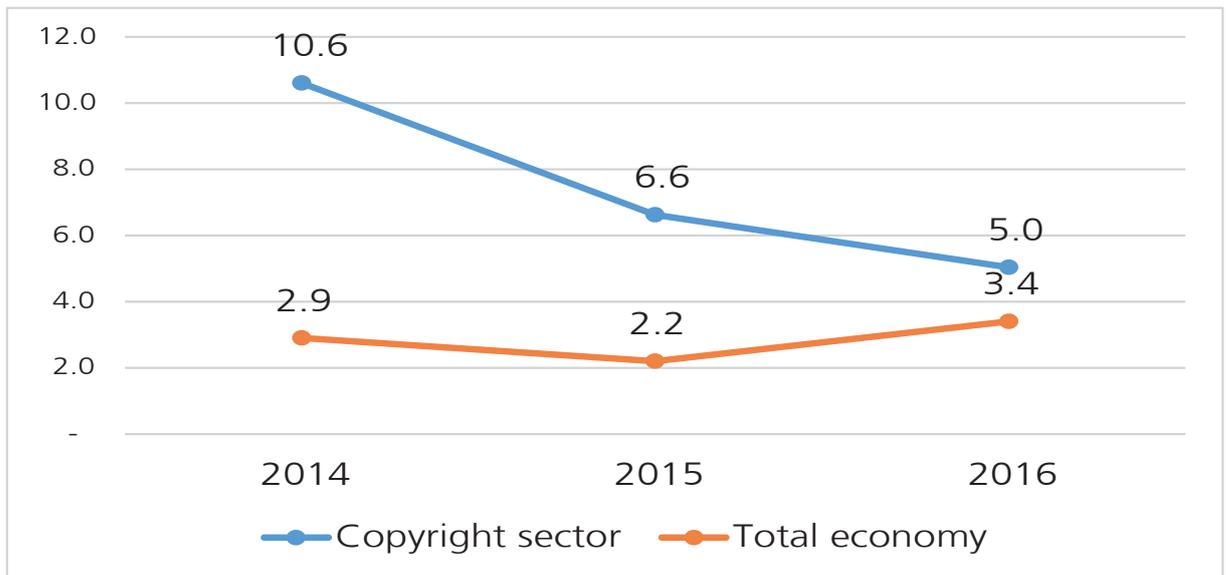
Among the four identified copyright industries, the core copyright industry group has been the largest contributor to the GDP, contributing between 1.44 to 2.48 percent to GDP between 2013 and 2016 (Figure 1). The share of the core copyright group grew continuously over the period. The interdependent copyright industry group also contributed significantly to the GDP, being the second highest contributor for all years except for 2016. The share of the interdependent industries increased between 2013 and 2014, but declined afterwards. The non-dedicated copyright group's value added is largely dictated by the performance of wholesale and retail trade, general transport, and information and communication. The group's contribution was relatively high in 2015 and 2016. The partial industry group contributed the lowest percentage, with its contribution fluctuating every year.

**Figure 5-1: Percentage contribution of copyright industry groups to GDP**



In real value added terms, the copyright sector recorded growth rates higher than that of the total economy during the study period (Figure 2). This means the copyright sector grew faster than the growth of the total economy, despite the sector recording a decline in growth from 10.6 percent in 2014 to 5.0 percent in 2016.

**Figure 5-2: Comparison of the real growth rate (2013 prices) of the copyright sector and total GDP**



One of the indicators of importance is the contribution that a sector makes to the growth of the overall economy. The contribution of the copyright sector to overall growth is compared with the contribution of some key subsectors of the economy in Table 5-3. The copyright sector contributed positively to growth throughout the study period, making the sector one of the growth drivers. For example, the sector contributed 11.2 percent to the growth of the economy in 2014. That is, out of the 2.9 percent growth of the economy in 2014, 11.2 percent is attributed to the copyright sector. In that year, the sector contributed more to the growth of the economy than the manufacturing and construction subsectors, which contributed negatively to growth. The copyright sector contributed more to the growth of the economy than the mining and quarrying subsector in both 2015 and 2016.

**Table 5-2: Comparison of the percentage contribution of the copyright sector to the overall growth of the economy with that of selected key subsectors**

Growth of the economy (%) Subsector	2014	2015	2016
	Percentage contribution to growth		
Crops	14	11.3	9.6
Manufacturing	-11	21	28.5
Construction	-1.4	37.9	22.6
Mining and quarrying	25.3	-58.4	-0.7
Finance and insurance	25.3	30.2	13.4
<b>Copyright</b>	<b>11.2</b>	<b>9.7</b>	<b>5.8</b>

The share of the copyright sector in GDP is also compared with that of the other subsectors of the economy. Table 5-3 presents the percentage distribution of GDP by sub-sector. Included in Table 5-3 is the percentage share of copyright industries.

**Table 5-3: Percentage share of different subsectors in GDP**

Economic activity	2013	2014	2015	2016
Crops	14.6	14.6	14.8	16.2
<i>Cocoa</i>	1.7	2.3	2.2	1.9
Livestock	3.7	4.0	3.7	3.3
Forestry & logging	1.8	2.1	2.1	1.8
Fishing	1.6	1.4	1.5	1.4
Mining & quarrying	13.6	15.4	10.4	8.5
<i>Oil</i>	5.8	6.4	2.8	0.5
Manufacturing	12.4	12.5	12.4	12.1
Electricity	1.1	1.0	1.8	1.8
Water & sewerage	0.6	0.6	0.7	0.7
Construction	9.1	8.6	9.3	7.6
Trade	11.2	11.3	12.4	14.1
Hotels and restaurants	3.9	3.2	3.5	3.7
Transport & storage	6.0	5.5	6.0	6.6
Information & communication	1.6	2.0	2.2	2.2
Financial & insurance	5.1	5.1	5.8	6.8
Real estate	1.0	0.9	1.3	1.7
Professional, administrative etc.	1.4	1.5	1.6	1.6
Public administration	3.7	3.2	3.2	3.3
Education	4.0	3.7	3.8	3.5
Health and social work	2.2	2.2	2.1	2.0
Other service activities	1.4	1.2	1.3	1.3
<b>Copyright industries</b>	<b>3.1</b>	<b>3.2</b>	<b>4.0</b>	<b>4.0</b>

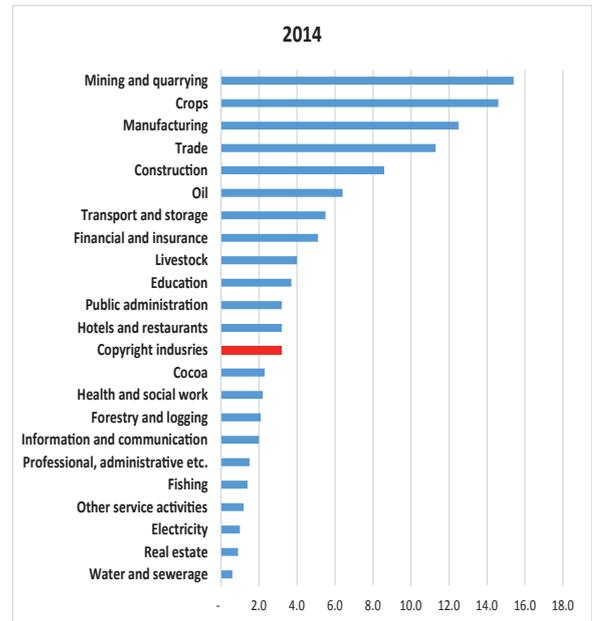
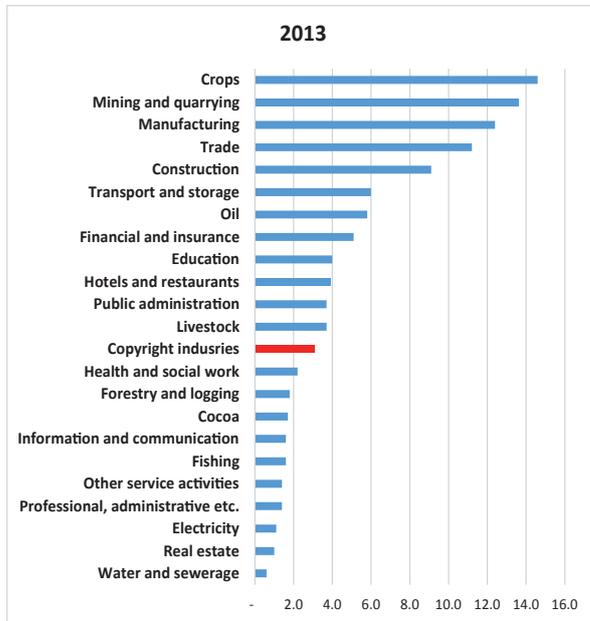
Source: GSS and Author's estimation of the share of copyright industries

Some subsectors have always had shares above 10 percent. These were crops, mining and quarrying, wholesale and retail trade and manufacturing. Others like water and sewerage, electricity, fishing, and real estate had relatively smaller shares over the study period. Figure 3 is a graphical presentation and short commentary on the share of copyright industries among the various subsectors of the economy.

**Figure 5-3: Comparison of contributions to GDP between different sectors**

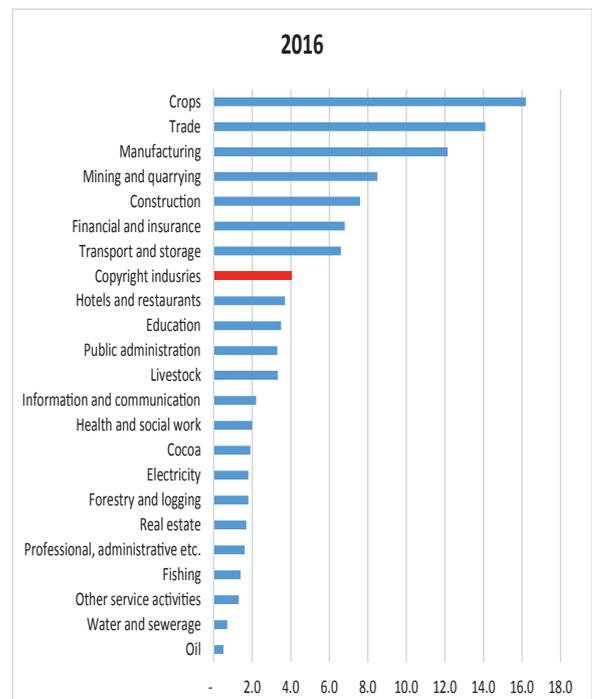
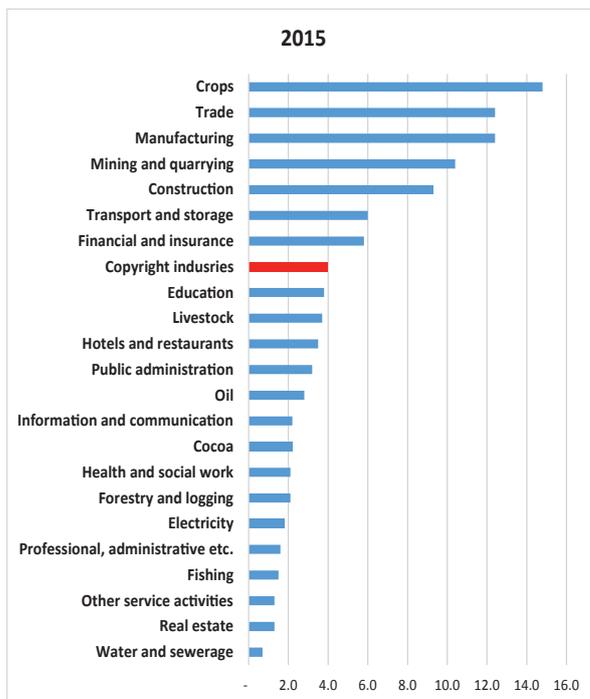
**Figure 3a:** The share of the copyright sector is bigger than that of 10 subsectors, including cocoa, fishing and forestry

**Figure 3b:** The same as recorded in 2013, 10 subsectors had shares below that of the copyright sector in 2014



**Figure 3c:** In 2015, the share of the copyright sector in GDP increased and occupied the eighth position

**Figure 3d:** The copyright sector maintained its 2015 position as the eighth largest contributor to GDP in 2016



## 5.2 Breakdown of the value added contribution by industry group

This section discusses in detail the contribution of the sub-groups of the different copyright industries to the economy, namely, core, interdependent, partial and non-dedicated industries. Since the study period is from 2013 to 2016, trend analysis is also carried out.

### 5.2.1 Contribution of the core copyright industries to GDP

As stated previously, the core copyright industries had the largest share of the copyright sector's contribution to the country's GDP, ranging from 1.44 percent in 2013 to 2.44 percent in 2016. The core copyright industries made a total contribution of GH¢1,783.80 million to the GDP of the economy in 2013 (Table 5-4). This figure increased about threefold over a three-year period to reach GH¢5,337.47 million in 2016. All the subsectors under the core copyright sector recorded increases in value added over the period. There was a large increase in value added between 2014 and 2015, which could partly be attributed to the demand for goods and services of the core copyright industries towards the 2016 presidential and parliamentary elections.

The press and literature subsector had the largest share of the core copyright industry group. The press and literature sub-sector made up between 71 and 84 percent of the core copyright industries' value added between 2013 and 2016 (Table 5-4). These comprise economic activities in publishing and printing of newspapers, journals, books, cards and all readable materials; photocopying; wholesale and retailing of published and printed materials; and renting and leasing of other personal and household goods including books, journals, and magazines.

**Table 5-4: Value added (million GH¢) of core copyright industries and their percentage shares**

Core copyright industry	2013		2014		2015		2016	
	Value added	% Share						
Press and literature	1,348.69	75.6	1,723.29	71.2	3,439.05	83.3	4,266.63	79.9
Music, theatrical productions, operas	2.02	0.1	2.96	0.1	3.59	0.1	4.94	0.1
Motion picture and video	6.93	0.4	9.84	0.4	13.06	0.3	20.07	0.4
Radio and television broadcasting	143.11	8.0	213.65	8.8	172.72	4.2	188.21	3.5
Photography	39.10	2.2	57.99	2.4	37.66	0.9	60.90	1.1
Software, databases and computer games	123.27	6.9	198.87	8.2	150.24	3.6	390.31	7.3
Visual and graphic arts	4.82	0.3	8.17	0.3	16.23	0.4	25.50	0.5
Advertising	114.81	6.4	200.32	8.3	292.45	7.1	374.11	7.0
Copyright collecting societies	1.04	0.1	4.07	0.2	4.67	0.1	6.81	0.1
<b>Total</b>	<b>1,783.80</b>	<b>100.0</b>	<b>2,419.16</b>	<b>100.0</b>	<b>4,129.66</b>	<b>100.0</b>	<b>5,337.47</b>	<b>100.0</b>

In 2013 and 2014, the radio and television broadcasting sub-sector was second in terms of value added share, declining in subsequent years by more than half (Table 5-4). Comparatively, the advertising and software subsectors' share of the core copyright industry's value added is significant. The share of advertising increased from 6.4 percent in 2013 to 8.3 percent in 2014, but declined afterwards to 7.0 percent in 2016. Advertising contributed an average of 7.2 percent of the value added of the core copyright industries over the period under study.

The share of software development and databases was highest in 2014, recording 8.2 percent. The smallest share recorded was in 2015. The average share of the software development sub-sector over the period was 6.5 percent. Software has become an essential input for the operations of virtually all businesses, across all industries and sectors.

Music, theatrical productions, and operas had the smallest share. Part of the output of music and film production is embedded in the output of copyright collecting societies through the collection of royalties on behalf of the industry.

### 5.2.2 Contribution of the interdependent copyright industries to GDP

Interdependent copyright industries contributed the second largest share of the value added of copyright industries, with shares ranging from 0.59 to 1.06 percent. The value added increased from GH¢1,205.62 million in 2013 to GH¢1,640.90 million in 2014, but declined afterwards (Table 5-5). The manufacture and sale of consumer electronics recorded a continuous decline in value added over the period. All the other industries experienced fluctuation in value added in the period under study.

The manufacture of paper was the largest among the interdependent industries, having a share of between 67 and 80 percent over the four-year period under study (Table 5-5). The large share of the paper sub-sector can be linked to the large printing and publishing activities recorded under the core copyright industries, since paper is a major input.

**Table 5-5: Value added (million GH¢ ) of interdependent copyright industries and their percentage shares**

Interdependent copyright industry	2013		2014		2015		2016	
	Value added	% Share						
Consumer electronics	172.24	14.3	122.53	7.5	134.57	10.0	95.98	7.5
Computers and equipment	175.76	14.6	178.10	10.9	94.62	7.1	137.07	10.7
Musical instruments	11.27	0.9	9.97	0.6	11.46	0.9	13.44	1.1
Photographic and cinematography	1.64	0.1	1.36	0.1	1.56	0.1	2.23	0.2
Photocopiers	21.22	1.8	40.64	2.5	10.42	0.8	5.29	0.4
Blank recording materials	14.17	1.2	13.48	0.8	17.87	1.3	10.61	0.8
Paper	809.31	67.1	1,274.83	77.7	1,069.78	79.8	1,013.72	79.3
<b>Total</b>	<b>1,205.62</b>	<b>100.0</b>	<b>1,640.90</b>	<b>100.0</b>	<b>1,340.29</b>	<b>100.0</b>	<b>1,278.34</b>	<b>100.0</b>

The contribution of the manufacture, wholesale and retail of computers and peripherals subsector was the second largest, followed by the subsector that deals in consumer electronics such as TV, radio and music playing equipment.

### 5.2.3 Contribution of the partial copyright industries to GDP

The partial copyright industries represent activities where copyright stands only for a portion of the produced value added. Therefore, the total value added under this category is weighted with an assigned copyright factor (Table 4-2). The unweighted value added is found in Appendix 1.

As presented earlier, partial copyright industries contributed the least to the GDP of the economy, with shares of between 0.26 to 0.34 percent. Table 5-6 summarises the value added and share of each subsector within the partial copyright industry group. The total value added of the group increased continuously over the period, almost doubling between 2013 and 2016. However, the jewellery and coins subsector and the architecture, engineering and surveying subsector are the only activities that recorded continuous increases in value added over the period. The apparel, textiles and footwear subsector, on the other hand, recorded a continuous decline. The other subsectors experienced fluctuations in value added.

**Table 5-6: Weighted value added (million GH¢) of partial copyright industries and their percentage shares**

Partial copyright industry	2013		2014		2015		2016	
	Value added	% Share						
Apparel, textiles and footwear	34.69	10.3	30.50	7.6	29.43	4.8	27.33	4.2
Jewelry and coins	257.46	76.3	311.99	77.8	523.82	84.9	534.34	82.4
Furniture	13.18	3.9	16.72	4.2	11.78	1.9	15.03	2.3
Household goods, china and glass	5.20	1.5	8.47	2.1	7.53	1.2	7.39	1.1
Wall coverings and carpets (trade)	0.17	0.0	0.20	0.0	0.10	0.0	0.13	0.0
Toys and games (trade)	0.41	0.1	0.48	0.1	0.58	0.1	0.35	0.1
Architecture, engineering, surveying	24.12	7.2	30.24	7.5	40.56	6.6	60.25	9.3
Design	1.05	0.3	1.28	0.3	2.15	0.3	2.19	0.3
Museums	0.94	0.3	1.18	0.3	0.84	0.1	1.07	0.2
<b>Total</b>	<b>337.23</b>	<b>100.0</b>	<b>401.06</b>	<b>100.0</b>	<b>616.80</b>	<b>100.0</b>	<b>648.09</b>	<b>100.0</b>

Jewellery contributed an average share of 80 percent of the total value added of the group over the period from 2013 to 2016. Jewellery production is an important traditional craft, the most important of them being goldsmithing. Ghana's colonial name, Gold Coast, was a result of its abundance of gold. Recognising the importance of jewellery production, the Kwame Nkrumah University of Science and Technology (KNUST) established a department that offers a certificate course in computer-aided jewellery production with the aim to improve the skills of local manufacturers to meet international standards.

The production of other metal-based jewels like that of silver and brass also contributed to the growth of the subsector. Of the non-metallic jewels, beads are the most popular and patronised. Beads are mostly produced in the informal sector and efforts are being made to formalise the operation through the formation of cooperatives.

A trade initiative that helped the growth of the jewellery industry is the African Growth and Opportunities Act (AGOA). AGOA was enacted in 2000 as a non-reciprocal trade initiative of the United States Government which provides duty-free and quota-free treatment for over 6,500 products from sub-Saharan African countries to the United States market. In Ghana, apparel, handicrafts and jewellery are among the industries identified as having the greatest potential.

The share of the apparel, textiles and footwear subsector was the second largest in 2013 and 2014 but then lost that position to architecture, engineering and surveying. The share of the apparel, textiles and footwear subsector declined continuously from 2013 to 2016, while the architecture, engineering and surveying subsector recorded significant fluctuations, increasing from 7.2 percent in 2013 to 7.5 percent in 2014, declining to 6.6 percent in 2015, before rising to 9.3 percent in 2016.

#### 5.2.4 Contribution of the non-dedicated copyright industries to GDP

Non-dedicated industries, as defined by WIPO, measure secondary impacts and the spill-over effect of the copyright industries on the economy. The contribution of these industries is weighted by a copyright factor (Table 4-3). This information provides insights into the effect of copyright on other spheres of the economy. The activities identified in this regard by WIPO are general wholesale and retailing, general transportation, and information and communication.

The non-dedicated copyright industry group was the third largest contributor to the GDP of the copyright sector. Table 5-7 presents the value added, weighted by the relevant copyright factors of the non-dedicated industries. Like the core and partial copyright industries, the non-dedicated copyright group's value added increased over the period, tripling from GH¢466.84 million in 2013 to GH¢1,379.30 million in 2016.

More than half of the total contribution of the non-dedicated copyright industries came from the general transportation subsector. This demonstrates the importance of general transportation in transporting of inputs of copyright industries and distribution of finished copyright products. The share of general transport decreased over time, from 66.5 percent in 2013 to 58.0 percent in 2016 as a result of the continuous decline

in the growth of the economy within that period. The information and communication sub-sector was the second highest throughout the period, except in 2016.

**Table 5-7: Weighted value added (million GH¢) of non-dedicated industries and their percentage shares**

Non-dedicated industry	2013		2014		2015		2016	
	Value added	% Share	Value added	% Share	Value added	% Share	Value added	% Share
General wholesale and retailing	73.01	15.6	71.33	14.2	200.08	19.1	316.63	23.0
General transportation	310.39	66.5	317.79	63.1	620.84	59.2	800.10	58.0
Information and communication	83.43	17.9	114.55	22.7	228.25	21.8	262.57	19.0
<b>Total</b>	<b>466.84</b>	<b>100.0</b>	<b>503.67</b>	<b>100.0</b>	<b>1,049.17</b>	<b>100.0</b>	<b>1,379.30</b>	<b>100.0</b>

### 5.3 Contribution of copyright industries to employment and earnings

This section analyses the contribution of the copyright sector to the economy in terms of employment generation. Labour productivity of copyright industries, which is the ability to produce a given contribution to the national GDP by employing a given share of labour resources in the copyright industries, is also discussed. Another point of discussion in this section relates to the annual average earnings of employees in the copyright sector compared with other subsectors of the economy.

#### 5.3.1 Employment

Employment growth is a primary economic development goal of every nation. More jobs generally means provision of income and livelihoods to people, which will further lead to poverty alleviation. The contribution of the copyright sector to employment is presented in Table 5-8.

There was an increasing trend in employment generated by the copyright sector. Within a period of four years, the estimated number of persons employed in the copyright sector increased from 262,736 in 2013 to 452,759 in 2016. Another finding from Table 5-8 is the increasing proportion of the sector's employment in relation to total employment. From an employment share of 2.98 percent in 2013, it gradually increased to an estimated share of 4.77 percent in 2016. This means that the employment rate in the copyright sector is higher than the estimated national rate of 2.5 percent.

**Table 5-8: Contribution of copyright sector to national employment**

Copyright industry	2013		2014		2015		2016	
	No. engaged	% share						
Core	136,586	1.55	169,864	1.88	193,913	2.09	226,198	2.38
Interdependent	55,316	0.63	41,736	0.46	27,828	0.30	15,002	0.16
Partial	31,276	0.35	34,266	0.38	44,184	0.48	44,852	0.47
Non-dedicated	39,558	0.45	39,256	0.43	107,034	1.15	166,743	1.76
<b>Total employed (copyright)</b>	<b>262,736</b>	<b>2.98</b>	<b>285,123</b>	<b>3.15</b>	<b>372,959</b>	<b>4.02</b>	<b>452,795</b>	<b>4.77</b>
<b>Total employed (national)</b>	<b>8,831,276</b>		<b>9,051,108</b>		<b>9,270,941</b>		<b>9,490,774</b>	

Source: GSS and Author

Note: Number of persons employed in the partial and non-dedicated industries are weighted by their respective copyright factors (see Table 4-2 and Table 4-3).

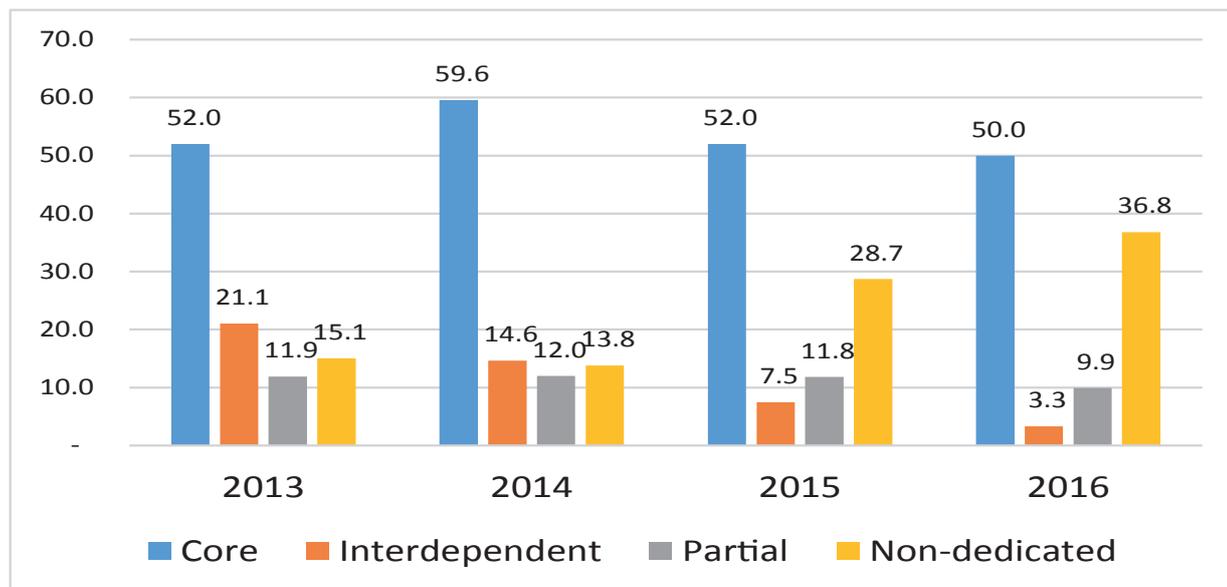
The core copyright industry group contributed the most to national employment, with consistent growth in the group's contribution to employment over the period (from 1.55% in 2013 to 2.38% in 2016). The contribution of the interdependent industry group to employment declined both in numbers and shares over the period. The contribution of the non-dedicated group was remarkable in 2015 and 2016, as the group's share of employment increased from 0.45 percent in 2013 to 1.15 percent and 1.76 percent in 2015 and

2016 respectively. This could partly be attributed to the rise in the activities of the industries in this group in response to the growth in the activities of the core copyright sector.

The evidence presented in Table 5-8 shows that the copyright sector is a significant component of the economy that provides employment, livelihoods and income for thousands of workers and business owners.

The contribution of the different copyright industry groups within the copyright sector is demonstrated in Figure 5-4.

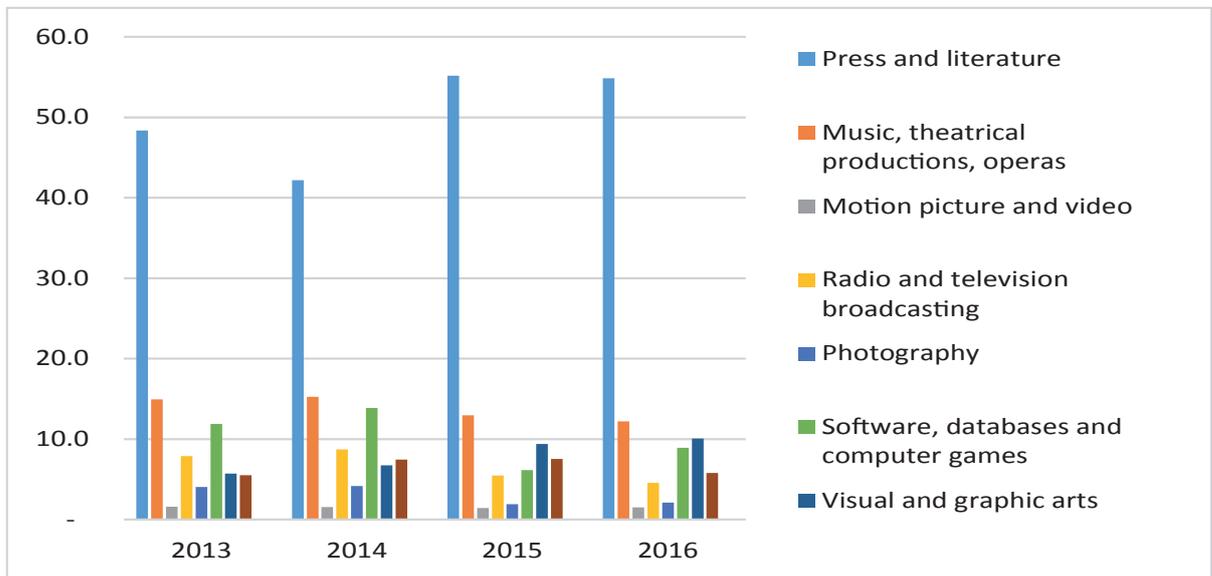
**Figure 5-4: Contribution of copyright industry groups to employment in the copyright sector**



The core copyright industries employed 50 percent or more of all persons engaged in the copyright sector over the period under study. The interdependent copyright industries employed the second highest percentage in 2013 and 2014, but by 2016 the group contributed the least to employment in the copyright sector. For now, it is very difficult to assign a specific reason for this. The partial copyright industry group employed between 9.9 and 12 percent over the period, while the non-dedicated industry group increased its employment share from 13.8 percent in 2014 to 36.8 percent in 2016. The large increase in the share of the non-dedicated industry group is attributed to the general wholesale and retail subsector in 2015 and 2016.

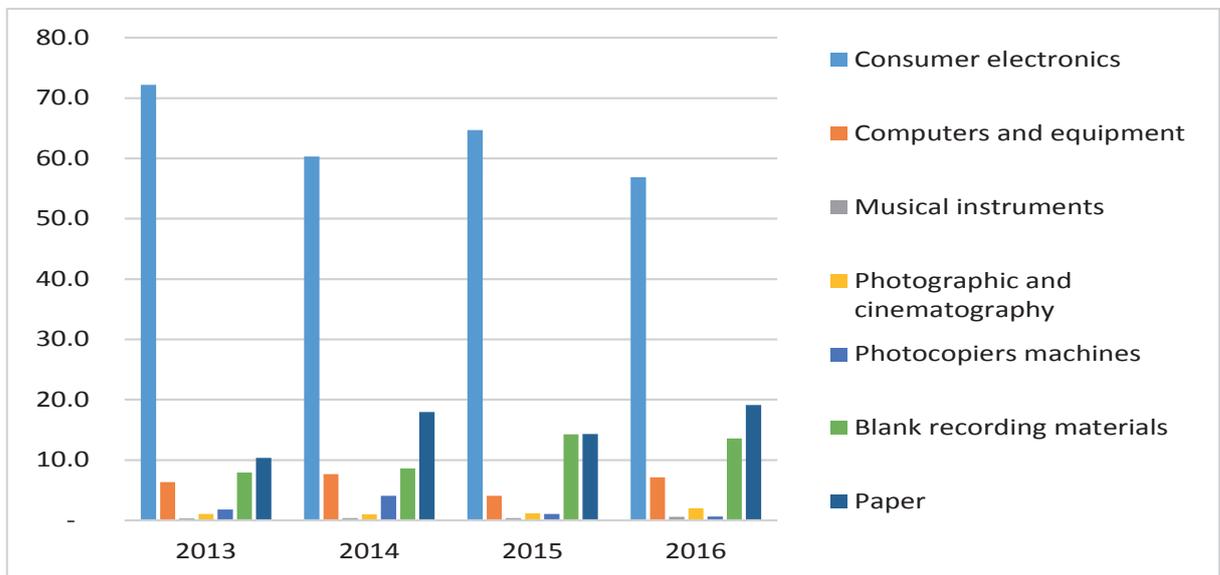
Further analysis was carried out on employment in the industries within each copyright industry group. On average, about half of the labour force in the core copyright industry group was employed by the press and literature subsector (Figure 5). Music, theatrical production and operas provided the second largest avenue for employment, employing between 12 and 15 percent. Visual and graphic arts consistently increased its share of employment over the period, reaching about 10 percent in 2016. This trend could be a result of the introduction of graphic design courses in a number of universities in the country in recent years. With the exception of motion picture and video and photography, each of the remaining industries employed more than 5 percent of the labour force of the core copyright industry group.

**Figure 5-5: Share of employment within the core copyright industry group**



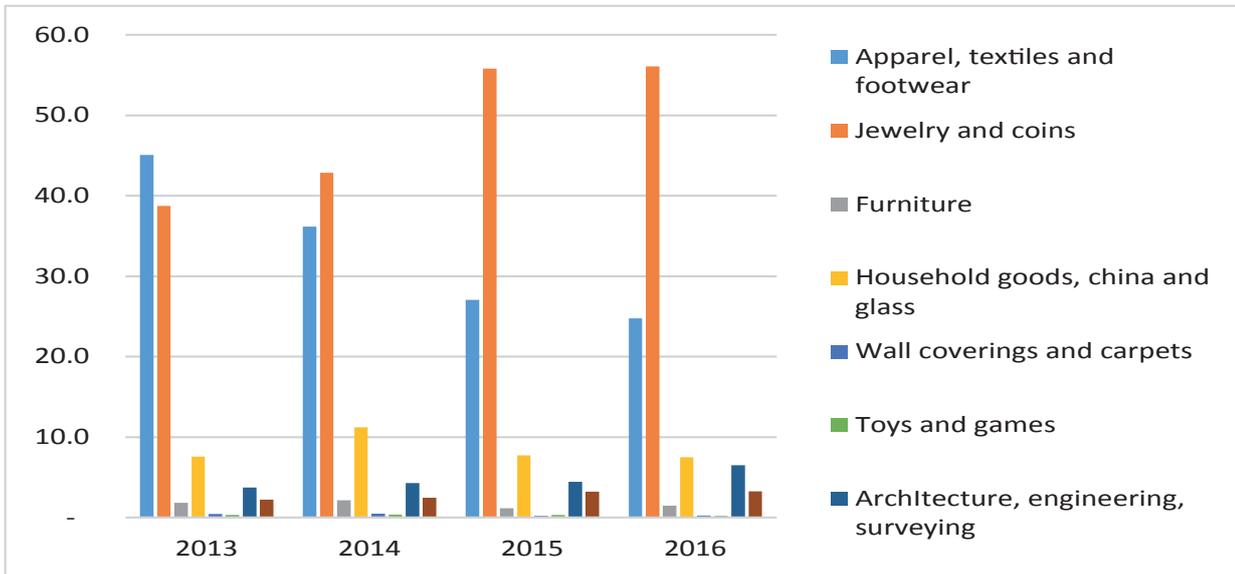
The share of the subsectors of the interdependent industry group is shown in Figure 6. The largest proportion (average of 63.5%) of the labour force of this group were employed in the manufacture, wholesale and retail of consumer electronics subsector (TV sets, radios, VCRs, CD players, DVD players, cassette players, electronic game equipment, and other similar equipment). The other subsectors that employed relatively significant proportions were the manufacture and sale of paper, manufacture and sale of computers and equipment, and manufacture and sale of photocopiers.

**Figure 5-6: Share of employment within the interdependent copyright industry group**



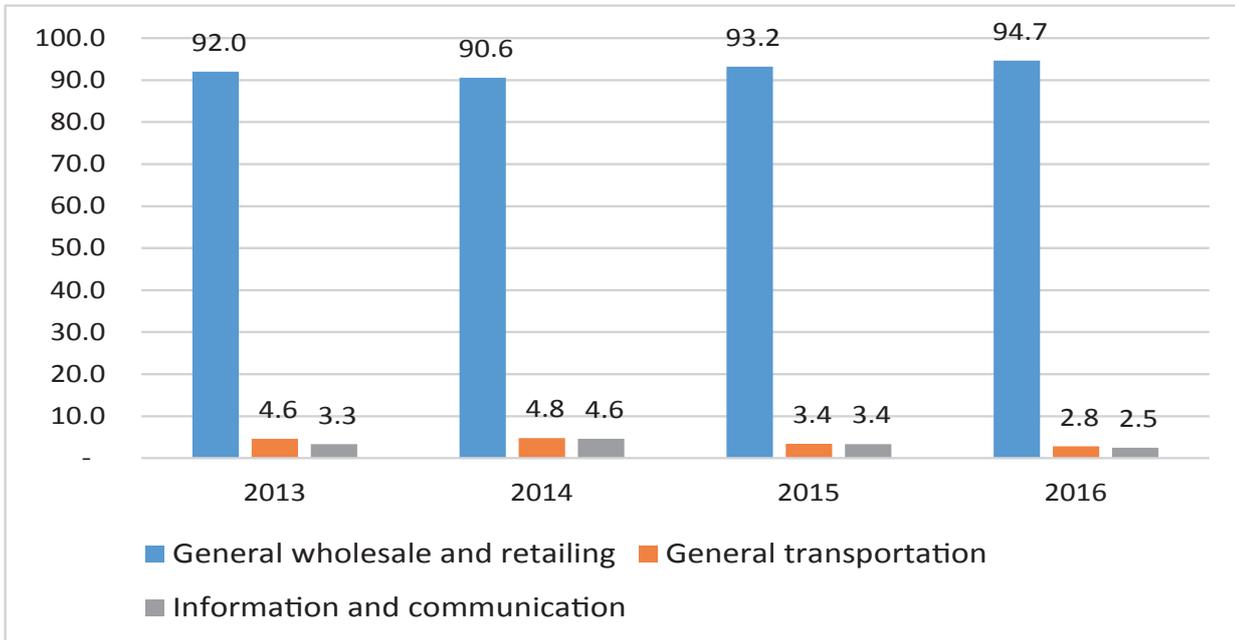
Two subsectors in the partial copyright industry group, namely, apparel, textiles, and footwear and jewellery and coins dominate the employment of the workforce in the group (Figure 7). These two subsectors accounted for over 80 percent of employment in the partial industry group.

**Figure 5-7: Share of employment within the partial copyright industry group**



As evident in Figure 8, the general wholesale and retail subsector employed over 90 percent of the workforce of the non-dedicated copyright industry group. The two remaining groups employed almost the same proportion of the remaining workforce, with general transportation employing a slightly higher percentage.

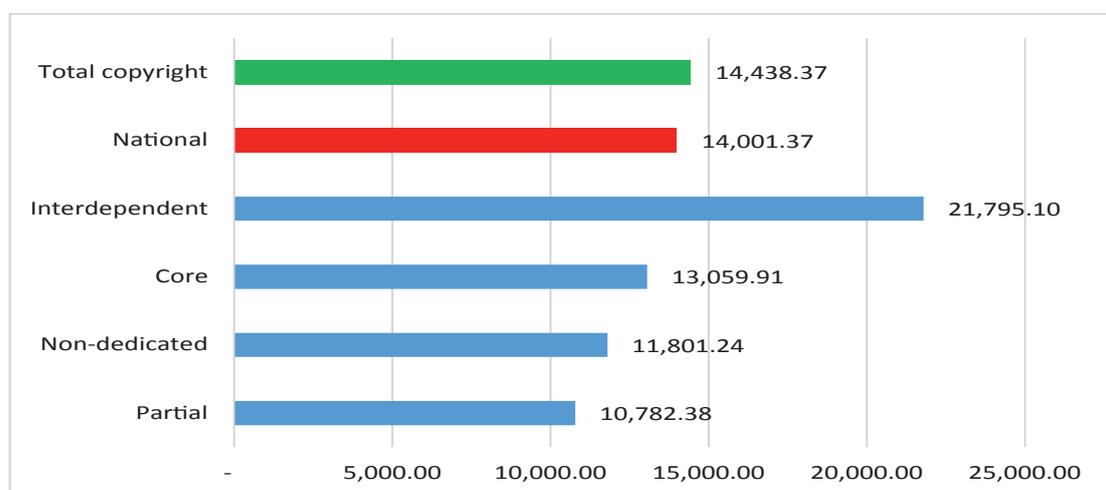
**Figure 5-8: Share of employment within the non-dedicated copyright industry group**



### 5.3.2 Labour productivity

Labour productivity provides a measure of the efficiency with which labour inputs are used in an economy to produce goods and services. A comparison of labour productivity of the industries in the copyright sector as well as that of the entire economy is shown in Figure 9. Labour productivity estimates in Figure 9 were derived from a ratio of value added to employment (headcount). Labour productivity was higher in the copyright sector than the total economy. However, the difference is not pronounced. Within the copyright sector, labour productivity was estimated to be highest in the interdependent industries, followed by core industries, non-dedicated industries, and partial industries. Labour productivity estimates were below the national average for all the copyright industries except for interdependent industries.

**Figure 5-9: Labour productivity estimates (in GH¢) for the copyright sector in 2013**



### 5.3.3 Earnings

The annual average earnings for the different subsectors of the economy in 2013 is shown in Table 5-9. The subsector of the economy that had the largest annual average compensation of employees was the mining and quarrying subsector. Activities in this subsector include crude oil extraction; mining of gold, bauxite, manganese and diamonds; and quarrying activities. Employees of the electricity industry were the second highest paid, followed by finance and insurance. The annual average earnings of employees in the copyright industry is comparatively low, being higher than only four subsectors, namely, wholesale and retail trade, manufacturing, accommodation and food services, and other service activities (Table 5-9).

**Table 5-9: Annual average employee compensation for subsectors of the economy (2013)**

Type of activity	Annual average employee compensation
Mining and quarrying	224,342.46
Electricity, gas, steam and airconditioning supply	55,390.96
Finance and insurance activities	43,390.96
Professional, scientific and technical activities	13,166.34
Transportation and storage	11,641.03
Education	10,659.89
Construction	8,898.14
Water supply, sewerage, waste management	6,624.44
Real estate activities	6,300.29
<b>Copyright industries</b>	<b>5,198.16</b>
Wholesale and retail trade; repair of motor vehicles and motorcycles	5,038.01
Manufacturing	4,741.79
Accommodation and food service activities	4,498.32
Other service activities	4,421.18

Source: GSS and Author

Employee earnings have been further disaggregated by group and industry in the copyright sector. Table 5-10 displays the average earnings within each copyright industry group. In some of the groups, not all the subsectors are presented due to the lack of detailed data. Of all the industries in the copyright sector, employees in the telecommunication subsectors earned the most, followed by architecture, engineering

and surveying, and then advertising. The lowest paid employees were in the creative arts and entertainment subsector.

Under the core copyright industry group, employees in the advertising subsector earned the highest, followed by publishing and broadcasting. The lowest paid employees in the group were in the creative arts and entertainment subsector.

**Table 5-10: Annual average compensation of employees by copyright industry in 2013**

Copyright industry	Average employee compensation
<b>Core</b>	
Advertising and market research	13,126.49
Publishing activities	11,854.75
Television and radio broadcasting activities	8,352.29
Computer programming, consultancy and related activities	7,875.26
Motion picture, video and television programme production, sound recording	6,963.92
Printing and reproduction of recorded media	5,216.12
Creative, arts and entertainment activities	2,108.99
<b>Partial</b>	
Architectural and engineering activities; technical testing and analysis	16,984.60
Manufacture of jewelry	8,729.87
Museum	6,891.40
Manufacture of leather and related products	6,225.47
Manufacture of textiles	4,055.90
Manufacture of furniture	3,559.64
Manufacture of wearing apparel	2,658.33
<b>Interdependent</b>	
Rental and leasing activities	5,394.68
Manufacture of computer, electronic and optical products	4,594.58
Repair of computers and personal and household goods	4,485.04
Manufacture of paper and paper products	3,457.59
<b>Non-dedicated</b>	
Telecommunications	22,871.58
General transportation	11,641.03
General wholesale and retail trade	4,572.82

Source: GSS

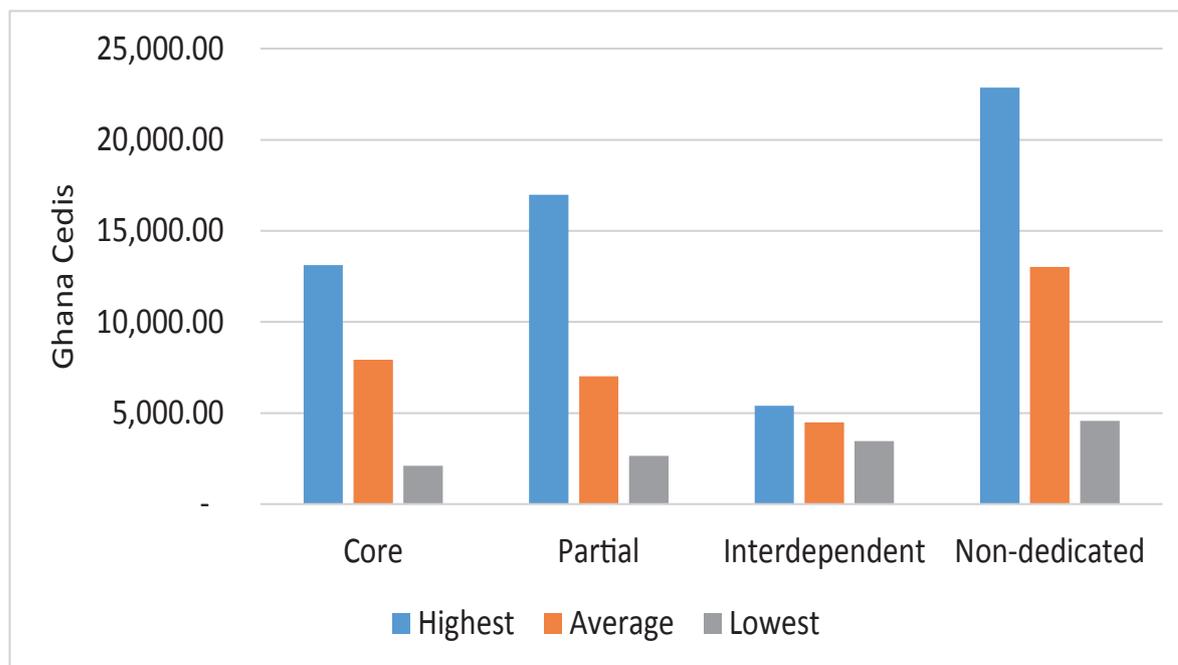
For the partial copyright industries, the architecture and engineering subsector had the highest compensation for its employees. The average earnings in this subsector was almost twice that of the second placed – manufacture of jewellery. Employees in the manufacture of wearing apparel subsector earned the least in the group.

Employees involved in the rental and leasing of interdependent copyright goods were the highest paid in the group, with the lowest paid employees found in the manufacture of paper and paper products subsector.

As stated previously, the highest paid employees in the entire copyright sector were found in the telecommunication industry, which is in the non-dedicated copyright group. The average earnings in general transportation were also high, and ranked fifth among the entire copyright sector. For the non-dedicated group, general wholesale and retailing ranked lowest in terms of average earnings of employees in the group.

Disparities in average earnings within copyright industry groups are shown in Figure 10. The extent of disparity is measured by the difference between the highest and average, and the lowest and the average. Earnings were more evenly distributed in the interdependent industry group than in the other groups. The non-dedicated industry group exhibited the largest disparity.

**Figure 5-10: Disparities in earnings within copyright industry groups**



## 5.4 Contribution of copyright industries to foreign trade

Foreign trade has an important place in the economic development of a country. Foreign trade increases the scope of markets, helping people to access different varieties of goods in both sufficient quality and quantity. Copyright products, as indicated in 4.3.3, covers all goods and services produced by copyright industries. The value of a country's foreign trade in copyright products is an indicator of trends that deserve policy consideration. It is equally important to assess the share of copyright products in a country's trade (the share of overall exports and imports) and also the trade balance of copyright products (exports minus imports). The trade balance has an effect on a country's current account balance. The imports are valued in CIF and exports are in FOB, all in Ghanaian Cedis.

### 5.4.1 Imports and exports of copyright-related products

Ghana trades in many copyright products such as books, music, films, paintings and other crafts. Foreign trade in copyright products generate revenues in the form of import and export duties and other trade taxes and levies.

Imports make available commodities, inputs and technology which are either not available or are available only at higher prices, thus taking consumers to a higher level of satisfaction. The value of imports of copyright goods increased annually over the study period (Table 5-11). However, imports of copyright-related goods as a share of total imports increased marginally in 2014 but declined over the period, dropping continuously from about 4.4 percent in 2013 to 3.7 percent in 2016.

**Table 5-11: Value of imports of copyright goods and their share in total imports**

Year	Total imports	Imports of copyright goods	Share of copyright-based goods
2013	44,338,219,521.25	1,933,870,610.46	4.36
2014	56,498,899,695.00	2,471,378,393.13	4.37
2015	78,703,770,224.00	3,037,816,072.40	3.86
2016	80,604,414,385.32	2,953,979,688.74	3.66

Source: GSS

Exports of copyright-related goods are considered non-traditional exports. Traditional exports are cocoa, timber, gold, bauxite, manganese, and recently, crude oil. Compared to imports, the share of exports of copyright products in the total exports of the country was far lower. Unlike the imports, the value of exports of copyright goods fluctuated over the study period (Table 5-12). The value of exports increased by 86.9 percent in 2014, declined by 58.0 percent in 2015, and grew by 44.4 percent in 2016. The same pattern was exhibited by the shares in total exports. The exports of copyright-related goods constituted more than one percent of the total exports in 2013 and 2014. The proportions in 2015 and 2016 were below one percent. On average, the exports of copyright products over the four-year period were 0.96 percent of total exports.

**Table 5-12: Value of exports of copyright goods and their share in total exports**

Year	Total exports	Exports of copyright goods	Share of copyright-based goods
2013	31,938,030,719.67	409,847,685.24	1.28
2014	44,797,344,714.50	797,082,501.53	1.78
2015	57,653,361,474.00	212,797,662.79	0.37
2016	68,568,013,001.04	275,568,832.13	0.40

Source: GSS

The majority of both imports and exports were partial copyright goods (Table 5-13). For all years, partial copyright goods constituted between 70 and 85 percent. In terms of exports, they contributed an average of 95 percent over the study period.

**Table 5-13: Imports and exports of copyright products by industry group**

Copyright industry	2013	2014	2015	2016
<i>Imports</i>				
Core	4,353,041.48	6,998,559.98	8,825,694.93	10,298,987.24
Interdependent	487,738,819.65	696,546,614.38	642,579,120.09	486,123,135.16
Partial	1,441,778,749.33	1,767,833,218.77	2,386,411,257.38	2,457,557,566.34
<b>Total</b>	<b>1,933,870,610.46</b>	<b>2,471,378,393.13</b>	<b>3,037,816,072.40</b>	<b>2,953,979,688.74</b>
<i>Exports</i>				
Core	347,642.23	364,006.69	489,761.65	381,320.00
Interdependent	13,527,933.02	13,105,808.25	24,831,340.69	6,428,248.03
Partial	395,972,109.99	783,612,686.59	187,476,560.45	268,759,264.10
<b>Total</b>	<b>409,847,685.24</b>	<b>797,082,501.53</b>	<b>212,797,662.79</b>	<b>275,568,832.13</b>

Source: GSS

#### 5.4.2 Trade balance in copyright-related goods in international trade

Table 5-14 shows the trade balance in foreign trading of copyright-related goods. The trade balance is measured in net exports. A negative balance was recorded for all the years under study, with the gap widening from 2013 to 2015, before dipping in 2016. The figures show that Ghana is a net importer of copyright-related products.

**Table 5-14: Contribution of trade deficit in copyright-related goods to national trade deficit (Million GH¢)**

Year	Copyright-related products			Overall trade balance	Copyright's share of deficit
	Imports	Exports	Trade balance		
2013	1,933.87	409.85	-1,524.02	-12,400.19	12.29
2014	2,471.38	797.08	-1,674.30	-11,701.55	14.31
2015	3,037.82	212.80	-2,825.02	-21,050.41	13.42
2016	2,953.98	275.57	-2,678.41	-12,036.40	22.25

Source: GSS and Bank of Ghana

The copyright share of the national trade deficit varied slightly between 2013 and 2015, but widened in 2016 with a little above a fifth of the country's trade deficit. Although a rising trade deficit can sometimes cause painful dislocations for particular industries and their employees, the trend is a result of the narrowing of the overall trade deficit in 2016. Since the share of copyright goods in total imports is relatively small (between 3.6 and 4.4 percent), there is no economic reason to use trade policy to attempt to reduce or eliminate it. Such a move would more likely hurt the economy because domestic production of the copyrighted goods is very small-scale.

#### 5.4.2.1 International trade in jewellery

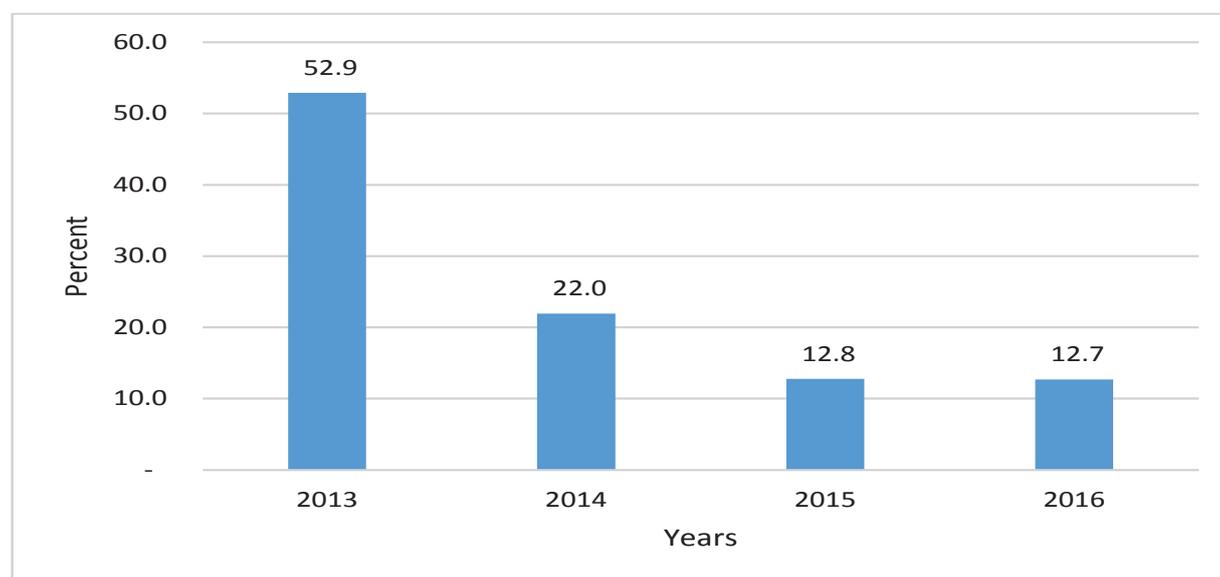
Trading in jewellery recorded positive trade balances (see table 5-15). Imports of jewellery have been very low, compared to exports. The largest positive trade balance was recorded in 2013.

**Table 5-15: Imports and exports of jewellery and coins**

Year	Exports	Imports	Trade balance
2013	216,763,234.51	4,612,571.59	212,150,662.92
2014	174,980,484.76	6,537,489.23	168,442,995.53
2015	27,211,352.73	6,375,405.40	20,835,947.33
2016	34,954,857.52	5,523,631.85	29,431,225.67

Source: GSS

Jewellery contributes significantly to the exports of copyright-related goods. In 2013, jewellery constituted more than half of copyright products that were exported. Though the situation changed afterwards, the performance of jewellery in exports of copyright products was still significant (Figure 11).

**Figure 5-11: Contribution of jewellery to exports of copyright-related goods**

Source of data: GSS

## 5.5 Comparison of the results of the Ghana study with other African country studies

The analysis in this section is based on data from Ghana's current study and that of the other African countries that have already completed and published their reports. The analysis focuses on the performance of the copyright industries in these countries in terms of the contribution to three macroeconomic indicators, GDP, employment and foreign trade. Reference periods for the country studies are not the same, and as such comparisons made are overviews of the performance of the countries in the period in which the studies were undertaken. In addition, methods for estimating copyright factors for the partial and the non-dedicated copyright industries differ substantially between countries. Therefore, any comparison has to be treated with caution. However, even though one has to acknowledge these limitations, it is still interesting to take a closer look at copyright contribution in different African countries.

### 5.5.1 Contribution to GDP

The importance of copyright industries in the different economies is expressed by the percentage share of value added to the GDP. These indicators are shown in Table 5-16.

**Table 5-16: Copyright industries' contribution to GDP of African countries**

Country	Reference period	% Contribution to GDP				
		Total	Core	Interdependent	Partial	Non-dedicated
Ghana	2016	4.02	2.48	0.59	0.30	0.64
Ethiopia	2012	4.73	1.96	1.39	0.43	0.95
Malawi	2009	3.46	0.50	2.63	0.07	0.25
Tanzania	2009	4.56	3.22	1.24	0.00	0.10
South Africa	2008	4.11	2.05	0.56	0.21	1.29
Kenya	2007	5.32	2.30	2.17	0.41	0.43

Source: Publications of the different African country studies

The contribution of copyright industries to GDP varies significantly across the countries, ranging from over 5 percent in Kenya to below 4 percent in Malawi. The core copyright industry group is by far the biggest contributor to added value in all countries except Malawi, where the contribution was below 1 percent (Table

5-16). On average, core copyright industries contributed 2.09 percent to the GDP of the selected countries, albeit over different periods. The lowest contributor to GDP in all the countries was the partial copyright industry group.

### 5.5.2 Contribution to employment

The contribution of copyright industries to employment generation is lower than the contribution to GDP for all countries, except in the case of Ghana and Tanzania (Tables 20 and 21). Like the contribution to GDP, the levels of the contribution of industry groups to employment differ from country to country (Table 5-17). The core copyright group contributed the most to employment generation in all countries except Malawi. The three non-core industries have varying importance in employment generation in each country.

**Table 5-17: Copyright industries' contribution to employment in African countries**

Country	Reference period	% Contribution to employment				
		Total	Core	Interdependent	Partial	Non-dedicated
Ghana	2016	4.77	2.38	0.16	0.47	1.76
Ethiopia	2012	4.20	1.37	1.27	0.33	1.23
Malawi	2009	3.25	0.65	2.43	0.11	0.17
Tanzania	2009	5.63	2.56	2.14	0.29	0.64
South Africa	2008	4.08	2.31	0.51	0.23	1.03
Kenya	2007	3.26	1.20	0.75	1.04	0.27

Source: Publications of the different African country studies

### 5.5.3 Contribution to foreign trade

The issues of international trade and economic growth have gained substantial importance with the introduction of trade liberalisation policies in the developing nations across the world (Vijayasri, 2013). The growth of the copyright sector in the developing world cannot be discussed without examining the contribution of imports and exports of copyright products.

The share of copyright products in the imports and exports of selected African countries is shown in Table 5-18. Imports of copyright products of above 10 percent of total imports were realised by Ethiopia, Malawi and Tanzania. The remaining countries had proportions lower than 10 percent, with Kenya having an exceptionally low ratio of below 1 percent.

In terms of exports, Ghana recorded the lowest proportion of copyright products, while Tanzania recorded the highest. Only Kenya recorded a higher proportion of exports than imports of copyright products.

**Table 5-18: Contribution of copyright industries to foreign trade in African countries**

Country	Reference period	% Contribution to foreign trade	
		Imports	Exports
Ghana	2016	3.66	0.40
Ethiopia	2012	10.87	0.65
Malawi	2009	12.30	0.75
Tanzania	2009	18.55	6.90
South Africa	2008	8.67	4.07
Kenya	2007	0.22	1.30

Source: Publications of the different African country studies

## 6. COLLECTIVE MANAGEMENT ORGANIZATIONS AND EFFORTS TO PROTECT THE RIGHTS OF MEMBERS

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The analysis in Chapter 5 shows that copyright-based industries contribute considerably to the national economy. Though copyright laws are made to protect rights owners, individual management of rights is practically impossible for certain types of use. The impracticability of enforcing the laws individually - both for the owner of the rights and for the user - creates a need for collective management organisations. This chapter presents how the collective management organisations (CMOs) in Ghana are acting in the interest and on behalf of the owners of rights. Ghana's examples can be emulated by CMOs in other countries.

### 6.1 The law and creation of collective management organisations

Article 36(2) of the 1992 Constitution of the Republic of Ghana stipulates as follows:

The State shall, in particular, take all necessary steps to establish a sound and healthy economy whose underlying principles shall include:

- (a) the guarantee of a fair and realistic remuneration for production and productivity in order to encourage continued production and higher productivity;
- (b) affording ample opportunity for individual initiative and creativity in economic activities and fostering an enabling environment for a pronounced role of the private sector in the economy.

These Constitutional provisions are in tandem with the objects of copyright law, which establish appropriate mechanisms to protect the work of creators and give them incentives to produce new works for public consumption.

Section 49 of the Copyright Act, 2005 (Act 690) gives a legal backing for the formation of collective copyright administration societies. The Section provides as follows:

1. Authors, producers, performers and publishers may form collective administration societies for the promotion and protection of their interest.
2. A collective administration society may, acting on the authority of the owner of a right, collect and distribute royalties and other remuneration accruing to the owner.
3. The Minister may, by legislative instrument (L.I.), make regulations for the formation, operation and administration of societies.

In line with the above provisions of the Copyright Act, three (3) collective management organisations have been formed in Ghana. These are:

- Ghana Music Rights Organization (GHAMRO)
- Reprographic Rights Organization of Ghana (CopyGhana)
- Audiovisual Rights Society of Ghana (ARSOG)

The activities and operations of these collective management organizations are regulated by law i.e. the Copyright Regulations, 2010 (L.I. 1962) and the Hon. Minister for Justice has oversight responsibility over the CMOs. The Regulations contain elaborate provisions on the formation, operation and the administration of the CMOs. CMOs are registered as companies limited by guarantee. However, it is the Minister for Justice who grants them a certificate of approval to operate as CMOs.

## 6.2 Levy on devices used for the reproduction of copyright materials (private copying levy)

The Copyright Act, 2005 (Act 690) imposes a levy on devices used for reproducing copyright materials. This levy is also known as the private copying levy. The levy, which is collected by the Customs Division of the Ghana Revenue Authority (GRA), covers both the media and equipment used to copy copyright protected materials, which are imported into the country. The Copyright Regulations, 2010 (L.I. 1962) set out the devices on which the levy is imposed and the procedure for the distribution of the proceeds of the levy to rightsholders. Currently, the levy constitutes the largest source of income for the collective management organisations in Ghana.

## 6.3 Ghana Music Rights Organization (GHAMRO)

GHAMRO's principal roles are to manage the rights of music owners and to issue licences to music users. The membership of GHAMRO is made up of authors/composers and publishers. The organisation's membership in 2015 was 3,277 and grew to 4,138 in 2016.

### 6.3.1 Collecting revenues for members

GHAMRO as a CMO, is responsible for ensuring that tariffs are designed to make commercial use of musical works benefit those who compose and publish them. The sources of revenue for the society are revenue from mechanical rights, performance rights, and other sources.

GHAMRO collects fees from users who engage in public performance of music. The organisation has established a vertical hierarchy of the various types of exploitation in which music is performed. Three classifications of exploitation have been made on the basis of the role played by music. These are:

- (a) Exploitation where music is essential or indispensable (e.g. radio and TV broadcasting, live performances, disc jockeys);
- (b) Exploitation where music creates the atmosphere and is thus necessary (e.g. night clubs, hotels, restaurants, pubs); and
- (c) Exploitation where music serves as a background which is not strictly necessary but is favourable to have (e.g. caller tunes used by telecommunication companies).

Currently, the main user categories recorded in the organisation's books are as follows:

1. Broadcasting stations (radio and television)
2. Hotels
3. Restaurants and bars
4. Night clubs, drinking bars and pubs
5. Financial institutions
6. Fuel retailing stations
7. Telecommunication operators
8. Live performance by various event organisers
9. Shops and malls
10. Barbering shops and salons

The organisation has also taken steps to broaden its licensing stream to cover digital music licensing, airlines, road transport unions, secondary schools and churches.

The third source of revenue, which constitutes a very small proportion of total revenue generated, are the token fees charged for the registration of new members as well as for updating their records with new works.

In order to increase music users' obligations, GHAMRO embarked on a number of programmes to ensure its members receive fair remuneration for their works. The programmes include training its members, computerising its database, sensitising users, signing agreements with user groups, and improving royalty collection methods (including the use of the copyright monitoring team). These activities led to annual increases in revenues.

There has been significant growth in revenue from both mechanical rights (private copying levy) and performance rights. There was an increase in revenue from performing rights of 162.7 percent in 2015 over that of 2014, and an increase of 73.8 percent in 2016. This trend clearly shows that the programmes designed to increase user obligations in the form of sensitisation and signing of agreements, together with improvements in collection methods, are yielding fruits.

## 6.4 Reprographic Rights Organisation of Ghana (CopyGhana)

The initial effort towards the establishment of CopyGhana started in 1999 as a joint effort between the Ghana Association of Writers and the Ghana Book Publishers Association under the auspices of the Copyright Office. The organisation was officially named CopyGhana in 2000. Between 2003 and 2011, the Reprographic Rights Organisation of Norway (Korpinor), provided annual funding for the operation of CopyGhana.

CopyGhana is mandated under the Copyright Act of 2005 (Act 690) and the Copyright Regulations to serve as the Collective Management Organisation to license photocopying and some digital copying in the country. The organisation represents and protects the professional, economic, moral and other interests of members in Ghana and abroad.

The current member associations of CopyGhana are:

- Ghana Association of Writers
- Ghana Book Publishers Association
- Ghana Journalist Association
- Ghana Association of Visual Artists
- Ghana Union of Professional Photographers

### 6.4.1 Collecting revenues for its members

Section 18 of the Copyright Regulations defines the mode for collecting revenues for the members of CopyGhana as follows:

1. A reprographic rights collecting society shall determine a fee in respect of photocopying of works protected by copyright and related rights by educational institutions and any other outlets where reprography is carried out commercially;
2. In furtherance of sub-regulation (1), the reprographic rights collecting society shall collect the fee on behalf of stakeholders and beneficiaries; and
3. Where there is a dispute over a fee imposed on photocopying of copyright works by a collecting society, the Tribunal shall levy a flat rate fee as the Tribunal considers fit.

The main sources of CopyGhana's income are reprographic fees through licensing agreements with user institutions and the mechanical rights levy or private copying levy. The licensing strategies of the organisation have been public education, dialogue and negotiations with authorities of user institutions, student leaders and education policy makers.

The challenge the organisation had in its dialogue and negotiations with the authorities of the tertiary institutions was the issue of the minimum permitted copying rights. CopyGhana, in order to prove that the level of photocopying and digital copying being undertaken in the tertiary institutions is above the permitted level, undertook a survey in seven tertiary institutions. The survey was funded by Kopinor and the Copyright Clearance Centre of the USA. As a result, the survey:

1. Provided an important tool for licensing and distribution of remuneration to rights holders
2. Increased rights holders' awareness of the infringement of their works
3. Raised the awareness of both the authorities and students of user institutions of the level and volume of copying in their institutions
4. Established a scientific way of fixing the tariff

CopyGhana used the results of the survey as a tool to conclude negotiations with ten technical universities and one public university. Negotiations on signing licensing agreements with the other tertiary institutions are still ongoing, and this is expected to lead to a substantial increase in the revenue of the organisation.

## 6.5 Audiovisual Rights Society of Ghana (ARSOG)

Like the other two collective management organisations, ARSOG's operations are enforced under the Copyright Act and Copyright Regulations. The organisation's membership consists of producers, authors and performers in the audiovisual sector of the creative and performing arts industry. The organisation had 147 members in 2012 and, by the end of 2015, the number had increased to 216.

One of the first actions of ARSOG was to develop a website ([www.arsog.org](http://www.arsog.org)) to encourage interaction with its members and the general public. Members can also register online as well as put their own works on the site to publicise them for sales locally and internationally.

In 2013, a number of projects were undertaken by ARSOG to help collect enough information for planning. Among the projects were:

1. An impact assessment of infringement on the film industry in the country
2. A market survey to identify true owners of works and the validity of credits of works
3. Identification and sensitisation of users of audiovisual works.

### 6.5.1 *Collecting revenues for its members*

Like the other two CMOs, ARSOG is a recipient of the levy on recordable material (blank levy) from the Government on behalf of the owners of audiovisual works. In addition, ARSOG collects royalties on behalf of owners from public users of audiovisual works. The main user categories are the same as that of GHAMRO.

The activities and processes aimed at enhancing the collection of royalties from users are similar to that of GHAMRO. In order to eliminate the duplication of efforts, ARSOG, as one of its resounding decisions to propel the society forward in 2016, entered into collaboration with GHAMRO for ease of operations in areas of common interest.

In conclusion, CMOs in Ghana have stood up to the task of representing their members' interests vis à vis the public and government. Thus, CMOs are critical intermediaries for the enforcement of copyright laws. The CMOs have the capacity to provide the necessary infrastructure for managing digital rights if they get the needed support from government.

## 7. DEVELOPMENTS IN THE COPYRIGHT SECTOR IN GHANA

This study has revealed that the creative economy is a rapidly growing sector within the Ghanaian economy. As such, it contributes to income generation, job creation and export earnings. Successive governments have put strategies in place to develop the copyright sector in order for it to contribute to the nation's development. Some of these strategies include abolishing laws that are inimical to press freedom and teaching creative arts in schools, among others.

This chapter discusses creative arts in Ghana's education system in order to assess the progress made over the years with regards to skills development in the creative sector. Developments in some selected core copyright industries are also discussed under this chapter.

### 7.1 Creative arts in Ghana's formal system of education

Following the publication of reports by several education reform committees set up by successive governments to improve teaching and learning and also fashion education to respond to the changing structure of the economy, creative arts was made a compulsory subject at the primary school level in 2004. At the Junior High School (JHS) level, visual arts, technical drawing and home economics options were introduced, but music was still excluded. The introduction of these subjects at the JHS level aims to equip learners who want to pursue the subject at the Senior High School (SHS) level. In addition to these subjects introduced at the JHS level, music and literature are offered at SHS level, all as electives. However, performing arts programmes are not offered at the SHS level.

Currently, there are 10 public universities, 9 public technical universities, and 81 private degree-awarding universities in Ghana. A few of these universities provide degrees in creative arts. The Kwame Nkrumah University of Science and Technology (KNUST) offers degree programmes in most of the visual arts and technical trades. The university has departments that offer courses in communication design (graphic design), painting and sculpture, general arts studies, integrated rural art/industry, industrial art, publishing studies, music, architecture, building technology and fashion design.

The social and economic importance of the jewellery industry has been recognised in the education system. The KNUST introduced a certificate course in computer-aided jewellery production. After successfully introducing this certificate course, the KNUST set up the Jewellery Design and Technology Centre at the university. The resource centre affords artisanal jewellers the opportunity, after completion of training, to access the service centre at a small fee. The main objective for the introduction of computer-aided jewellery design is to help transform the jewellery industry and position it to compete on the world market. The programme is a partnership between the Government of Ghana, the World Bank, the Danish International Development Agency, the African Development Bank, the Japan International Cooperation Agency and the German Technical Cooperation Agency.

The technical universities are involved more in the technical trades such as welding and fabrication, painting and decorating, carpentry, building construction, spraying and draftsmanship, and fashion design. There are a number of non-tertiary institutions that offer training in the technical trades.

The study of performing arts at the formal tertiary level is offered by the School of Performing Arts (SPA) at the University of Ghana. The school has three departments, 1) the Department of Theatre Arts, 2) the Department of Dance Studies and 3) the Department of Music. The SPA, through its three academic departments, offers both local and international students theoretical and practical courses in the Performing Arts.

Filmmaking and production are also recognised in Ghana's educational system. The National Film and Television Institute (NAFTI) is a public Institution of Higher Education in Film and Television Production. The programmes offered at NAFTI are designed to help the students to develop a scholarly, creative and professional approach to filmmaking and television production. The Institute recognises its unique role in the development and propagation of African culture and therefore encourages each student to develop his creative talents to be able to face the challenge of producing materials that reflect the spiritual and intellectual aspiration of the African peoples. The Institute has maintained a high level of performance over the years, with its graduates

being influential in shaping the film and television industry in Ghana and Africa. The Institute has attracted students from many parts of sub-Saharan Africa including Benin, Burkina Faso, Burundi, Cameroon, Ethiopia, Gambia, Mali, Nigeria, South Africa, Swaziland, Uganda, Tanzania, Zambia and Zimbabwe.

The Nkrumah Government established the Ghana Institute of Journalism (GIJ) in 1959 to provide training in the skills and techniques of journalism, mass communication, advertising and public relations. The Institute was elevated to the tertiary level in 2006, and has trained journalists from all over Africa.

The provision of creative arts education faces a lot of challenges. In its 2017 annual report on “The State of Creative Arts in Ghana”, Artwatch Ghana<sup>2</sup> enumerated a number of challenges confronting the teaching of creative arts in the country’s education system. These include the following:

- Though Creative Arts is a compulsory subject at the Primary level, many schools do not teach the subject because most of the teachers are not adequately trained to do so.
- Curricula of Colleges of Education (the institutions that train teachers for the Primary and JHS levels) have not been reviewed to cater for the new content in the Creative Arts and Basic Design and Technology subjects at the Primary and JHS levels respectively.
- A large proportion of Senior High Schools across the country that offer visual arts have no studios or corresponding teaching and learning materials.
- Both Visual Arts and Performing Arts Faculties and Departments in the higher institutions of learning are faced with the problem of inadequate state-of-the-art training equipment for teaching and learning.
- There is a wide gap between the ministry and vocational-based training institutions which has affected assessment of the quality of the graduates produced, their employability, self-employability and the need for review of programmes of study.

## 7.2 The Ghanaian media

The word media is defined as the means or channels of general communication in society. The word was first used in reference to print media (e.g. books and newspapers); but with the advent of technology, media now encompasses television, movies, radio and the internet.

The Ghanaian media has undoubtedly evolved to become more active over the years. The use of the legal system against the press dates back to the colonial period. Many specific laws were crafted by the British to silence and intimidate the press against publishing anti-colonial criticism. Starting from 1893, the British passed a series of Newspaper Registration Ordinances to keep track of all editors and publishers and prohibit any offensive publications. The British responded to the rising tide of agitations by the nationalists for political independence in the 1930s by instituting the Criminal Code (Amendment) Ordinance, defining broad categories of sedition, including racial or class antagonism.

The post-independent era from 1957 to 1992 also witnessed strict media control by government and the shutting down of some private media houses. For instance, the Provisional National Defence Council (PNDC) government, which ruled from 1981 to 1992, passed laws that prevented criticism of the government or its policies, dismissed editors who were critical of the regime and passed various laws such as the Preventive Custody Law and Newspaper Licensing Law, which allowed for the indefinite detention of journalists without trial and stifled private media development. However, a number of the media outlets who were opposed to the ruling government remained unimpeded.

Ghana’s return to constitutional rule in 1993 paved the way for press freedom as enshrined in Chapter 12 of the 1992 Constitution. Since the inception of the 1992 Constitution, the media landscape in Ghana has witnessed very significant changes. There has been a dramatic increase in the number of media organisations; diversity of ownership; diversity in the types and forms of media; and spread of media organisations across the country.

<sup>2</sup> Artwatch Ghana is an arts-based think-tank that advocates for the better positioning of Ghanaian arts on a more public pedestal to fully tap into its economic-driven benefits for all.

The National Media Commission (NMC) was established to regulate the activities of the media industry. The Commission was set up by an Act of Parliament, the National Media Commission Act 1993, Act 449 (the Media Act). The Media Act was established in pursuit of the provisions of Chapter 12 of Ghana's 1992 Constitution that guarantees the freedom and independence of the press. The goal is to promote free, independent and responsible media so as to sustain democracy and national development.

The core functions of the National Media Commission are to:

- Promote and ensure the freedom and independence of the media for mass communication or information;
- Take all appropriate measures to ensure the establishment and maintenance of the highest journalistic standards in the mass media, including the investigation, mediation and settlement of complaints made against or by the press or other mass media;
- Insulate the state-owned media from governmental control;
- Introduce regulations using constitutional instruments for the registration of newspapers and other publications, except that the regulations shall not provide for the exercise of any direction or control over the professional function of a person engaged in the production of newspapers or other means of mass communication.

The NMC developed a National Media Policy in 1999. The primary objective of the policy is to set standards and provide benchmarks for measuring media performance. The policy sets out issues and principles that should guide the development of the media in the country. It also provides guidelines for programme content and for the operations of the media.

The power of the constitution in keeping infringements on press freedom at bay in Ghana, has enabled the country to be ranked as the first in Africa and 23rd globally (out of 180 countries) in the 2018 Press Freedom Index ranking. However, there are still excesses and challenges confronting the Ghanaian media that need to be dealt with.

### 7.2.1 *Print media*

Ghana has a vigorous press with a distinguished political history. The print media has a long-standing history dating back to 1822 when the first publication of "The Gold Coast Gazette and Commercial Intelligencer" occurred. The publication aimed to provide information for civil servants and European merchants, promote literacy and rural development, and encourage unity with the colonial government. Several newspapers sprang up after that but they could not survive. It was not until 1885 that a native established "The Accra Herald" which later changed to "The West African Herald". This gave the natives the opportunity to express their social, economic and political views to a wider readership. The involvement of the media in the country's politics became significant in the period between 1900 and 1939 when the nationalists made pronounced demands and changes on the educational, economic, social and political fronts. To achieve these goals, the nationalists made effective use of newspapers to advocate for such reforms. During the struggle for independence, journalistic activities were purely in the print media.

The print media suffered a lot of restrictions in the pre- and post-independence eras. Press freedom was achieved after the endorsement of the 1992 Constitution. Many private newspapers that had been prohibited by the PNDC's Newspaper Licensing Law suddenly reappeared, full of anti-government criticism and eager to exercise the new freedoms.

Forty-nine (49) newspapers were in circulation as at the end of 2016, and are categorised as follows:

**Table 7-1: Types and numbers of newspapers in circulation (2016)**

Type of newspaper	Number
Dailies	11
Bi-weeklies	8
Weeklies (general)	12
Weeklies (sports)	8
Weeklies (financial)	2
Weeklies (entertainment and leisure)	6
Monthlies and quarterlies	2
<b>Total</b>	<b>49</b>

## 7.2.2 Broadcast media

### 7.2.2.1 Radio broadcasting

The first radio station, ZOY, was introduced to the Gold Coast in 1935 by the colonial government to transmit BBC programmes to some three hundred colonial residents and privileged native elites. Broadcasting first began in four Ghanaian languages, Fanti, Twi, Ga, Ewe, and later Hausa. Apart from providing information and entertainment, Radio ZOY was used to counter the anti-colonial campaigns of the nationalist press.

On the recommendation of a commission set up in 1953, the Gold Coast Broadcasting Service (GCBS) was established in 1954, later becoming the Ghana Broadcast Corporation (GBC) after independence in 1957. GBC, in the early years of its establishment, provided two domestic radio services, Radio 1 and Radio 2. Radio 1 was devoted to local language programmes, broadcasting in the major languages, Akan, Ga, Ewe, Nzema, Dagbani, and Hausa, whilst using English on occasion. Radio 2 transmitted solely in English. Expanding its FM service, GBC opened new FM stations in the regions and districts of Ghana in the late 1980s and early 1990s. GBC operates ten (10) regional radio stations and five (5) district radio stations in Ghana. GBC maintained a monopoly on radio until 1995.

The 1992 Constitution provided for liberalisation of the airwaves. In 1995, the government began allocating licences and frequencies through the Frequency Registration and Control Board. This created a new era of broadcast pluralism. Although most stations focus on musical entertainment, many have news programmes and talk shows for discussion of current events in English and local languages. Interactive phone-in discussions on local and national issues are very popular on Ghanaian radio.

The licensing of radio and television broadcasting firms is the responsibility of the National Communication Authority (NCA), while the content and professional standards are regulated by the NMC. The NCA has granted frequency authorisations to 471 FM radio broadcasting stations. Out of the total number of authorised FM broadcasting stations, 367 stations were operational as of 30th September, 2017.

Below is a breakdown of authorisations granted in classification groups:

- 31 Public radio stations
- 5 Public (foreign) radio stations
- 74 Community radio stations
- 21 Campus radio stations and
- 340 Commercial radio stations

### 7.2.2.2 Television broadcasting

Television was established in Ghana in 1965 by the Convention Peoples Party (CPP) government in collaboration with Sanyo of Japan. Television was under state control and operated by GBC, named GBC-TV. GBC-TV held a monopoly on television broadcasting until 1994, following the coming into force of the 1992 constitution. After the privatisation of the airwaves, the government gave approval to the allocation of frequencies to

private television stations as well. Two private television stations, TV3 and Metro TV, were granted licences and went on air in 1997.

In order to improve its operations to compete with the private TV stations as well as fulfilling the national agenda, GBC undertook several reforms including the introduction of new channels with a specific focus. Currently, GBC operates GTV (a channel for events that matter most to Ghanaians), which is broadcast nationwide on the analogue terrestrial platform. Additionally, GBC runs 5 digital channels, namely, GTV Sports+, GBC 24 (a 24-hour news channel), GTV Life (a religion and culture channel), GTV Govern (a governance channel), and Obonu TV (a channel for the people of Greater Accra and window for the Ga-Dangbe).

As of the end of 2017, the total number of TV operators authorised by the National Communications Authority (NCA) to operate in Ghana is 129. The breakdown is as follows:

- 3 Analogue Terrestrial Television
- 1 Digital Terrestrial Pay Television (Service only)
- 5 Digital Terrestrial Pay Television (Service and Frequency)
- 31 Digital Terrestrial Free-To-Air Television Programme Channel (Nationwide Coverage)
- 7 Digital Terrestrial Radio Service on TV Multiplex
- 4 Digital Terrestrial Free-To-Air Television Programme Channel (Regional Coverage)
- 8 Satellite Television Broadcasting (Pay TV Direct-To-Home Bouquet)
- 11 Satellite Television Broadcasting (Free-To-Air Direct-To-Home Bouquet)
- 58 Satellite Television Broadcasting (Free-To-Air Direct-To-Home Single Channel)
- 1 Digital Cable Television

### 7.3 Advertising industry

The advertising agencies are responsible for designing and implementing creative methods that clients need to market their products or services. That is, advertising agencies are responsible for branding clients products or services. Their creative works are implemented via various platforms including posters, billboards, web pages, blogs, social media, radio, television and the likes.

Though advertising has been prevalent in Ghana dating back to 1927 when the United African Company established West Africa Publicity Limited as an advertising agency, it was not until the 1990s when the effects of economic reforms and media liberalisation created an environment ripe for the industry's maturation. Economic growth has provided the necessary foundation to support industry expansion, as rising disposable income levels have generated significant growth in retail. This has attracted major international advertising agencies to the market and the emergence of many local players, creating a more competitive industry where price competition is playing an increasingly important role.

The growth of the advertising industry has been substantial since the beginning of the 21st century with large international firms like McCann Erickson, Ogilvy, and Saatchi & Saatchi entering the market, increasing competition and improving standards. Currently, there are more than 26 foreign agencies working either independently or in conjunction with a local agency in Ghana. A number of local media organisations and companies also own or have controlling stakes in advertising agencies. A total of 939 advertising agencies are operating in the country as of the end of 2017.

Media establishments are heavily dependent on advertising revenues. Traditional above-the-line (ABL) advertising media are television, radio, print and billboard. Radio is the dominant media outlet, primarily due to its ability to reach all corners of the country. However, outdoor advertising in Ghana has seen a remarkable growth in recent times. The influx of numerous notices on various advertising sites is serving as an effective

means for several organisations and sole proprietorship enterprises in their bid to create awareness. The problem with this approach is the disorganised manner in which banners are mounted and posters are displayed in public, which is not reflective of what advertisements are intended to achieve.

In order to ensure that adverts do not communicate the wrong information to consumers, the country's Food and Drugs Authority (FDA) inspect all adverts on food and drugs before they are broadcast to the public.

## 7.4 Film industry

Cinema in Ghana dates back to the early 1920s when individuals in the private sector opened cinema theatres in the urban areas and introduced films. Patronising cinema theatres became the new form of entertainment for the affluent and first class in the society, that is, the colonial masters and their top officials. Later on, cinema vans were used in the rural areas.

The establishment of the Gold Coast Film Unit in 1948 by the colonial government marked the beginning of the film industry. The objective for the setting up of the unit was to report to the government and people of the United Kingdom and its colonies about developments in the Gold Coast. The film unit produced newsreels and documentaries targeted at informing colonial subjects about the basics of social development, such as hygiene, housing, and payment of taxes, to name a few.

After independence, the name was changed to the Ghana Film Unit, which later became the Ghana Film Industry Corporation (GFIC) in 1964, with film exhibition and distribution services included in its functions. As part of its objectives, the corporation was to produce films for the GBC-TV, the Ghanaian missions abroad, as well as its own theatres. The newsreels, documentaries, and features that the GFIC produced played a crucial role in conscientiously making the Ghanaian people contribute positively to the development of the nation. The documentaries focused on all aspects of social and cultural development. By the late 1960s, over 150 features and documentary films had been produced by the GFIC.

The GFIC also had co-productions with a number of established filmmaking companies from Europe and America. Other film production companies like HM Films and Hacky Films became well established during the early 1980s. The first independent film, "Love Brewed in the African Pot", was produced in 1981. This was followed by "Kukurantumi – The Road to Accra" in 1982. Financing cinematography was difficult for both the GFIC and the independent film makers. The independent filmmakers were resilient and created their own Ghanaian stories and scripts, assembled both professional and amateur actors and made successful films. Income from these Video Home System (VHS) video movies helped to support the film industry. The GFIC, after initial hesitation, offered technical support to the VHS video filmmakers in exchange for the right to first screening in its Accra cinemas because their films had become very popular. By the end of the 1980s, Ghana could boast of a number of films on VHS tapes cassettes, and by the early 1990s, approximately 50 VHS video movies were made per year in Ghana.

The new developments and successes in the Ghanaian film industry attracted counterparts in Nigeria who moved to Ghana to learn from the country's experience. This built a bond between the two countries and they started to produce the same genre of films, namely witchcraft and juju movies. By 1997, Ghanaians and Nigerians started collaborating on films. Some Nigerian producers film in Ghana where production costs are lower. There are also many big budget Hollywood films that have been shot on locations in Ghana. These include 'Cobra Verde' (1987) starring Klaus Kinski, 'Deadly Voyage' (1996) starring Omar Epps, 'Ali' (2001) starring Will Smith, and 'Ties that Bind' (2011) starring Kimberley Elise.

In November 1996, the GFIC was divested to a Malaysian company on joint-venture terms, and renamed Gama Film Company Limited. According to industry players, this initiative marked the start of the decline in the film industry in Ghana. The company had little interest in filmmaking and so the film industry in Ghana continued with independent filmmakers. GAMA is now hosting TV3, a private Malaysian TV station.

Ghanaian films are mainly shot in the "Twi" local dialect and in English. Twi movies are known as "Kumawood" films and English-speaking films are sometimes known as "Ghallywood" productions, while all films made in Ghana are called "Gollywood" films. Currently, more than 40 film production companies are operating in Ghana. Like the media, digital technology has affected the returns made by the film industry.

## 7.5 Music industry

There are many styles of traditional and modern music in Ghana due to its diverse ethnic composition. The best-known modern genre originating in Ghana is highlife. Highlife, for many years, was the preferred music genre until the introduction of hiplife and many others.

The music of Ghana has evolved over time, with rhythms and styles of different parts of the world having an influence. Ghanaian music in the mid-20th century reflected a Caribbean influence, yet it still retained its own flavour. By the beginning of the 1970s, traditionally styled highlife had been overtaken by electric guitar bands and pop-dance music. The Ghanaian-German community created a form of highlife called Burger-Highlife. Burger-Highlife was extremely popular in Ghana, especially after computer-generated dance beats were added to the mix. By the late 1990s, a new generation of artists discovered the so-called 'hiplife'.

What is trending in the Ghanaian music scene now is dancehall music. Dancehall is a genre of Jamaican popular music that originated in the late 1970s. The key elements of Ghanaian dancehall music include its extensive use of Jamaican Patois mixed with the local dialect.

The membership organisation of musicians in Ghana is a powerful force. The association has succeeded in making valuable inputs into the copyright laws of Ghana and continue to solicit support from stakeholders in order to develop and sustain the industry. In 2012, for instance, ECOBANK Ghana Limited (a pan-African bank) donated \$20,000 to the Musicians Union of Ghana (MUSIGA) to help them digitise their music for long-term storage and sales. The initiative was in support of past efforts by the United Nations Development Programme (UNDP) and the World Bank Country Office to make the industry a lucrative one.

In order to collate economic information on the music sector, MUSIGA commissioned a comprehensive study of the Ghanaian music sector in 2012. This was to enable the organisation to get inputs for its medium-term strategic plan. The study report explained the structure of Ghana's music industry and identified the areas of strengths and weaknesses. For instance, the study revealed that there were no internationally recognised record companies in the country, as most of those who operated in the country folded up due to the weaknesses in the copyright system. Another finding from the study was that 39 percent of music producers had other sources of income where as 61 percent did not. The results of the study stimulated discussions as to what projects and processes would be most useful in building the Ghanaian music industry.

MUSIGA signed a contract with the Council for Technical and Vocational Educational Training (COTVET) in 2014 for the establishment of the MUSIGA Academy. The MUSIGA Academy offers training in a wide range of areas in the music industry, from music theory and musicianship to studio recording, stagecraft, and ICT for career development. Other courses involve playing indigenous and western musical instruments and artiste management, among others. MUSIGA collaborates with the School of Performing Arts, NAFTI, Globe Training Institute, and a number of institutions on this project.

Another intervention that MUSIGA has initiated for its members is the rolling out of a life insurance scheme with Donewell Insurance. MUSIGA also has plans of partnering with the Ghana Music Rights Owners (GHAMRO) and the Ghana Association of Phonographic Industries (GAPI) to establish a voluntary pension scheme for musicians.

## 8. SUMMARY, POLICY IMPLICATIONS, AND RECOMMENDATIONS

The primary objective of studies such as this one is to provide empirical evidence on the size and performance of the copyright sector of the economy, which is underpinned by copyright and related rights protection. The information gathered on the overall economic contribution of copyright industries provides additional statistical information on areas of growing interest, which helps policy makers to design strategies to harness the full potential of such industries to achieve the development objectives of the country.

### 8.1 Summary of findings

Copyright industries are well connected with the rest of the economy and have an active presence in the economic cycle. The results of the study confirm the importance of copyright industries in the overall economic performance of the country. The contribution to the economy continued to grow over the period of study, increasing from a share of 3.07 percent of GDP in 2013 to 4.02 percent in 2016. Compared to other sectors of the economy, the contribution of the copyright sector was higher than 10 of the 22 subsectors of the economy in 2013 and 2014. In 2015 and 2016, the copyright sector was the eighth highest contributor to the GDP. Some of the activities whose contribution to the economy was consistently lower than that of the copyright sector are cocoa production, fishing, information and communication, water and sewerage, and electricity. This is an indication that copyright industries are playing a more important role than some traditional industries.

The core copyright industry group was the largest among the industries in the copyright sector, contributing between 1.44 to 2.48 percent to GDP over the period. The second largest contributor was the interdependent industry group, with shares of between 0.59 to 1.06 percent.

In terms of employment, the copyright sector provided jobs for 2.98 percent of the national workforce in 2013 and this increased continuously to an estimated share of 4.77 percent in 2016. Thus, the empirical evidence demonstrates the copyright sector's potential in terms of its contribution to employment, poverty reduction and the economy as a whole. Again, the core copyright industry group employed the largest workforce among industries in the copyright sector, providing employment for 1.55 percent of the working population in 2013 and consistently increasing to 2.38 percent in 2016. Labour productivity was found to be higher in the copyright industries than the average for the economy as a whole. This shows that the sector has the potential to generate income and create jobs.

Import of copyright goods was significant, averaging 2.61 percent of the total imports over the four-year study period. The share of exports of copyright goods, in turn, averaged 0.61 percent, which is far below the share of imports. Accordingly, trade deficits were recorded for all years. Jewellery exports, however, surpassed imports and thus, jewellery recorded a trade surplus. The continuous decline of some industries is worrying. The local production of textiles and wearing apparels declined continuously from 2013 to 2016.

Another main finding of the study is that the level of awareness of the protective power of copyright law is very low among players in the copyright sector. This came to light during data collection for the estimation of copyright factors using the WIPO questionnaire. Though analysis of engagement with respondents was not presented in the chapter on analysis, most of the respondents in the weaving and carving industries did not care whether their works were copied or not. They do not believe that copyright law can protect their works due to the communal nature in which some of these works are undertaken. The large textile manufacturing companies did not respond to the questionnaire. Copyright awareness is highest among players in the core copyright group, at least among those who are registered under a CMO.

The study also discovered that there is a large number of small-scale establishments involved in copyright-related activities. The average number of employees per establishment is four. This has implications on how optimal policies should be designed.

The study faced some challenges, which need to be highlighted. Since the study used secondary data from different sources, a major challenge faced was misclassification of some of the establishments. Comparing the ISIC codes assigned to some establishments in the tax data showed a clear misclassification compared

to their classification in the IBES database. Another challenge faced concerning data was obtaining detailed data for some of the activities. There were no data on the informal part of the creative industry because of the source data used. The extent to which this under-coverage has affected the results is not known, but it is assumed to be small.

## 8.2 Implications for policy

The findings of the study present some policy implications that need to be considered. These are:

1. Evidence from the study suggests that the copyright sector is growing in importance (share of GDP continues to increase). This means, as the sector grows, its contribution to economic growth will increase over time.
2. Copyright-based activities tend to be labour- and skill-intensive. This means that the expected growth of these activities is likely to lead to additional employment of labour and skill (human capital) that would enable the country to meet its sustainable development goal 8 (SDG 8) of growth with decent jobs.
3. The copyright-based industries are an important part of the cluster of capital-producing industries that have the characteristics of luxury goods (DVDs, decoders, satellite dishes, TVs etc.). Their income elasticity of demand is high, above 1. This implies that the copyright sector will grow faster in a small economy like Ghana than in larger economies. This will increase Ghana's growth rate, foster convergence of economic growth and help to reduce global inequalities of growth rates and living standards.
4. As an important set of activities in the capital-producing cluster of the economy, the copyright-based activities offer a crucial advantage. Their output is widely used as input in many other sectors – tourism, education (textbooks, reading books, teaching aids etc.), healthcare, wholesale and retail, transport, etc. This also means that, as they develop, the copyright-based industries can also help other sectors to develop.

## 8.3 Recommendations

### 8.3.1 Enforcement of copyright laws

There are three pillars in the copyright system – legislation; rights management; and public education and enforcement. Ghana's legislation, that is, the Act 690 and the Regulations comply with minimum international standards in copyright. There are also CMOs managing the rights of copyright owners on their behalf. The increasing importance of copyright industries has created the need for education and communication campaigns. The Copyright Office therefore needs to be empowered to be able to undertake more public education and enforcement activities.

### 8.3.2 Developing and sustaining the copyright sector to contribute to growth of the economy and employment

The sector is not homogeneous, but is spread across industries with differing scales - from independent professionals to small businesses to large studios. This means there is no one-size-fits-all model for supporting industry participants. Therefore, policy interventions—most importantly those that aim to nurture creative talent and encourage the development of IP—need to be carefully targeted to help individual artists and creative companies of all sizes to succeed. Thus, government needs to become more strategic, targeting interventions that increase the supply and sustainability of creative talent, that encourage demand for and development of local IP, and that foster a more efficient and robust creative ecosystem.

An active copyright sector is necessary to generate investment opportunities, which will result in higher employment rate and increased levels of income and further lead to poverty alleviation. The overall policy goal must be to retain existing copyright sector employment, improve job security and income of those already in the sector, and address barriers to entry and growth to create room for new entrants and employment expansion. The gains from greater formalisation should be considered, including the benefits of investment to build up skill capital and knowledge of the formal aspects of the music business. Thus, policy must enable and support enterprises and workers in the copyright sector.

### *8.3.3 Improving data quality*

Improving the quality of data for studies such as this one is very important. Having recognised the connectivity of the copyright sector to other sectors of the economy, there is need to strengthen the evidence base through rigorous data collection as a fundamental upstream investment to any coherent creative economy development policy. Comprehensive data on the sector is a recipe for analysing the critical success factors that contribute to the continuous growth of the sector. It is recommended that the GSS should include in the national accounts compilation, satellite accounts for the copyright sector and other growing sectors such as tourism. The GSS should also lead in harmonising all classification systems use by the different public institutions to overcome challenges of misclassification faced during the study.

Studies of this nature are needed regularly to provide inputs for policy actions as the government implements policies towards the achievement of Goals 8 (Promote sustained, inclusive and sustainable economic growth, full and productive employment, and decent work for all) and 12 (Ensure sustainable consumption and production patterns) of the SDGs by 2030.

In conclusion, the total development and sustainability of the creative sector can be enhanced through stimulation by the government (judicial effectiveness, trade freedom, good financial system that enables small and medium scale enterprises to have access to loans etc.), the legal system (property rights and well-established copyrights practices with the necessary enforcements) and the business environment (infrastructure facilities for creators, tax exemptions and subsidies for startups in the creative sector).

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## Appendix 1: Non-weighted value added of partial copyright industries

Partial copyright industry	2013	2014	2015	2016
Apparel, textiles and footwear	690,566,895.79	607,092,150.48	585,877,168.98	544,006,025.15
Jewelry and coins	1,678,379,836.11	2,033,862,364.62	3,414,731,565.18	3,483,336,809.17
Furniture	506,890,866.08	643,192,370.70	453,065,158.15	578,230,136.29
Household goods, china and glass	168,362,180.96	274,010,192.26	243,537,941.81	239,282,301.97
Wall coverings and carpets (trade)	5,340,269.78	6,343,064.73	3,365,359.78	4,213,904.24
Toys and games (trade)	13,417,761.65	15,405,552.04	18,930,646.19	11,205,285.72
Architecture, engineering, surveying	258,499,237.24	324,126,783.01	434,755,748.70	645,813,807.67
Design	11,305,836.07	13,691,055.85	23,018,563.39	23,460,914.50
Museums	18,784,349.60	23,603,244.82	16,804,304.72	21,414,801.89
<b>Total</b>	<b>3,249,547,233.27</b>	<b>3,941,326,778.52</b>	<b>5,094,086,456.89</b>	<b>5,450,963,986.60</b>

## Appendix 2: Non-weighted value added of non-dedicated copyright industries

Non-dedicated industry	2013	2014	2015	2016
General wholesale and retailing	1,641,706,820.49	1,732,408,677.85	3,206,536,337.08	5,191,284,548.82
General transportation	6,979,000,000.00	7,718,000,000.00	9,950,000,000.00	13,118,000,000.00
Information and communication	1,876,000,000.00	2,782,000,000.00	3,658,000,000.00	4,305,000,000.00
<b>Total</b>	<b>10,496,706,820.49</b>	<b>12,232,408,677.85</b>	<b>16,814,536,337.08</b>	<b>22,614,284,548.82</b>

## Appendix 3: Value of imports and exports of core copyright products

Core copyright product	2013	2014	2015	2016
	Imports			
Printed and published materials (books, journals etc.)	4,353,041.48	6,998,559.98	8,825,694.93	10,298,987.24
Exports				
Printed and published materials (books, journals etc.)	347,642.23	364,006.69	489,761.65	381,320.00

Source: GSS

## Appendix 4: Value of imports and exports of interdependent copyright products

Interdependent copyright product	2013	2014	2015	2016
	<b>Imports</b>			
Consumer electronics (TV, radio etc.)	262,871,805.15	385,299,963.03	375,362,036.99	143,293,292.79
Computer and accessories	121,966,558.92	191,143,202.78	128,488,003.97	179,464,020.52
Musical instruments	10,260,941.28	12,890,148.59	15,435,099.60	15,862,750.33
Paper and articles of paper pulp	72,194,431.30	81,376,276.98	87,885,299.66	116,121,979.38
Photographic or cinematographic goods	10,005,824.14	12,489,789.59	19,466,558.91	14,964,409.60
Musical instruments and accessories	10,260,941.28	12,890,148.59	15,435,099.60	15,862,750.33
Video games consoles and machines	178,317.58	457,084.82	507,021.36	553,932.21
<b>Total</b>	<b>487,738,819.65</b>	<b>696,546,614.38</b>	<b>642,579,120.09</b>	<b>486,123,135.16</b>
<b>Exports</b>				
Consumer electronics (TV, radio etc.)	4,336,007.51	4,448,268.97	3,208,432.48	2,252,220.17
Computer and accessories	7,616,435.74	4,102,769.14	17,805,734.39	1,389,275.91
Musical instruments	692,545.29	909,060.17	917,518.81	832,992.97
Paper and articles of paper pulp	124,099.28	380,785.66	186,972.76	68,659.18
Photographic or cinematographic goods	66,299.91	2,355,864.14	1,795,163.44	1,052,106.83
Musical instruments and accessories	692,545.29	909,060.17	917,518.81	832,992.97
<b>Total</b>	<b>13,527,933.02</b>	<b>13,105,808.25</b>	<b>24,831,340.69</b>	<b>6,428,248.03</b>

Source: GSS

## Appendix 5: Value of imports and exports of partial copyright goods

Partial copyright product	2013	2014	2015	2016
	<b>Imports</b>			
Textiles and wearing apparels	605,240,702.19	774,361,568.53	1,062,136,065.89	1,045,127,932.10
Footwear	75,458,830.43	98,659,584.56	130,635,372.53	152,635,505.96
Ceramics	314,134,810.64	424,548,574.88	558,194,137.72	502,280,498.03
Glass and glassware	76,210,066.08	115,270,935.51	145,093,771.30	194,589,564.84
Furniture	336,633,112.67	320,626,998.69	432,950,504.02	527,197,507.10
Toys and games	29,488,655.73	27,828,067.37	51,026,000.52	30,202,926.46
Jewellery and coins	4,612,571.59	6,537,489.23	6,375,405.40	5,523,631.85
<b>Total</b>	<b>1,441,778,749.33</b>	<b>1,767,833,218.77</b>	<b>2,386,411,257.38</b>	<b>2,457,557,566.34</b>
<b>Exports</b>				
Textiles and wearing apparels	58,940,698.61	224,283,525.20	115,940,425.16	117,582,292.11
Footwear	5,034,965.56	341,094,236.25	21,978,558.19	2,074,459.75
Ceramics	916,945.92	9,436,674.21	830,302.22	2,095,257.48
Glass and glassware	100,944,700.53	13,340,759.04	10,930,930.04	13,060,748.71
Furniture	12,974,582.52	11,560,192.98	9,625,466.70	84,767,798.12
Toys and games	396,982.34	8,916,814.15	959,525.41	14,223,850.41
Jewellery and coins	216,763,234.51	174,980,484.76	27,211,352.73	34,954,857.52
<b>Total</b>	<b>395,972,109.99</b>	<b>783,612,686.59</b>	<b>187,476,560.45</b>	<b>268,759,264.10</b>

Source: GSS



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