Frequently Asked Questions - Nigerian Copyright eRegistration System (NCeRS)

Frequently Asked Questions

What is Copyright?

Copyright is the exclusive right granted by a statute to an author (i.e., an artist, writer, publisher, musician, performer, photographer, architect, film maker, and sculptor) of certain works to control the doing of some acts in relation to the work.

What does Copyright Protect?

Copyright protects original creations in the literary and artistic fields which are fixed in medium from which they can be reproduced, or otherwise communicated. Examples of works protected include;

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Literary works (novels, stories, poetical works, plays, computer programmes, letters, encyclopedias, law reports, etc);

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Artistic works ( paintings, drawings, maps, plans, woodcuts, works of architecture, sculpture, craftsmanship, etc);

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Musical works (musical notations and compositions);

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films;

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Sound recordings; and

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Broadcasts

Titles, ideas, concepts, procedures, methods or things of similar nature are not protected by Copyright.

Who benefits from Copyright protection?

The creator of a copyright work, usually referred to as the “author” of the work owns the copyright in the work in the first instance. However, the author is at liberty to transfer his rights to a third party. In such a case, the person who has obtained the right by transfer or other legal means becomes the owner of copyright.

Does my work have to be published to be protected?

Publication is not necessary for copyright protection.

Can I register more than one work on the same application?

No. Each work should be registered in a separate application.  However, you may registere works as a collection on one application with one title for the entire collection, as in the case of a music album with several songs.  A movie in parts will be treated as separate works.

How do I register my work, If I chose to?

In the case of physical submission, you can submit application for registration to any office of the Commission's office nationwide or by filling the online form. You will need to submit to the Commission, a completed registration form, along with two (2) copies of the work, and evidence of payment of the prescribed fee.  Registration forms are obtainable from the Commission's offices.

How long does the registration process take?

Duration of the registration process depends on the method of application. Generally, applications are processed within

10 working days

. Online submissions using the online payment platform may have shorter duration of processing.

Is my Copyright work protected globally?

Copyright protection is essentially territorial in nature. By virtue of membership of certain international copyright treaties and conventions, works of Nigerian citizens enjoy protection in territories of member countries of such treaties to which Nigeria is a party, including the

Berne Convention

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Which statutes protect Copyright in Nigeria?

The primary law that protects copyright in Nigeria is the Copyright Act, Cap C28, Laws of the Federation of Nigeria 2004. In addition to the Copyright Act, there are Regulations which have been issued to regulate certain activities undertaken in relation to copyright works.

These include;

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The Copyright (Optical Discs Plants) Regulations 2006

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Copyright (Collective Management Organizations) Regulations 2007

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Copyright (Levy on Materials) Order 2012

What right do I have as an Author or Copyright owner of a work?

The rights which an author or copyright owner enjoys in a work include the right to be acknowledged in any use made of his work and also to prevent any derogatory use; alteration; distortion or mutilation of same (referred to as moral rights). More importantly, he enjoys the right to earn money from his work by determining the condition under which the work may be commercially used by a third party (economic rights).

An author can prohibit or authorize the following acts;

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The reproduction of the work in various forms such as printed publication, photocopying or making a recording in any media;

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The public performance of work such as staging a play in a theatre;

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The recording of work in the form of compact disks, cassettes, videotapes, etc;

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The broadcasting of the work by radio, cable or satellite;

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The translation of the work into other languages or its adaptation such as from a novel to a screenplay;

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The distribution of the work commercially by way of sales, hiring or rental.

Is my work required to be registered as a condition for Copyright protection?

The Copyright Act does not stipulate registration or any such formality as a condition for protection. Copyright subsists automatically in a work from the moment the work is created. However, as part of its statutory mandate to maintain an effective databank on authors and their works, the Nigerian Copyright Commission (NCC) has established a voluntary copyright registration scheme designed to enable authors and right owners notify the Commission of the creation and existence of a work.

Why should I register my work, If registration is not a condition for Copyright protection?

Registration of a work with the commission has several advantages, including the following:

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The record generated by the Commission provides an independent source of verifying data relating to a work or its author to the general public;

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The acknowledgement certificate issued to the author who notifies the Commission of his work provide prima facie evidence of the facts shown on it;

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The scheme provides a depository for preserving original copies of works notified;

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The information and data contained in the Notification database offers reliable rights management information to members of the public and prospective licensees to the work

Can I register more than one work on the same application?

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When I register my work, will copies be made available for access by members of the public?

When you register a work with the Commission, it becomes part of the databank of copyright authors and works required to be kept by the commission under the copyright Act, and therefore forms part of a public record. All the information you provide on your copyright registration is available to the public and will be available on the Internet. However, copies of the work can only be made available to third parties with the authorization of the author or copyright owner.

Can I pay with a credit/debit card?

Yes, payment of fees can be made either online, through the use of credit or debit card, or the Commission's issued scratch card. Alternatively, payment can be made by bank deposit. Note that online payment may attract transaction fees chargeable by the financial service provider.

How long does copyright protection last?

The rights enjoyed by the owner of Copyright are limited. The author of a work does not own his Copyright indefinitely. The author of a literary, artistic or musical work enjoys copyright throughout his lifetime and for 70 years after his death. In the case of films, sound recordings, performances etc., the owner enjoys Copyright for 50 years from the time the work was first published. The work goes to the public domain when the term of protection expires and third parties are allowed free use.

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