

# ANNUAL REPORT

# 2022

**Let Us Do It Right!**  
*Copyright... Music Rights...*

A person in a light-colored suit is playing a white electric guitar. The image is in grayscale, with the guitar and the person's hands being the primary focus. The background is a soft, out-of-focus light gray.

## **VISION STATEMENT**

A strategic centre in the Eastern Caribbean working to maximizing returns to rights holders by ensuring the operational efficiencies of the activities of the society.

## **MISSION STATEMENT**

Empowering and supporting partnership activities with relevant stakeholders on intellectual property rights creative industries issues in the OECS.

## **CORE VALUES**

Advocacy  
Results-oriented  
Good Governance  
Effective Leadership  
Regional/Global Networking  
Use of Cutting-edge Innovation  
Trained and Qualified Human Resources

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**Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc.**  
12th Annual General Meeting  
18th February 2023 – 9:45 a.m.  
Harbor Club and Online via Zoom

**STANDING ORDERS**

1. A Member shall stand and state his/her name when addressing the Chair;
2. Speeches shall be clear and relevant to the subject before the meeting.
3. A member shall address the meeting when recognized or called upon by the Chairperson to do so, after which, he shall immediately take his seat.
4. No member shall address the meeting except through the chairperson.
5. A member shall not speak twice on the same subject, except:
  - a) The mover or motion who has the right to reply;
  - b) The Member rises to object or to explain any matter (with the permission of the chair).
6. Member shall state their name when moving and seconding a motion before the meeting.
7. No speeches shall be made after the "Question" has been put to the meeting.
8. A member rising on a "Point Of Order" Shall state the point clearly and concisely. (A point of order must be of relevance to the Standing Orders).
9. A Member shall not "call" another member to order.
  - a) A member may draw the attention of the chair to a "breach of order."
  - b) On no account can a member call a chair 'to order'.
10. Only one amendment shall be before the meeting at one and the same time.
11. When a motion is withdrawn, an announcement to it fails.
12. The Chairperson shall have the right to a 'casting vote.'
13. If there is an equality of voting on amendment, and if the chairperson does not exercise his casting vote, the amendment is lost.
14. Provision shall be made for protection by the chairperson for vilification (personal abuse) among members.
15. No member shall impute improper motives against another.

28<sup>th</sup> January 2023

### NOTICE OF ANNUAL GENERAL MEETING

Notice is hereby given that the 12<sup>th</sup> Annual General Meeting of the Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc. has been scheduled for Saturday 18<sup>th</sup> February 2023 at 9:45 am at Harbor Club in Rodney Bay, Gros Islet, St. Lucia and via the Zoom platform (a link will be sent after registration) for purposes including:

1. Approval of the Minutes of the 2021 Annual General Meeting of ECCO Inc. held Saturday, 20<sup>th</sup> November 2021 at the Finance Administrative Building, Point Seraphine, Castries, Saint Lucia
2. Matters arising; action points
3. Receive Chairman's Report
4. Short Remarks by committee Chairs
5. Status of appointment of CEO
6. Receive External Auditors Report for the years ended 31<sup>st</sup> December 2020 & 2021, and unaudited 2022 Financial Statement
7. Proposed Changes to the Bylaws and Resolutions
8. Any other business
9. Election of Directors
  - a) One (1) Writer Director – Dominica
  - b) One (1) Writer Director – Grenada
  - c) One (1) Writer Director - St. Lucia
  - d) Two (2) Publisher Directors - St. Lucia

Nomination forms for Directors must be deposited at the ECCO Office at Julian Charles Road, Sans Souci, Castries, not later than 9:45 a.m. on Wednesday, 15<sup>th</sup> February 2023. Please note that the nomination form must be signed by a writer or publisher member, and be signed by the nominee indicating his/her willingness to be elected.

Any member who is unable to be present at the meeting and wishes an authorised person to act as the member's proxy must deposit a proxy form at the ECCO Office at Julian Charles Road, Sans Souci, Castries, not later than 9:45 a.m. on Thursday, 16<sup>th</sup> February 2023.



By order of the Board: -

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

Member of  
CISAC (The  
International  
Confederation  
of Authors and  
Composers  
Societies)  
since 2004

#### Head Office Address

P.O. Box CP5380  
Julian Charles Road, Sans Souci, Castries St. Lucia  
Tel: (758) 451 6436 / 452 6102 or 285 0404

 @ECCO Inc  @eccorights

#### ECCO Territories:

Anguilla 🎵 Antigua & Barbuda  
British Virgin Islands 🎵 Commonwealth of Dominica  
Grenada 🎵 Montserrat 🎵 St Lucia 🎵 St Kitts & Nevis  
St Vincent & The Grenadines





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

12th Annual General Meeting  
18th February 2023 – 9:45 a.m.  
Harbor Club and Online via Zoom

# Meeting Agenda

## Open Session

<b>09:45 AM :</b>	<b>Arrival of Attendees</b>
<b>10:00 AM :</b>	<b>Call to Order</b> <b>National Anthem</b> <b>Invocation-</b> Archdeacon Christian Glasgow
<b>10:10 AM :</b>	<b>Welcome Remarks</b>
<b>10:15 AM :</b>	<b>Messages from fraternal societies-</b> Secretary, Lancelot Chapman
<b>10:25 AM :</b>	<b>Chairman's Address-</b> David Jordan
<b>10:40 AM :</b>	<b>Guest Speaker-</b> Ms. Kimani Goddard <i>TOPIC- The Importance of Collective Management and Copyright in Transforming, Music and the Creative Industries into a Competitive Trade Sector for All Stakeholders</i>
<b>11:00 AM :</b>	<b>Q&amp;A Short Question and Answer, Media and Audience</b>
<b>11:10 AM :</b>	<b>End of Session</b>

## Closed Session

<b>11:30 AM :</b>	<b>1.0 Adoption of Agenda</b>
<b>11:35 AM :</b>	<b>2.0 Minutes of 11th AGM Assumed As Read</b>
<b>11:40 AM :</b>	<b>3.0 Adoption of Minutes</b>
<b>11:50 AM :</b>	<b>4.0 Matters Arising</b> I. Action Points II. Decisions
<b>12:10 PM :</b>	<b>5.0 Committee Chairs Brief Remarks</b>
<b>12:25 PM :</b>	<b>6.0 Chairman's Report 2022</b>
<b>12:40PM :</b>	<b>7.0 Auditors Report</b> I. AFS 2020 II. AFS 2021 III. UAFS 2022
<b>01:20 PM :</b>	<b>8.0 Elections</b>
<b>02:00 PM :</b>	<b>9.0 Resolutions and Amendments to Bylaws</b>
<b>02:20 PM :</b>	<b>10.0 Any Other Business</b>
<b>03:00 PM :</b>	<b>11.0 Adjournment for next AGM scheduled date</b>
<b>03:05 PM :</b>	<b>Closure of Meeting</b>



**EASTERN CARIBBEAN COLLECTIVE ORGANIZATION FOR MUSIC RIGHTS**  
MINUTES OF 11th ANNUAL GENERAL MEETING HELD NOVEMBER 20TH 2021  
@ FINANCE ADMINISTRATIVE BUILDING, POINTE SERAPHINE, ST. LUCIA  
AND ONLINE VIA ZOOM PLATFORM

Prepared by Michele Henderson-Delsol

**1.0: BOARD MEMBERS PRESENT**

**1.1: VIRTUALLY**

CHAIR VERNALDERINE FRANCIS – ST. KITTS  
DIRECTOR MICHELE HENDERSON-DELSOL – DOMINICA  
DIRECTOR LANCELOT CHAPMAN – ST. VINCENT  
DIRECTOR VAUGHAN SKERRIT – ANTIGUA

**1.2: IN PERSON**

DIRECTOR MELISSA MOSES – ST. LUCIA  
DIRECTOR CRISPIN D'AUVERGNE – ST. LUCIA  
DIRECTOR COURTNEY LOUIS – ST. LUCIA  
DIRECTOR RANKIN MORGAN – ST. LUCIA

**2.0: CALL TO ORDER 10:41 AM**

**2.1:** The Notice of the Annual General Meeting was read by the Chair.

**2.2: MODERATORS:** DIRECTOR CRISPIN D'AUVERGNE & DIRECTOR MICHELE HENDERSON-DELSOL

**2.3: INVOCATION:** DIRECTOR CRISPIN D'AUVERGNE

**3.0: ASCERTAINMENT OF QUORUM**

**3.1: VIRTUAL:** 31 MEMBERS

**3.2: IN PERSON:** 4 MEMBERS  
A quorum was established.

**4.0:** Director D'Auvergne read the Standing Orders.

**4.1:** Member Jackie Cherebin Weekes proposed that the elections be moved up to an earlier point on the Agenda. Peter Murray supported the motion to amend the Agenda. The election was moved to item 11 immediately following the Chairperson's report.

**4.2:** Motion to adopt the Agenda was moved by Ian Sanchez and seconded by Peter Murray.  
MINUTES OF AGM 2020.

**5.0:** Minutes of the 10th Annual AGM were read by Director Henderson. Errors and Omissions were carried out. Corrections were made to the spelling of names, punctuation and some capitalizations. The attendance was amended to include Vernandra Christian of Dominica who was present at the AGM in 2020 but whose name did not appear on the list. It was also pointed out that proxies for Nevin Alexander were held by two individuals namely Gilroy Hall and Ian Sanchez. The office confirmed that this was in fact what was received.

**5.1:** The motion to adopt the minutes was moved by Peter Murray and seconded by Lancelot Chapman. The minutes were adopted as read and corrected.

## **5.2: MATTERS ARISING**

- a. Peter Murray raised the issue of duplicate proxies and advised that a proper screening be done prior to meetings to avoid any future occurrence of the problem. Director D'Auvergne clarified that both proxies were rendered invalid by virtue of the duplication. It is to be noted in these minutes that the ECCO office confirmed the invalidation of the proxies held by Ian Sanchez and Gilroy Hall in the name of Nevin Alexander.
- b. A question was raised concerning the reason there was no EGM called to present the By-Law review as provided for in the minutes.
- c. Chair Francis indicated that the review had not been completed in time for an EGM. She indicated that the proposed changes would be presented at this AGM and an EGM would be called to vote on them.
- d. Member McCarthy Marie recommended that the EGM be scheduled at this meeting. Director Moses disagreed, citing the election of a new board at this AGM which would need time to settle in. Mr. Marie reminded the meeting that the highest decision-making body of the organization was the membership who were currently gathered at the AGM. The new board would have to carry out the decisions of the membership. He cautioned against any further delay in the decision making since it was already prolonged.
- e. Chair Francis suggested that this could be taken up after Mr Poyotte presented the proposed changes.
- f. Member David Jordan raised the question of the Auditor being appointed for three years. Chair Francis confirmed that they were. He further raised the issue of efficiency given the delays in financial reporting.



- g. Member Jordan went on to raise the question of documentation of law enforcement actions in relation to Copyright Laws. He referred to a question raised by Teddyson John recorded in the minutes concerning mandates to broadcast local music.
- h. A question was also raised about the status or outcome of a meeting with the Minister of Tourism & Broadcasting in St. Lucia. There was a concern that there was not enough follow up on actions reflected in the minutes. A plea was made for greater advocacy on behalf of ECCO on a governmental level.
- i. In response to the above questions, it was explained that Covid had interrupted preparations of the 2020 financials. The Operations Manager further explained that due to government, no follow up meeting was held with the Minister.
- j. Director Sanchez explained that he had formed part of a task force, proceeding from the initial meeting with the Minister, to review the legislation on broadcasting. He expects that some movement would happen in the new year to further the efforts to get radio stations to pay music licenses.
- k. The meeting was reminded that ECCO does not have the power to enforce licensing. The importance of government mandates to ensure that users pay licenses was highlighted. ECCO can only collect and remit, not enforce.
- l. Member Marie cautioned members not to expect huge royalties from regional broadcasters. He further advised that government's role is to legislate, which they have done. He reminded the meeting that the existing laws are heavily weighted towards civil rather than criminal liability for Copyright infringement. Therefore, as rightsholders, ECCO must take infringers to civil court and injunctions may be filed which may or may not be granted. He reminded the meeting that not paying a music license is not a crime. It is an infringement of property rights.
- m. Some further debate ensued. Chair Francis updated the meeting that work is being done on a regional level through ACCS to tackle some of the common issues affecting regional CMOs.
- n. Member Jordan requested an update on some recommendations put forward by Member Gilroy Hall as recorded in the minutes. Chair Francis explained that efforts were mostly curtailed by the pandemic with ECCO operating in survival mode.
- o. The lack of interaction with the membership except once or twice a year was brought up. A member pointed out that virtual interaction was possible. She advocated for a more humanitarian side of ECCO and for members to be included in organizational actions.
- p. Chair Francois indicated that provisions to that effect were included in the By-Law review. She further instructed Director Moses to identify members in the room and among the wider membership who would be interested in forming part of the committees. It was suggested that this be action planned so that the office may take the responsibility to reach out to members.

- q. There was a call for new ways of invigorating the membership and attracting new members.

### **5.3: ACTION PLAN:**

- a. Office to take up the responsibility of developing a strategy to include a way forward along the points brought up in the meeting, i.e. keeping steady contact with members and finding new ways to engage the membership.
- b. The meeting was reminded that ECCO's mandate was collections and distribution and while humanitarian efforts are admirable, they do not fall under the mandate of a CMO. It was suggested by a member that such actions were more the responsibility of artist associations and support groups. She further cautioned that members with works that are not exploited in the media or at events are not automatically entitled to royalties by virtue of just being a member. She mentioned efforts to lobby for better logging of program repertoire in order to maximize the benefits to members in the region.
- c. Registration of works was mentioned as something that needs improvement.

### **6.0: AUDITOR'S REPORT**

- 6.1:** The Auditor's report for 2019 was read by a representative of Grant Thornton. A brief analysis of 2019 compared to 2018 was given. Questions were raised about the increase in Accounts Receivable and about the amount of distributable revenue.
- 6.2:** The issue of timely information to the auditors was raised. It was also suggested that visual aids be employed to make it easier for members to understand the financials. An upgrade to accounting software and processes was recommended. Member Jordan further recommends that more personnel be employed to handle the issue of proper accounting.
- 6.3:** The issue of the accounting department being staffed by one individual was raised again by the auditors. It was explained that delays were as a result of having to do much of the checks and monitoring that would customarily be done by additional accounting staff. Full substantive auditing is required in the absence of the normal checks and balances. The auditors recommend the engagement of additional personnel in the accounting department.
- 6.4:** Member Marie pointed out that the key indicator of the success of the organization is the amount of distributable income available at the end of the financial year. He cautioned that while it is beneficial in the abstract to have additional accounting staff, it would also mean additional salary costs which would reduce the amount of distributable income available to members in the form of royalties.

### **6.5: ACTION PLAN:**

Management and the Board to explore cost effective ways of implementing recommendations by the auditors to improve ECCO's accounting capability.

## **7.0: CHAIR REPORT**

The Chair's report was presented by Chair Vernalderine Francis.

### **7.1: ACTION PLAN:**

- a. Chair Francis to email the slide presentation to the membership.
- b. Member Murray moved that the Chair's report be adopted. This was seconded by Director Chapman.

## **8.0: ELECTION OF DIRECTORS**

**8.1:** A report on nominations and the receipt of proxy forms was read by Director Henderson.

**8.2:** Directors whose term ended:

Melissa Moses – St. Lucia  
Crispin D'Auvergne – St. Lucia  
Vernalderine Francis – St. Kitts  
Lancelot Chapman – St. Vincent  
Linda Berthier – St. Lucia (Resigned)  
Rob Zii Taylor – St. Lucia (Resigned)  
Gilroy Hall – St. Lucia (Disqualified for non-attendance)  
Ian Sanchez – St. Lucia (Resigned)

### **8.3: NOMINATIONS:**

**Note:** There was no nomination for Antigua & Barbuda, however, the outgoing director indicated that he would be willing to be nominated again with the membership's permission unless Antigua has an objection. There was none.

#### **ANTIGUA & BARBUDA**

Vaughan Skerritt

#### **ST. KITTS & NEVIS**

Vernalderine Francis

#### **ST. LUCIA – Writer**

Bruno Leonce  
Buffalo Odlum  
David Jordan  
Kendell Eugene  
Melissa Moses  
Nigel Nicholas  
Eustace Crispin D'Auvergne

ST. LUCIA – Publisher

Sanchez Music Publishing

ST. VINCENT & THE GRENADINES

Lancelot Chapman

Claydon Roache

#### **8.4: ELECTIONS:**

The elections were presided over by representatives of the St. Lucia Electoral Department. No elections were held for St. Kitts Writer Director as all five nominations were in the name of Vernalderine Francis. Similarly, no elections were held for St. Lucia Publisher Director as only one nomination was received. The preceding nominees were thus automatically installed on the board.

#### **PROXIES**

Writer Member Proxy Holder: Ian Sanchez – 11 proxies

Kerwin Lionel  
Gregory Hypolite  
Christopher Neil  
Nevin Alexander  
Ezra St. Juste  
Nijah St. Catherine  
Anthony Clyne  
Mahurney Augier  
Dycer Fontelio  
Jenna Anna Gaston  
Verna-Liza Elva

Writer Member Proxy Holder: Melissa Moses – 8 proxies

Ricky Joseph  
Werner Franics  
Protus August

Publisher Member Proxy Holder: Ian Sanchez – 3 proxies

Coal Pot Publishing  
Caribia Publishing  
LED Music

The proxy forms submitted for Kerwin Lionel and Gregory Hypolite were deemed invalid as they are not members of ECCO.

Verna-Liza Elva was also found not valid for voting.

It was noted that a resigning member who resigned three days prior to the AGM was renominated and automatically re-installed on the board. A brief discussion on the matter ensued. However, there was no objection to his nomination.

A Point of Order was raised by member Peter Murray. He proposed that the matter be taken up during the discussion on the By-Laws Review.

Nominees made presentations on their interest in joining the board. Some questions were fielded by the nominees.

The election proceeded.

The Returning Officer explained the voting procedure for the members attending in person. Ballots were issued and votes cast privately in the voting booth. The Operations Manager explained the procedure for those voting online. Due to some complications with the online mechanism for voting, members online were invited to cast their votes by Zoom chat.

The results were tallied and presented by the representatives of the St. Lucia Electoral Department. Online votes were verified by the representative and ballots reflecting the online votes were placed in the box before the count. The results were as follows:

The new writer directors elected to the board were:

#### ST. LUCIA

Melissa Moses – 30 votes  
Kendell Eugene – 29 votes  
David Jordan – 23 votes  
Bruno Leonce – 23 votes  
Nigel Nicholas - 21 votes

#### ST. VINCENT & THE GRENADINES

Lancelot Chapman – 4 votes

The other nominees received the following votes:

Crispin D’Auvergne – 15 votes  
Buffalo Odlum – 8 votes  
Claydon Roache – 3 votes

#### **8.5: ADJOURNMENT:**

The Moderator recommended that the meeting be postponed to a later date in the interest of time and owing to the departure of the presenter for the By-Laws review. It was recommended that the meeting be reconvened virtually, on the 27th of November 2021 at the same time.

The motion was moved by member Peter Murray and seconded by member McCarthy Marie.

The meeting was adjourned by the Chair at 18:37 pm.

## 9.0: RECONVENED AGM

27TH NOVEMBER 2021

### 9.1: QUORUM ESTABLISHED

22 ONLINE PARTICIPANTS

**9.2:** An invocation was delivered by Director David Jordan.

**10.0:** A suggestion was made to address Any Other Business ahead of the By-Laws but after a brief discussion, the meeting agreed to proceed with next item on the Agenda: The presentation on the review of the By-Laws.

**10.1:** Mr. Poyotte was invited to proceed with his presentation. Items where real time corrections were made to his proposals are documented below.

1. Members offered corrections to **Section 2.18**, notably the correction of the term “entrance fee” which was changed to “application fee.”
2. The suggestion was made to amend **Section 2.22** to include “General Manager” as part of the description of Officer of the Company.
3. The definition of “Proprietor” in **Section 2.27** was amended to included “sound recordings.”
4. Adjustments were also made to **Section 2.34** concerning the definition of “Writer”. It was pointed out by member McCarthy Marie that the proposed definition did not suffice for all territories. He advised that fixation of a work was not required under Dominica law. The definition was amended accordingly.
5. **Section 7.3** was amended to read “Any Person or Entity.”
6. Note was made to seek legal advice on the wording of **Section 7.3(b)** as well as the entire document.
7. It was suggested that a specification of the nature of the organization (it’s nonprofit status) be included in the introduction along with the tag, “hereinafter referred to as The Company.”
8. Member Marie reminded the meeting that rights to be administered under **Section 7.8** need to be clearly defined as not all rights of members would be assigned to ECCO. He offered to email clarification to Mr. Poyotte on the matter. The meeting agreed.
9. **Section 8.1** was amended to reflect the earlier suggestion of an “Application fee” in lieu of “Registration fee”. It was also suggested that “Fee” be defined in the Interpretation section.
10. It was brought up that the termination of membership could take place after 2 years according to the agreement signed by members. However, the By-Laws stipulated 3 years. An amendment was made to **Section 9.6** to reflect 2 years.

11. Online meetings were accommodated for in **Section 10.1**.
12. It was further suggested that a date be specified for the Annual General Meeting (every twelve months) and that only a three-month extension period be allowed in the event that Financial Statements are not yet prepared and/or circulated to the membership. In any event, Annual General Meetings would have to take place within a fifteen-month period, sixteen only if there are extenuating circumstances. Discussions continued on methods to improve the timely delivery of Financial Statements. The issues of capacity and mitigating the risk for error were discussed.
13. **Section 12.2** addressing the establishment of a quorum was discussed with a view to use a formula of 5% of the membership with at least one member per active territory.
14. **Section 13.4** on the Proxy Instrument was discussed at length. Efforts to encourage attendance were mentioned. The consultant advised that there be a limit to the number of proxies an attending member could hold. The topic was not resolved.
15. **Section 14.1** Mr. Poyotte explained the details of the recommendations for the reconstruction of the board in the By-Laws. A lengthy discussion ensued. It was pointed out finally that in order to administer related rights, the board construct must be changed in order to satisfy the requirements of the governing body for related rights i.e. the IFPI. It was noted that many members do not understand related rights and are thus reluctant to move in that direction. Mr. Marie made special mention of the revenue that could be generated from administering related rights and that this was being ignored by the organization. Other directors focused on the need for increased revenue generation without needing to change the construct of the board. The issue remains open.
16. An amendment to **Section 14.3** was recommended by Mr. Marie to make a clear distinction between a publisher director and a producer director.
17. A note to continue discussions on **Section 14.4** was made. It concerned the nomination of ex officio directors. The exclusion of the OECS director as per the original By-Laws was brought up as a concern. Mr. Poyotte explained that advice from such organizations could be sought independently without there being a provision for them to sit on the board. It was further suggested that since an ex officio director was provided for on the recording side, one should also be provided for on the copyright side.
18. Some address was given to the wording of the provision on board tenure in **Section 14.5**. Mr. Poyotte offered to reword the section accordingly.
19. **Section 14.12** was amended to include nominations made online.
20. A suggestion was made to include a subsection addressing conflict of interest matters under **Section 14.15 DECLARATION OF INTEREST**.
21. **Section 14.16** addressed **DIRECTOR DEVELOPMENT**. The point was raised that this should also apply to members. It was suggested that an item to that effect be included in the section. Some mention of the need to allocate funds to this endeavor was also recommended.

22. It was suggested that under **Section 16.1**, the board be required to meet at least once a month. And that meeting documents be circulated at least 5 days before the scheduled meeting.
23. A quorum for board meetings was established at 51% of the board or 7 members under **Section 16.4**.
24. It was decided that for proper flow of the By-Laws document that the topic of the proposed Membership fund be handled later down in the document.
25. A reporting role for the CEO was proposed in **Section 18.9**. Some discussion was had on what should be included in the Chairperson's report i.e. issues pertaining to governance and what should be in the progress report which should be a summary on operations and governance.
26. At **Section 19.1**, mention was made of the policy direction role of the board as distinct from the administrative or executive role of management. Mr. Poyotte stressed good communication between the board and the managerial staff.
27. Mr Poyotte suggested that the Secretary submit an Action Plan report under **Section 19.3** to include the action required, the persons responsible for carrying out the action and any follow up data.
28. **Section 19.4** addressed the signing of checks. The section was to be reworded to reflect signing by the CEO, the Treasurer and/or a director of the board as opposed to the Chairman, who may, in some iterations of the executive of the board, be located outside of St. Lucia.
29. The importance of the Manager's Report was re-iterated, and a request was made to include wording in **Section 19**, requiring its use and distribution to members of the board.
30. Other minor corrections were carried out including notes on the proper wording of the subsequent Sections.

## **10.2: ACTION PLAN:**

It was decided that the corrections would be made by Mr Poyotte and a new draft document prepared for review by the new board. It was further decided that an EGM be convened for the expressed purpose of reviewing the amended document and voting to adopt the new By-Laws. It was suggested that in the event of a successful vote, implementation of the new rules be effected within six months.

Mr Poyotte was thanked for his efforts and was excused from the meeting.

## **11.0: ANY OTHER BUSINESS**

- a. Concerns were raised about the timely preparation of Financial reports for 2020 and 2021 and the need for someone at the helm of the organization, in light of the Operations Manager's repeated lament of no CEO to carry out certain critical functions. The importance of servicing the members was stressed.



- b. A call for better PR for the organization was made along with efforts geared towards educating the membership as to the royalty distribution process. It was proposed that the organization hold more frequent meetings updating the membership on progress and that such meetings could be more social.
- c. Members present called for unity among the membership and utilizing the skills of the existing members of the board to move the organization forward.
- d. Discussions were held on the date for the orientation meeting for the new board. The dates and times would be finalized via email or telephone, pending availability of directors and the CISAC representative.

**MAIN ACTION POINTS TO BE TAKEN UP**

<b>Action Plan</b>	<b>Executing Party</b>	<b>Timeline</b>
1. Take up the responsibility of developing a strategy to keep steady contact with members and finding new ways to engage the membership.	Office Staff	Immediately
2. Explore cost effective ways of implementing recommendations by the auditors to improve ECCO's accounting capability.	Management & Board	Immediately
3. Email the Chairperson's slide presentation to the membership.	Chair: Vernalderine Francis	As soon as possible
4. Corrections to proposed By-Laws to be made and a new draft compiled for board review	Consultant: Victor Poyotte	In one week from the AGM
5. Dates and times for orientation of the new board to be finalized and communicated to board members	Chair: Vernalderine Francis	Within one week of AGM

Signed:

.....  
 Chairperson  
 Vernalderine Francis

.....  
 Recording Secretary  
 Michele Henderson-Delsol

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## GENERAL MEMBERSHIP ATTENDANCE

### ST. LUCIA

Peter Anselm Murray  
Martin James  
Buffalo Odum  
Nigel Nicholas  
Irvin Loctar

Daesean Germain  
Zephyrin Calixte  
Bruno Leonce  
Meriah St. Louis  
Darby Etienne

Linda Berthier  
Robert Taylor  
Kendell Eugene  
Jackie Cherebin-Weekes  
Ian Sanchez

### ST. VINCENT

Shaquille SB Brown  
Hayden Billings  
Claydon Roache

Elrico Hunte  
Chewalee Johnson

Grabba Finesse  
Jaime Liverpool

### ST. KITTS

Gabriella LaPlace

Grace Richardson

### GRENADA

Hervin Hood

Valene Nedd

### DOMINICA

McCarthy Marie  
Alixson Cognito  
Adrien Bannis

Daryl Bobb  
Janet Azzouz-Shillingford

Vernandra Christian  
Dexter Ulysses

### ANTIGUA

Bernard De Nully

### UNKNOWN TERRITORY

G-Rap Records

Jemmot Anthony Stacy



## NOMINATION FOR DIRECTOR

EASTERN CARIBBEAN COLLECTIVE ORGANISATION FOR MUSIC RIGHTS (ECCO) INC  
PO Box CP 5380 – Julian Charles Road  
Sans Soucis, Castries, St. Lucia

I..... (Please Print Name)

..... (Signature)

a member of the Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc.  
hereby nominate

..... to the post of Director of the Society (Please print name  
of Writer or Publisher Member).

Date: .....

I hereby present myself ..... (Please Print Name) to the  
membership of the organisation to be considered for a Director post at the 12th Annual General  
Meeting of ECCO Inc. on 18th February, 2023.

Date .....

Signature .....

Witness .....

**Please note that both the member nominating and the member being nominated must sign this form to agree to the nomination (unless the member is nominating him or her own self - in which case only the second section needs to be completed) which must reach the office of the Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc. (by hand delivery, fax or by email) not later than 9:45 a.m. on Wednesday 15th February, 2023.**



## APPOINTMENT OF PROXY

EASTERN CARIBBEAN COLLECTIVE ORGANISATION FOR MUSIC RIGHTS (ECCO) INC  
PO Box CP 5380 – Julian Charles Road  
Sans Soucis, Castries, St. Lucia

Form of Appointment to Act as Proxy at the 12th Annual General Meeting of the Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc. on 18th February, 2023.

I will not be able to attend the Annual General Meeting of the Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc and hereby appoint: -

..... (Please Type in Block Capitals)

as my proxy at the AGM to be held Saturday 18th February, 2023 at 9:45 a.m. at Harbor Club and via the Zoom platform.

Name of Member .....

Signature of member.....

### **NOTES**

- 1. This proxy form may be used where you are unable to attend the meeting.**
- 2. The proxy enables you to appoint another member or any other eligible representative to attend meeting and vote on your behalf on any poll.**
- 3. Any alteration to this proxy form must be initialed.**
- 4. The signed proxy form (and any power of Attorney or other authority under which it is signed) must reach the office of the Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc. no later than 9:45 a.m. on Thursday, 16th February, 2022.**
- 5. The holder of any proxy must present valid ID to gain entrance to the AGM.**

N.B. Failure to comply with any of the above will invalidate this proxy.

# COMPANY OVERVIEW

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## WHO WE ARE

The Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc. is an association of songwriters and publishers of musical works and is the legal entity responsible for administering the performing rights of its members and members of Affiliated Societies.

ECCO was originally known as the Hewanorra Musical Society (HMS) Inc. which was the national society for St. Lucia. Following a series of consultation with creators throughout the region and with the agreement of HMS members in St. Lucia, the name of the society was changed to the Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc., reflecting its regional make-up. Similarly, the composition of the HMS Board was changed to ensure broader representation from Eastern Caribbean States. In addition, the mandate of the society was increased to include the administration of rights for performers and producers of sound recordings alongside that of writers and publishers.

## WHAT WE DO

Through reciprocal agreements, ECCO has control of the world's music repertoire. That is to say, we are responsible for licensing all public use of music in the Eastern Caribbean irrespective of which country the songwriter is from or what genre of music is used.

## HOW WE DO IT

ECCO collects fees by issuing licences to music users granting them permission and authority to the restrictive acts as defined in the Copyright Acts of the region, including; public performances, broadcasting, communication to the public, reproduction etc.

# MESSAGE FROM FRATERNAL SOCIETIES

“Music is the shorthand of emotion.”

— Leo Tolstoy



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

CLC23-0211

**Mr. Keen Cotter**

Officer In Charge

The Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc

Julian Charles Road, Sans Soucis

P. O. Box CP5380

Castries, St Lucia

Santiago, 16/02/2023

By email : [kcotter@eccorights.com](mailto:kcotter@eccorights.com)

Dear Mr. Keen Cotter:

I am writing to you as CISAC's Regional Director for Latin America and the Caribbean.

CISAC is a non-profit, non-governmental organization with 228 member societies in 120 countries, representing more than 4 million authors from all over the world and from all repertoires and artistic genres: music, audiovisual, drama, literature and visual arts. CISAC is chaired by the celebrated composer Björn Ulvaeus, a member of the Swedish music group ABBA.

ECCO is a provisional member of CISAC.

On the occasion of your 12th Annual General Meeting, to be held on 18 February 2023, we wish you, the ECCO's Board of Directors, and all its members a fruitful meeting that will contribute to strengthening the rights of the authors and other rights holders you represent.

Sincerely

A handwritten signature in black ink, appearing to read 'Rafael'.

**Rafael Fariñas**

Director Regional para América Latina y El Caribe

Director Regional for Latin America and the Caribbean



+56 2 2946 7635

[www.cisac.org](http://www.cisac.org)

Avenida Nueva Providencia 2155, Oficina 902, Torre C, Providencia, Santiago de Chile.

The information transmitted in this message is intended only for the person or entity to which it is addressed and may contain information that is legally privileged or confidential. Any direct or indirect use (including any publication, retransmission or reproduction) of this information by persons or entities other than the intended recipient is prohibited. If you are not the intended recipient, please contact the sender immediately by reply email and destroy all copies. The sender is not responsible for the completeness or accuracy of this communication. Any reply to this email may be monitored by CISAC for quality control and other purposes.



c/o COTT  
139-141 Abercromby Street,  
Port of Spain Trinidad  
Phone: (868) 623-6101, (868) 623-7311,  
Fax: (868) 623-4755  
[www.acccsacaribbean.com](http://www.acccsacaribbean.com)

15<sup>th</sup> February 2023

Board and Members

Eastern Caribbean Collective Organisation for Music Rights Inc.  
P.O. Box CP5380, Julian Charles Road, Sans Souci, Castries,  
St. Lucia

Good Day All,

The Association of Caribbean Copyright Societies (**ACCS**) is the umbrella organisation for the Caribbean copyright industry. Its mission is to provide leadership and expertise whilst promoting the use of copyright protected materials and maximizing returns to stakeholders.

As one of the founding members of ACCS, ECCO has worked alongside other members to develop regional standards on the governance of CMOs, as well as operational matters such as establishing licensing practices and distribution rules. Throughout its existence ECCO has remained committed to upholding the highest standards of operations and in this regard ACCS lends its support to ECCO as it continues to work on behalf of the creators within the Eastern Caribbean diaspora.

The other members of ACCS include the Copyright Music Organisation of Trinidad & Tobago (**COTT**), Jamaican Association of Composers, Authors & Publishers Ltd (**JACAP**), Copyright Society of Composers, Authors & Publishers Inc. (**COSCAP**) and Associate member the Belizean Society of Authors Composers and Publishers (**BSCAP**)

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ayanna Belgrave-Lewis', is written over a blue circular stamp or seal.

Ayanna Belgrave-Lewis  
Chair Management Committee, ACCS  
Chief Executive Officer, COTT



## CHAIRMAN'S ADDRESS

“ Music is a moral law. It gives soul to the universe, wings to the mind, flight to the imagination, and charm and gaiety to life and to everything. ”

— Plato



It is such an elation that the Board of Directors can present the Annual Report for 2022 in a timely manner to the general membership of ECCO with this year's theme **"Let Us Do It Right."** As Chair, I am also equally pleased in ensuring that the Annual Reports for 2019, 2020, 2021, and 2022 were produced and presented simultaneously to share with our members in time for this 12th Annual General Meeting.

Members this clearly seeks "to arrest the culture of the malaise of the past at the Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc," presenting its Financial Reports with a two; sometimes three-year lag. This effort will greatly enhance the efficiency of the work of ECCO as a Company. This ought to include the "mindset" for the possibility in future planning, and should not be limited to the distribution of royalties to its members. ECCO will adopt a digital system **"UN WIPO Connect"** this year, to manage the distribution of royalties in a more timely and transparent manner.

The business of ECCO is yours and you need to attend to its business affairs.

Members will also realize that this achievement did not come easily. Several persons were responsible and should get the praise for this. Staff, the accounting consultant, auditor and the guidance and cooperation of the Officer in Charge contributed wisely and effectively with immense effort.

Notwithstanding, this proud achievement was amidst a tumultuous year of challenges for the Board of Directors. The COVID-19 pandemic has ceased, but ECCO was without the services of a CEO, and also a highly experienced Operations Manager; followed by the resignation of a dedicated Board Secretary. This was also coupled with the unionisation of staff and its ongoing negotiations.

The challenges are not imagined. Having set goals because of the cessation of the impact of COVID-19, and the reopening of global markets, this was followed by the Ukraine crisis which also has its impact on the music industry- The Caribbean is no exception.

During 2022 we witnessed the new trends in the music industry. Consumption of music globally was reflected on **(i) Internet-based platforms at an estimated sixty-four (64)% while, (ii) non internet-based platforms were estimated at thirty-seven (37) %- Source: IFPI.**

Members will need to recognize that there is even greater need to work with your organisation. It is in this endeavour of working together that projects like **(a) Education and Sensitization of Copyright Industry Stakeholders, (b) Contingency Fund Structures, and (c) Legislative Goals** of ECCO would be very relevant to the growth and development of our members, to take on the trend and challenges of digitilisation of the music industry. Already, it is being revealed that there is need for greater advocacy by our organisation and to equip ourselves with the resources, knowledge, experience, and expertise needed to combat the trend of the music industry, and to poise to exploit the possibilities to come. This experience proves that it is not the same business as yester year.

Our advocacy calls for the revisit of our relations with our respective stakeholders. It calls for Governments in the sub-region to see the music industry as a contributor to Gross Domestic Product, and the economic and social growth in the sub-region. There is need to adopt better legislation so as to strengthen our copyright law and other musical rights laws, to manage the music industry and to enhance policies directed for the benefit of the creators mainly the youth, as well as those who created the current platform.

ECCO asks, why so many users don't pay their licenses? Why Governments seem so hesitant to create the proper legislative and policy environment with enforceable laws? Why can't we get the Broadcast Bill enacted in the sub-region after almost two decades of consultation, and the increase of broadcasting entities in the respective jurisdictions in the sub-region? This will certainly help us to improve on our creators' revenue streams, and members benefit more handsomely with greater transparency and sustainability- **Let Us Do It Right!**

**DAVID JORDAN | CHAIRMAN**

# GOVERNANCE- BOARD OF DIRECTORS

“ All good music resembles something. Good music stirs by its mysterious resemblance to the objects and feelings which motivated it. ”

— Jean Cocteau

**DAVID JORDAN**  
Chairman  
St. Lucia

**RANKIN MORGAN**  
Vice-Chair (Sept 2022 - present)  
St. Lucia

**SANCHEZ MUSIC PUBLISHING  
(IAN SANCHEZ)**  
Vice-Chair (Jan - Aug 2022)  
St. Lucia

**LANCELOT CHAPMAN**  
Secretary (Sept 2022 - present)  
St. Vincent & the Grenadines

**MICHELE HENDERSON**  
Secretary (2021 - Mar 2022)  
Commonwealth of Dominica

**BRUNO LEONCE**  
Writer Director  
St. Lucia

**KENDELL EUGENE**  
Writer Director  
St. Lucia

**MELISSA MOSES**  
Writer Director  
St. Lucia

**NIGEL NICHOLAS**  
Writer Director  
St. Lucia

**VAUGHAN SKERRITT**  
Writer Director  
Antigua & Barbuda

**VERNALDERINE FRANCIS**  
Writer Director  
St. Kitts & Nevis

**STRATOSPHERE MUZIC  
(COURTNEY LOUIS)**  
Publisher Director  
St. Lucia

# SCHEDULE OF MEETINGS

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There was a 99% attendance at meetings convened as detailed below. However, there was only one instant when the Board of Directors started a meeting with a quorum of five (5), and that was due to bad weather in the sub-region.

<b>MONTH</b>	<b>DATE</b>
<b>DECEMBER 2021</b>	11th, 16th, 18th & 21st
<b>JANUARY 2022</b>	12th, 13th, 15th & 29th
<b>FEBRUARY 2022</b>	23rd & 28th
<b>MARCH 2022</b>	23rd
<b>MAY 2022</b>	25th
<b>AUGUST 2022</b>	31st
<b>SEPTEMBER 2022</b>	19th & 29th
<b>OCTOBER 2022</b>	12th & 25th
<b>DECEMBER 2022</b>	7th, 10th, 15th & 21st

The implications of costs of hosting those meetings are as follows: a one hundred dollar (\$100.00) stipend is paid to Directors across the Board; further the Secretary receives one hundred and fifty dollars (\$150.00) for the preparation of Board minutes.

# COMMITTEES

“ Music is the universal language of mankind. ”

— Henry Wadsworth Longfellow

# FINANCE COMMITTEE

---

**DAVID JORDAN**  
Chair  
Writer Member

**BRUNO LEONCE**  
Writer Member

**COURTNEY LOUIS**  
Publisher Member

**IAN SANCHEZ**  
(Jan - Aug 2022)  
Publisher Member

**RANKIN MORGAN**  
Writer Member

**VERNALDERINE FRANCIS**  
Writer Member



# MEMBERSHIP COMMITTEE

---

**VERNALDERINE FRANCIS**  
Chair  
Writer Member

**KENDELL EUGENE**  
Writer Member

**NIGEL NICHOLAS**  
Writer Member

**LANCELOT CHAPMAN**  
Writer Member

**RANKIN MORGAN**  
Writer Member

# LICENSING COMMITTEE

---

**VERNALDERINE FRANCIS**  
Chair (Sept 2022 - present)  
Writer Member

**IAN SANCHEZ**  
Chair (Jan - Aug 2022)  
Publisher Member

**BRUNO LEONCE**  
Writer Member

**COURTNEY LOUIS**  
Publisher Member

**LANCELOT CHAPMAN**  
Writer Member

# HUMAN RESOURCE COMMITTEE

---

**BRUNO LEONCE**  
Chair  
Writer Member

**MELISSA MOSES**  
Writer Member

**LANCELOT CHAPMAN**  
Writer Member

**VAUGHAN SKERRITT**  
Writer Member

**VERNALDERINE FRANCIS**  
Writer Member

# PUBLIC RELATIONS COMMITTEE

---

**KENDELL EUGENE**  
Chair  
Writer Member

**JACKIE CHERUBIN-WEEKES**  
Writer Member

**NIGEL NICHOLAS**  
Writer Member

**MELISSA MOSES**  
Writer Member

**VAUGHAN SKERRITT**  
Writer Member

# MANAGEMENT TEAM

“ Music can change the world. ”

— Ludwig van Beethoven

# MANAGEMENT CHART

---

**CHIEF EXECUTIVE OFFICER**  
Vacant

**OPERATIONS MANAGER**  
Vacant

**ACCOUNTS  
& DISTRIBUTION  
OFFICER**  
Janice Marcellin

**MEMBERSHIP  
OFFICER**  
Keen Cotter

**LICENSING  
SUPPORT OFFICER**  
Vindra Cazaubon

**ADMINISTRATIVE  
ASSISTANT**  
Sadia Hamson

**LICENSING AGENTS**



Bernard  
De Nully



McCarthy  
Marie



Vacant



Grace  
Richardson



Emanuel  
Mande



Ellsworth  
Hackshaw

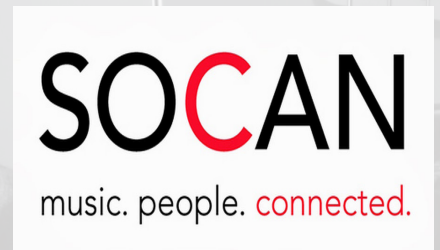
## OUR AFFILIATES

“ Music cleanses the understanding; inspires it, and lifts it into a realm which it would not reach if it were left to itself. ”

— Henry Ward Beecher







# MEMBERSHIP REPORT

“ You can cage the singer but not the song. ”

— Harry Belafonte

# NEW MEMBERS

---

A total of 21 new songwriter membership applications were received in 2022: 1 from Dominica, 2 from Grenada, 3 from St. Kitts and Nevis, 10 from Saint Lucia, and 5 from St. Vincent and the Grenadines. There were no new publisher applications for this period.

To our valuable new members, welcome to the Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc.

<b>DOMINICA</b>		<b>TOTAL- 1</b>
<b>FULL NAME</b>	<b>PSEUDONYM</b>	<b>CATEGORY</b>
Theresa Canoville	N/A	Writer

<b>GRENADA</b>		<b>TOTAL- 2</b>
<b>FULL NAME</b>	<b>PSEUDONYM</b>	<b>CATEGORY</b>
Candia Renwick	Tempress	Writer
Philip Wayne Beaman	Phil	Writer

<b>ST. KITTS &amp; NEVIS</b>		<b>TOTAL- 3</b>
<b>FULL NAME</b>	<b>PSEUDONYM</b>	<b>CATEGORY</b>
Camila Lawrence	N/A	Writer
Keneil Alvarez Halls	869 Kenny G	Writer
Alex Clive Saunders	Noble Dah Stoic	Writer

<b>ST. VINCENT &amp; THE GRENADINES</b>		<b>TOTAL- 5</b>
<b>FULL NAME</b>	<b>PSEUDONYM</b>	<b>CATEGORY</b>
Joanne Magna Phyllida Haynes	N/A	Writer
Elsie Olive	Minister Elsie Olive	Writer
Glenroy Caesar	N/A	Writer
Kendal John	Kenrick Ukelle	Writer
Roderick Lynch	Dan-I	Writer

**ST. LUCIA****TOTAL- 10**

<b>FULL NAME</b>	<b>PSEUDONYM</b>	<b>CATEGORY</b>
Shirleyann Cyril-Mayers	N/A	Writer
Cleopatra Jules-Baker	Cleopatra Jules	Writer
Garnell Smith	Garnell	Writer
Sherwin Charlemagne	Drizzy	Writer
Zidane Owen Arthur	Zidane; Zido	Writer
Nivon Flermius	Young Von	Writer
Berty James	Mistikman HD	Writer
Arnold Jules	A.J.	Writer
Jared Pollard	YXL Jae	Writer
Rochad Kiedel Sony	Kiedel Sony	Writer

# NEW MEMBERS ANALYSIS

The table below shows new songwriter members in five (5) of the six (6) active ECCO territories according to gender. It can be seen that majority of the new members were male songwriters from Saint Lucia, followed by St. Kitts and Nevis, St. Vincent and the Grenadines, Grenada, and Commonwealth of Dominica.

There were no new applications received from Antigua and Barbuda for this period.

NEW SONGWRITER MEMBERS			TOTAL- 21
TERRITORY	MALE	FEMALE	TALLY
Commonwealth of Dominica	0	1	1
Grenada	1	1	2
St. Kitts & Nevis	2	1	3
St. Lucia	8	2	10
St. Vincent & the Grenadines	3	2	5

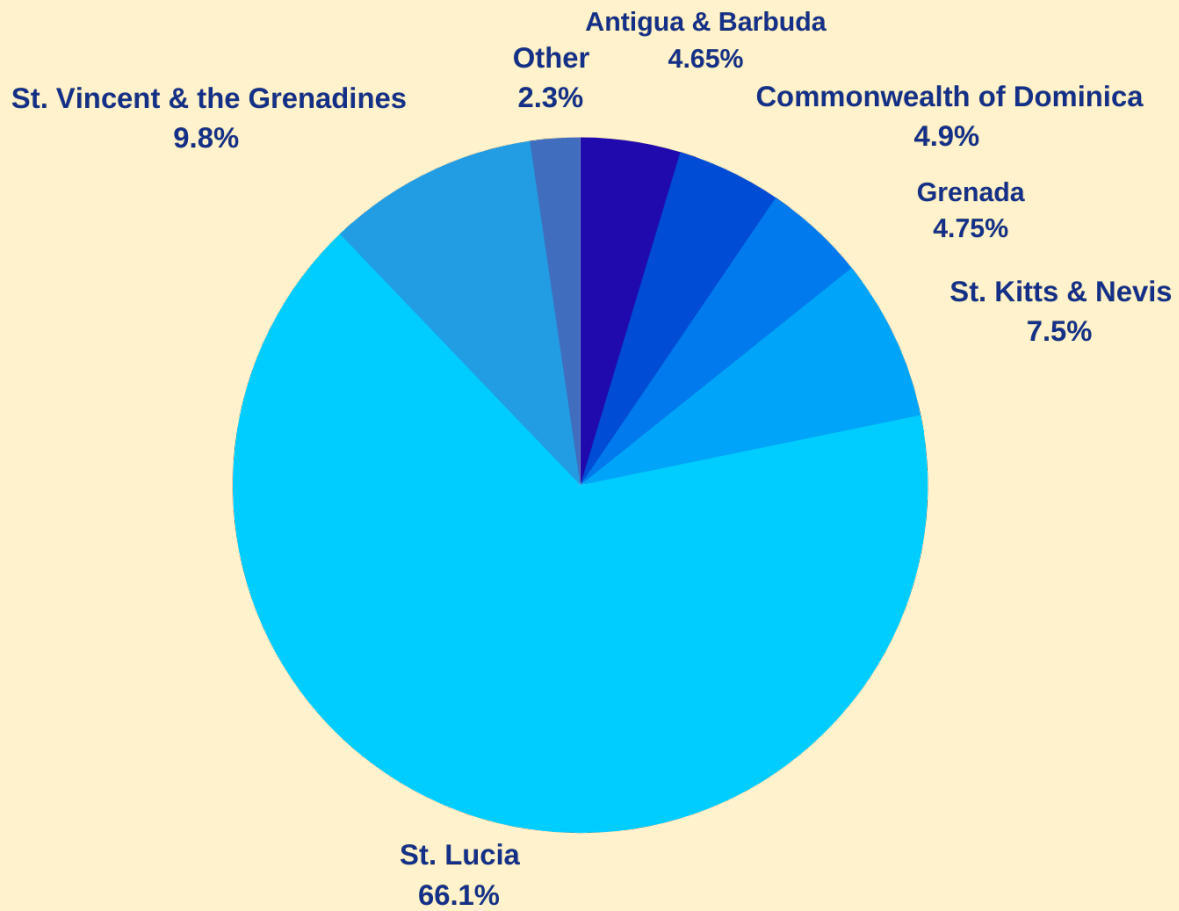
# TOTAL MEMBERSHIP

Membership grew from 884 to 905 in 2022. This represents a 2.38% increase.

The table below presents the total membership according to territory and includes both songwriter and publisher members.

<b>NEW MEMBERS</b>	<b>TOTAL- 905</b>
<b>TERRITORY</b>	<b>TALLY</b>
Antigua & Barbuda	42
Commonwealth of Dominica	44
Grenada	43
St. Kitts & Nevis	68
St. Lucia	598
St. Vincent & the Grenadines	89
Other	21

# TERRITORY BY PERCENTAGE





# LICENSING REPORT

“ The music is not in the notes, but in the silence  
between. ”

— Wolfgang Amadeus Mozart

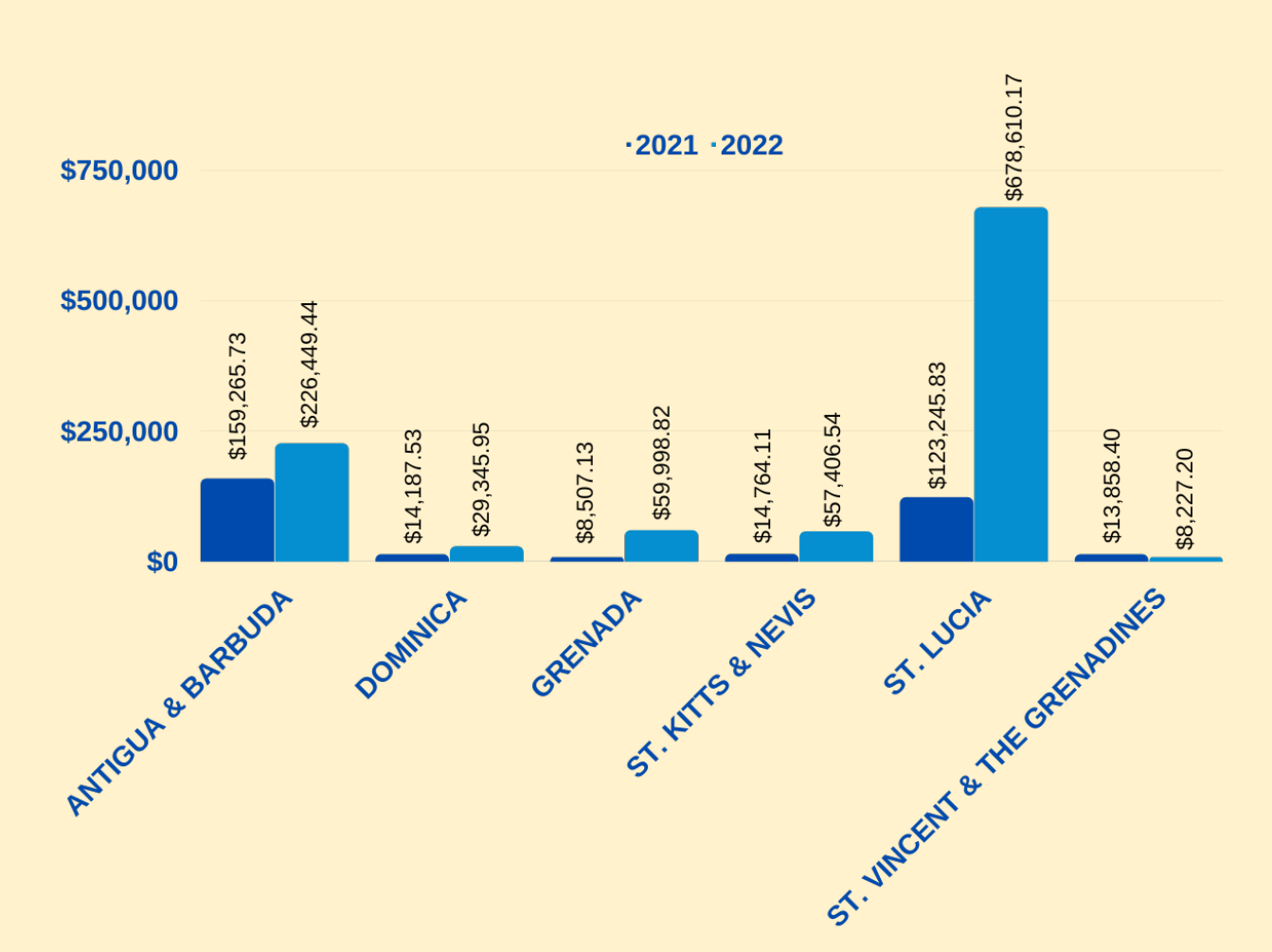
The global economy finally reached a state of normalcy after a challenging three year period.

In 2022 over licensing collections increased to over 230% as compared to 2021.

As the world continues to recover from the COVID-19 pandemic, it is likely that the demand for entertainment will continue to increase, which presents a great opportunity for ECCO. By reconvening discussions with government officials and other creatives, ECCO is taking a proactive approach to building stronger business relationships and boosting our licensing collections in 2023.

The graph below compares our total collections for 2021 and 2022.

### COMPARISON BETWEEN 2021 & 2022



# DISTRIBUTION OF ROYALTIES

“ My music isn’t just music—it’s medicine.”

— Kanye West

# ***The issue of Royalties is a thing of the Past...***

The Board of Directors addressed the vexing issue of distribution of royalties which affects the relations with its members. Well over 300 of its members across the OECS on the 9th of January 2023 benefited from payments. The distribution includes payment for music usage at live events outside of carnival inter alia events in St .Kitts and Nevis - ***St Kitts Music Festival 2018***; the ***World Creole Musical Festival 2018*** and ***Creole Events 2019*** in the Commonwealth of Dominica, and other events in Saint Lucia viz ***CPL 2019, Live N Color 2019, Magnum Explosion, Mercury Fest 2019, Oktoberfest 2019, and Unity Fest 2019.***

In November 2021, the Board of Directors sought to address the financial stability of the organisation as one of the priorities to effectively fulfill its mandate to its members in 2022. This also brought with it the adoption of a new system to better assist with the distribution of royalties.

The system, ***“UN WIPO Connect”*** is a technology based platform; developed by the World Intellectual Property Organisation of the United Nations, and designed to help CMOs to better manage copyright and related rights. The technology when implemented, will assist with better management of distributions of royalties, in accordance with ***Article 15.2 Distribution Rules*** of the ECCO bylaws. It is anticipated there will be greater transparency and immediate accessibility to the respective accounts of members, and the status of future payments of royalties to members.

## **BYE-LAW OF A NON-PROFIT COMPANY INCORPORATED UNDER THE COMPANIES ACT 1996**

### **HEWANORRA MUSICAL SOCIETY (HMS) INCORPORATED No. 006 of 2001**

#### **15.2 Distribution Rules –**

- 15.2.1 The board shall, subject to this paragraph, make, and may from time to time amend, rules regulating the payment to members and to affiliated societies, by way of allocation, distribution or in any other way, of the monies received by the Company resulting from its administration of the rights entrusted to it.
- 15.2.2. Any distribution rule made by the board shall be consistent with the terms and conditions of any agreement in force from time to time between the Company and any member or affiliated society.
- 15.2.3. Subject to 15.2.4 or this paragraph no rules made pursuant to this bye-law shall have effect until they have been approved by the Company in General Meeting.
- 15.2.4 Any rules made by the board pursuant to this article prior to the first General Meeting of the Company shall have effect in relation to any distribution, allocation or other payment made before the General Meeting, but thereafter shall only have effect if approved by the Company in General Meeting.

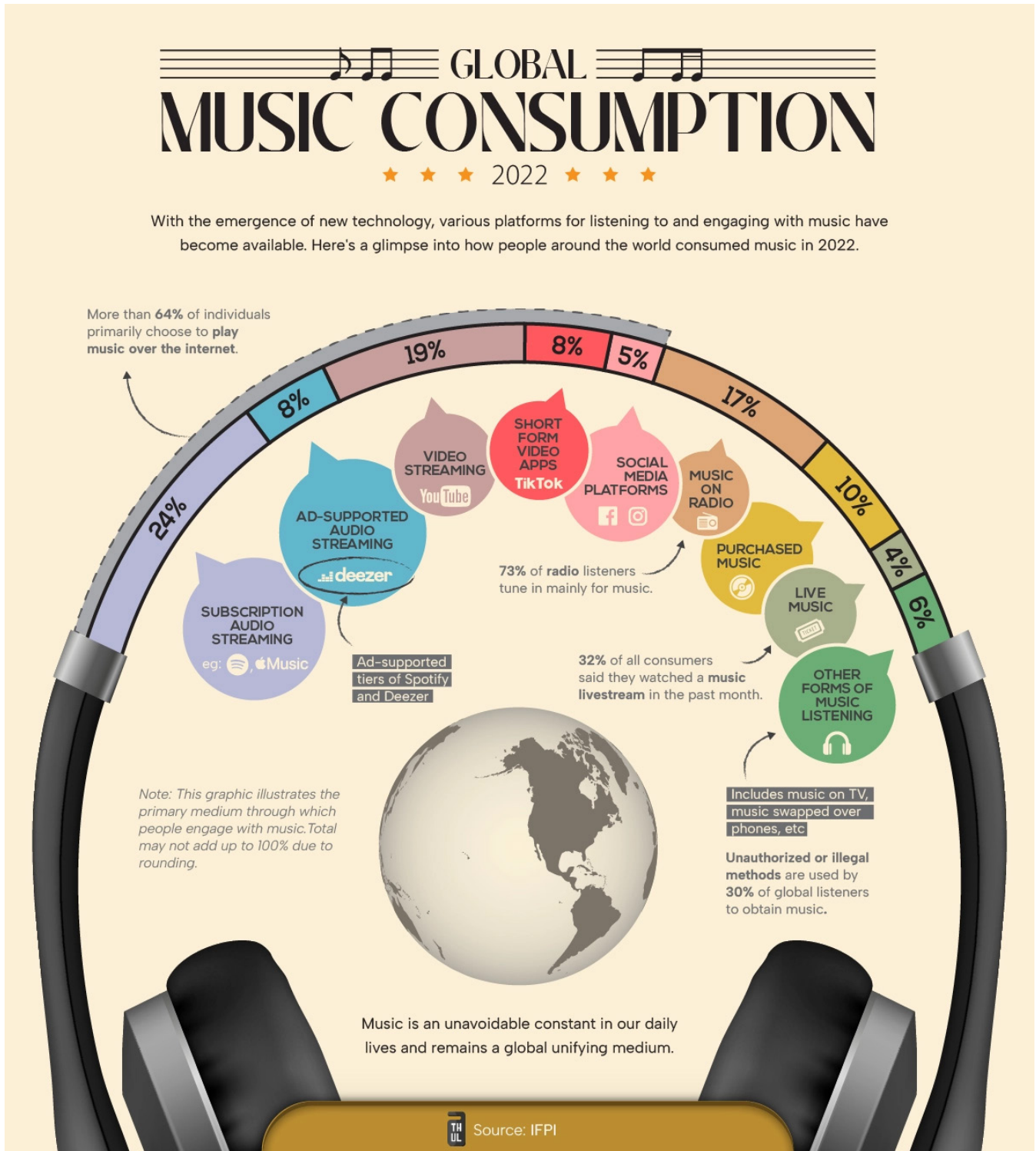
# SITUATION ANALYSIS OF THE GLOBAL MUSIC INDUSTRY

“ You are the music, while the music lasts.. ”

— T.S. Elliot

# A Visual Breakdown of Global Music Consumption

Reference- <https://www.visualcapitalist.com/cp/a-visual-breakdown-of-global-music-consumption/>



Members, we need to recognize the trends in the music industry. One in particular is the digitalization of the music where 64% is consumed on an internet platform while 37% is via other means, such as radio and live.

***E.g. We use SLU 758 or SVG 767-*** How many have the copyright to this? There is need for copyright, and the corporate registrars should be informed and consulted. Thus, we need to embark upon the appropriate educational programmes for all stakeholders and creators of music, if we are not only to be in harmony with global trend, but create avenues for even greater protection of our music. ***Let Us Do It Right!***

# EVENTS AND ACTIVITES

“ Music is always changing and the changes are unpredictable.”

Billy Sheehan



# 1. ADDRESSING GOVERNANCE ISSUES

**Addressing Governance issues** is a critical factor impacting on our industry in the region and these need to be addressed at the soonest. The jurisdictions need to be in good standing with the local CIPO's. Currently, we are in good standing in four (4) jurisdictions.

# 2. BROADCASTING BILL

We need to increase the advocacy for the adoption of a Broadcasting Bill in the entire subregion as a universal bill governing the OECS. This is only one of the ways we can get a platform to increase the opportunities to derive greater revenue from the users of our music. No longer we should just sit and witness the increase in the numbers of unlicensed and unregulated broadcasting entities using our music without taking a stand.



APRIL 2022

*Culture and Information Minister Dr. Ernest Hilaire (Left) and ECCO Chair, David Jordan and Officer In Charge, Keen Cotter (Right) meeting on collaboration on licensing and review of the Broadcasting Bill in Saint Lucia*

### 3. FINANCE

ECCO has to address issues of financial management, its sustainability, and to find new ways of deriving increased revenue. It is with trust that some matters may warrant litigation as advised by our Counsel.

### 4. STRONGER ALLIANCE WITH MEDIA HOUSES

ECCO needs to strike an even **stronger alliance with the media in the sub-region**. Sessions with the media in Antigua and Barbuda, St. Vincent and the Grenadines, and Saint Lucia have been quite encouraging.



**ECCO Director for SKN, Vernalderine Francis (Right) and Agent for SKN, Grace Richardson (Left) speak on Intellectual Property in the music industry on "Good Morning SKN"**

[https://www.youtube.com/watch?app=desktop&v=cN0iOWJlu6k&feature=youtu.be&before&fbclid=IwAR0Z36\\_rKWWToIvQ2bLC3bgAsDUxsP2OrM2jw8Z-Risb9cbgx0V0YW\\_jwI4U](https://www.youtube.com/watch?app=desktop&v=cN0iOWJlu6k&feature=youtu.be&before&fbclid=IwAR0Z36_rKWWToIvQ2bLC3bgAsDUxsP2OrM2jw8Z-Risb9cbgx0V0YW_jwI4U)



**ECCO Officer In Charge, Keen Cotter speak on the importance of the proper registration of members works on "DBS Saint Lucia"**

[https://www.youtube.com/watch?v=LUx4MliJ8ig4356g88Lmu\\_BApYg-9G6OcGzZayk8tPF2EYmzsc8365fTyhjiyOn-ixfNeiUllwtXRi9EmddZrdA-YX-pHV9WCzo-RwlKa8Q013fkLZbZ-14\\_x1eSB0vnJo7QQtLnbITftvILX3a-MZeQ](https://www.youtube.com/watch?v=LUx4MliJ8ig4356g88Lmu_BApYg-9G6OcGzZayk8tPF2EYmzsc8365fTyhjiyOn-ixfNeiUllwtXRi9EmddZrdA-YX-pHV9WCzo-RwlKa8Q013fkLZbZ-14_x1eSB0vnJo7QQtLnbITftvILX3a-MZeQ)



**ECCO Chair, David Jordan speak on ECCO Governance and Operations on NBC SVG "Talk Yuh Talk"**



**ECCO Chair, David Jordan speak on ECCO Governance and Operations on "Point On De Streetz," Antigua**

## 5. REVAMP WEBSITE

ECCO's website will be revamped to become more interactive and relevant to the needs of our members and customers.

## 6. COLLABORATION WITH FRATERNAL BODIES

There is a need to explore greater programming with institutions and fraternal bodies, such as WIPO, CISAC and CIPO.

**MOENT** **ecco**  
Ministry of Creative Economy Protecting Music Rights

PRESENTS  
**MUSIC CREATIVES TRAINING**

**DISCUSSION AND INSIGHTS**

**INTELLECTUAL PROPERTY RIGHTS:**

- Defining Intellectual Property Rights
- Protecting Your Intellectual Property Rights
- Monetizing Your Intellectual Property Rights

**OUR SPEAKERS**

**FABIEN ALFONSO**  
 COPYRIGHT RELATED RIGHTS ADVISOR AND EDUCATOR

**JIHAN WILLIAMS**  
 REGISTRAR, INTELLECTUAL PROPERTY OFFICE

**SAT MAY 21**  
 9AM-12PM

SCAN HERE FOR ZOOM MEETING

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PROTECTING WHAT'S MINE!

**7 JULY 2022 | 6:00 PM AST**

**Speakers:**

- Mr. Conliffe Clarke**  
Magistrate of Districts A & B : Antigua and Barbuda
- Mr. Keen Cotter**  
OIC/Membership Officer, ECCO : St. Lucia
- Mr. Sherwin Brice**  
Songwriter : St. Lucia

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ANTIGUA & BARBUDA INTELLECTUAL PROPERTY OFFICE Protecting Music Rights

INTELLECTUAL PROPERTY OFFICE & MINISTRY OF CREATIVE ECONOMY  
 PRESENT

**PRESS CONFERENCE**  
 on  
**MUSIC LICENSING**

**13 OCT**  
 THURSDAY 10 AM

**NEMA CONFERENCE ROOM**

**Streaming Live on**  
**Z2**  
 Channel 4

**IPOSKN** **ecco**  
INTELLECTUAL PROPERTY OFFICE OF ST. KITTS AND NEVIS Protecting Music Rights

Pre-consultation press conference on music licensing in St. Kitts between ECCO representatives, the SKN IP Registrars Office and the Min. of Creative Economy

INTELLECTUAL PROPERTY OFFICE & MINISTRY OF CREATIVE ECONOMY  
 PRESENT

**PUBLIC CONSULTATION**  
 on  
**MUSIC LICENSING**

**1ST NOVEMBER**  
 TUESDAY 6 PM  
 NEMA CONFERENCE ROOM  
 ST. KITTS

**2ND NOVEMBER**  
 WEDNESDAY 6PM  
 NEPAC NEVIS

**Streaming Live on**  
**Z2**  
 (ONLY on 1st November)

**IPOSKN** **ecco**  
INTELLECTUAL PROPERTY OFFICE OF ST. KITTS AND NEVIS Protecting Music Rights

Public consultation on music licensing in St. Kitts and Nevis between ECCO representatives, the SKN IP Registrars Office and the Min. of Creative Economy

# Chairman (David Jordan) Message

**THIS year's World Intellectual Property Day is dedicated to the Youth under the theme "IP and Youth: Innovating for a Better Future."**

It is useful to note that the ECCO Musical Rights has shirked its responsibility and it is the general adage that the organization could have done more in recent times and be more prominently in the forefront of the advocacy for rights of writers and by extension its members including the youth.

This is not to say that Copyright legislation does not exist. Legislation has been enacted in each Eastern Caribbean territory, exists and is still relevant. Each territory has its own national office. Further, there is an established regional office headquartered in Saint Lucia.

The collective mandate of ECCO - the company, has not changed and is reflective in the statute as is embraced within its membership to cater to the category of persons which include;

"(a) any writer, publisher, performer, producer or proprietor.

(b) any widow, child or other relative, next of kin, beneficiary under the will, or personal representative of a writer, publisher, performer, producer or proprietor shall be eligible for admission as a successor member.

As Chairman, I need not remind the members but state to the general public that there are six categories of members recognized by statute, namely: -

- (i) writer member,
- (ii) publisher member,
- (iii) performer member,
- (iv) producer member,
- (v) proprietor member, and
- (vi) successor member,

The Members of ECCO Musical Rights Inc. ought to reckon this not only as appropriate but also significant as we prepare ourselves to pass on the musical writers baton to the very youth as espoused in this year's theme...and with greater usage of innovation emanating from the Millennials, the Gen z - who are not afraid to speak their minds and are ready to challenge the status quo.

We know that eligibility for membership extends to "(a) Any writer, publisher, performer, producer or proprietor.

(b) Any widow, child or other relative, next of kin, beneficiary under the will, or personal representative of a writer, publisher, performer, producer or proprietor shall be eligible for admission as a successor member "and with relative consummate ease of application for "lifetime membership". Thus there is no discrimination.

It is several years that the ECCO has not observed World Intellectual Property Day...quickly I will be the first to say "what a shame" but as the Chair for the period 2022-24, I see this as an opening of a new era that will enable the re-awakening of the organization; which has to positively address the needs and aspirations of the youth; and this group of creatives as mentioned above; while taking on the task to generate greater awareness among the general public and its membership and providing solutions to develop and promote greater music business literacy in the training programmes for its membership.

In this effort, as, I wish to express a level of joy as part of that message of re-awakening to be partnering with Government agencies like the Registrar of Companies and Intellectual Property (ROCIP) and I

do hope that the other territories are undertaking to do the same with their respective Corporate, Intellectual Property Organisations (CIPO's).

It is also noteworthy that in St Lucia, the Sir Arthur Lewis Community College and Export St Lucia are among the agencies on board with the embrace of the initiative of the ROCIP this year; - as an open day event. We shall all look forward to a level of continuous collaboration in furtherance of the work of our writers as an industry of the creatives for their future growth and development.

Special mention of the creators and the users of music is made here equally, as it is with an element of trust that we hope that the collaboration having started will be strengthened when Broadcasters being licensed, music play content being institutionalized; then we will see writers more avidly registering their works with the Eastern Caribbean Collective Organisation for Musical Rights Inc. - with greater zeal and generating returns to their investment while regional Governments will take the mantle of enabling not only the environment but enforcing the administrative systems to be in place to govern the industry.

Our writers, will be happier when royalties and their earnings are duly and fully respected as part of the true enjoyment of their labour and can then state "I know the value of my music business..."

So the 26th April, 2022 is a day of reflection as much as it is registered as a landmark as how we collectively chart the course for the future together. The observance today we join with the global community and the creators of tomorrow in observing World Intellectual Property Day under the theme "IP and Youth: Innovating for a Better Future."

## A Message to Music Users in the OECS

**DEAR Music Users**  
Apply for a **Public Performance Licence from ECCO**, and say "Yes" to the revival of the entertainment industry in the OECS, as it is beneficial to both the Music Creators and Music Users!

Music plays an essential role in the livelihood of both parties, and the creators of these works must be compensated for the use of their intellectual property.

ECCO reminds ALL music users in the OECS that a public performance licence is required for the hosting of events, tv/

radio and cable broadcasting and public performances at businesses irrespective of the method of transmission or quantity used.

Bear in mind that you will be held liable for Copyright Infringement in the absence of a licence. Protect Music Rights- Get A Licence! ([www.eccorights.org](http://www.eccorights.org)).

Sincerely,

On behalf of the Board of Directors, Management, Staff and Agents of ECCO Inc.

## WIPO – To Promote and Protect Intellectual Property

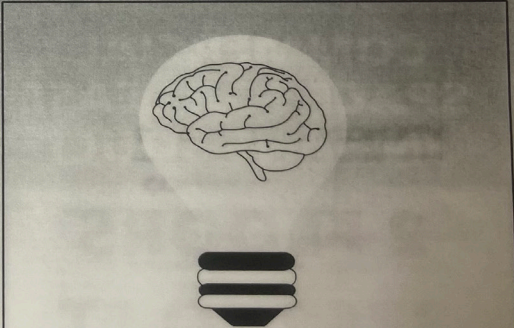
Cont From Page 12

WIPO administers 26 international treaties that concern a wide variety of intellectual property issues, ranging from the protection of audiovisual works to establishing international patent classification. It is governed by the General Assembly and the Coordination Committee, which together set policy and serve as the main decision making bodies. The General Assembly also elects WIPO's chief administrator, the Director General, currently Daren Tang of Singapore, who took office on 1 October 2020. WIPO is administered by a Secretariat that helps carry out its day-to-day activities.

Headquartered in Geneva,



Switzerland, WIPO has "external offices" around the world, including in Algiers (Algeria); Rio de Janeiro (Brazil); Beijing (China), Tokyo (Japan); Abuja (Nigeria); Moscow (Russia); and Singapore (Singapore). Unlike most UN organizations, WIPO does not rely heavily on assessed or voluntary contributions from member states; 95 percent of its budget comes from fees related to its global services.

WIPO currently has 193 member states, including 190 UN member states and the Cook Islands, Holy See and Niue; Palestine has permanent observer status. The only non-members, among the countries recognised by the UN are the Federated States of Micronesia, Palau and South Sudan.



This World Intellectual Property Day, we are encouraged to use our thoughts and creations to etch our imprint on the world. We should explore our creative side to innovate and leave behind something great for future generations.

TM ANTOINE Partners joins ECCO in celebrating World Intellectual Property Day 2022 under the theme IP and Youth innovating for a Better Future.

ECCO Chair, David Jordan shares message in "The Voice Newspaper" on ECCO's mandate on World Intellectual Property Day

# THE FUTURE OF ECCO- THREE CRITICAL AREAS

“ Music is always changing and the changes are unpredictable.”

Billy Sheehan

## 1. GOVERNANCE

- Pursuance of Legislative Amendment at ECCO.
- Advocacy for a regional Broadcasting Bill adopted in the sub-region.
- Improvement in its general good standing with the regional Corporate Registrars.
- Further engagement with fraternal bodies such as CISAC, ACCS, and sister societies.

## 2. MANAGEMENT

With help of an international expert in IP, ECCO should embark on the advocacy for three projects:

### ***Project 1: Education and Sensitization of Copyright Industry Stakeholders***

- The music and copyright industries in Saint Lucia and the OECS are characterised by creators and stakeholders with a limited grasp of the way in which copyright, collective management, and other creative industries legal and business infrastructures ensure remuneration to copyright holders.
- There is also a need for improved understanding of the way in which well structured copyright and collective management institutions, laws and regulations play a role in stakeholders' ability to reap the economic benefits of the copyright sector, and provide the foundation needed to transform the sector into one whose revenues are impactful to trade revenues in Saint Lucia and the OECS.
- It is therefore proposed that a copyright and collective management education programme should be developed to target the various stakeholders of the copyright-based industries. The education programme will target policy makers and legislators, ECCO members, organisations such as the CDF, the FRC, related government agencies, and ministries. The education and sensitization programme will also cover the general public, including the chamber of commerce, the hotel and tourism association, and other public organisations who are users of copyrighted musical works. A specialised education course will be developed and tailored to suit the needs of each stakeholder group. These will take the form of webinars, seminars, and lectures.

## ***Project 2: Contingency Fund Structures***

There is a need for a project to include well-structured funds within the administrative structure of ECCO. These funds will act as mechanisms to deal with music industry market failures in the sub-region caused by the small size and lack of complexity in the market.

- ***Artist Development Fund:*** supporting the development of artists of international standard whose works can gain the international appeal that will foster greater use of their works and increased royalties collected by ECCO on behalf of members.
- ***Benevolent Fund:*** such a fund is proposed to deal with hardship issues of members.
- ***General Legal Fund:*** establishment of a general legal fund in order to effectively represent/support members in copyright and collective management related legal matters when necessary. This fund would also ensure adequate financing for any legal disputes to which ECCO is party. Establishing such fund would alleviate pressure to pay for legal representation from direct revenues associated with royalties collection.

## ***Project 3: Legislative goals of ECCO***

- ***Reform of Saint Lucia's Broadcasting Legislation:*** suggestion to use Canadian Broadcasting Legislation and associated regulations as a model.
- Proposed copyright law and collective management legislative reform to address lack of clarity in the current legislation regarding rights of CMOs in relation to their members and global sister CMOs; lack of clarity in definitions of key terms related to copyright holders and collective management organisations; discuss regulation on Collective Management Organisations.
- Review and comment on Caribbean CMO Regulation Kimani Goddard document.

***On assumption of office a Chief Executive Officer (CEO), the major tasks of the incumbent will be inter alia, the:***

- Development of new website.
- Strategic Development Plan for ECCO Inc.
- Settlement of negotiations with the National Workers Union.
- Employment of Operations Manager, Licensing Support Officer, and the support staff for the Accounts and Distribution Officer.
- Improvement in ECCO revenue strategies inclusive of Flow and Digicel negotiations.

### **3. INFRASTRUCTURE**

- Physical Premises need to be addressed as an important priority. The staff safety is of utmost importance.



A person wearing a light-colored suit jacket and a dark tie is playing a white electric guitar. The image is in grayscale and has a soft, faded appearance. The person's hands are visible on the guitar, with the left hand on the fretboard and the right hand on the strings. The guitar has three humbucker pickups and a bridge pickup.

**“ May all that has been reduced to noise in you, become music again. ”**

**— David Teems**

# REFERENCES

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- ***Visual Capitalist, Global Music Consumption***

*<https://www.visualcapitalist.com/cp/a-visual-breakdown-of-global-music-consumption/>*

*Pg. 44*

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

Financial Statements

**December 31, 2022**

(expressed in Eastern Caribbean dollars)

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

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August 24, 2023

Grant Thornton  
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## Independent Auditor's Report

To the Members of  
**Eastern Caribbean Collective Organisation for  
Music Rights (ECCO) Inc.**

### Report on the Financial Statements

#### Opinion

We have audited the accompanying financial statements of **Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc.** (the Company) which comprise the statement of financial position as of December 31, 2022 and the statements of comprehensive income and expenditure, changes in equity and cash flows for the year then ended and notes to the financial statements including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respect, the financial position of **Eastern Caribbean Collective Organisation for Music Rights (ECCO) Inc.** as of December 31, 2022, and its financial performance and its cash flows for the year then ended in accordance with International Financial Reporting Standard for Small and Medium-sized Entities.

#### Basis for Opinion

We conducted our audit in accordance with International Standards on Auditing. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the Eastern Caribbean, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

#### Responsibilities of Management and those charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with International Financial Reporting Standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Company or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Company's financial reporting process.

**Auditor's Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with International Standards on Auditing will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with International Standards on Auditing, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Company's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Company's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Company to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

**Chartered Accountants**

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

Statement of Financial Position  
As of December 31, 2022

(expressed in Eastern Caribbean dollars)

	2022	2021
	\$	\$
<b>Assets</b>		
<b>Current assets</b>		
Cash (Note 4)	2,690,261	2,151,022
Trade and other receivables (Note 6)	1,033,008	817,166
Due from related party (Note 7)	5,012	5,682
	<u>3,728,281</u>	<u>2,973,870</u>
<b>Property and equipment</b> (Note 8)	<u>372,842</u>	<u>384,129</u>
<b>Total assets</b>	<u>4,101,123</u>	<u>3,357,999</u>
<b>Liabilities</b>		
<b>Current liabilities</b>		
Borrowings (Note 9)	32,461	32,461
Accruals and other payables (Note 10)	249,293	263,780
Provision for legal award	5,000	5,000
Deferred revenue	354,139	365,448
Due to rights owners (Note 11)	2,849,875	2,120,587
	<u>3,490,768</u>	<u>2,787,276</u>
<b>Borrowings</b> (Note 9)	<u>1,369</u>	<u>37,501</u>
<b>Total liabilities</b>	<u>3,492,137</u>	<u>2,824,777</u>
<b>Equity</b>		
<b>Reserve fund</b>	<u>608,986</u>	<u>533,222</u>
<b>Total liabilities and equity</b>	<u>4,101,123</u>	<u>3,357,999</u>

Approved by the Board of Directors on August 24<sup>th</sup> 2023

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

The accompanying notes are an integral part of these financial statements.

(3)

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

Statement of Comprehensive Income and Expenditure  
For the year ended December 31, 2022

---

(expressed in Eastern Caribbean dollars)

	2022 \$	2021 \$
<b>Income</b>		
Royalties (Note 12)	1,331,926	878,612
Registration fees	3,836	6,962
	1,335,762	885,574
<b>Administrative and general expenses</b> (Note 13)	(276,394)	(301,983)
<b>Receivables impairment</b>	(67,196)	(103,685)
<b>Legal and professional fees</b>	(51,220)	(18,325)
<b>Staff costs</b> (Note 14)	(200,035)	(179,868)
<b>Disposal of property, plant and equipment</b>	–	(129)
<b>Other income</b> (Note 15)	35,447	–
	776,364	281,584
<b>Surplus before finance cost</b>	776,364	281,584
<b>Finance cost</b> (Note 9)	(7,453)	(12,056)
	768,911	269,528
<b>Net comprehensive income</b>	768,911	269,528
<b>Attributable to:</b>		
Net distributable comprehensive income	729,628	262,566
Other income not included in distributable reserves	39,283	6,962
	768,911	269,528
<b>Net comprehensive income</b>	768,911	269,528

The accompanying notes are an integral part of these financial statements.

(4)



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

Statement of Changes in Equity  
For the year ended December 31, 2022

(expressed in Eastern Caribbean dollars)

	2022 \$	2021 \$
<b>Distributable reserve</b>		
Net distributable comprehensive income for the year	<u>729,628</u>	<u>262,566</u>
Appropriations to reserve fund –		
5% of net distributable comprehensive income	(36,481)	(13,128)
Distributable income to rights owners (Note 11)	<u>(693,147)</u>	<u>(249,438)</u>
At end of year	<u>–</u>	<u>–</u>
<b>Reserve fund</b>		
At beginning of year	533,222	513,132
Appropriation from distributable reserve -		
5% of net distributable comprehensive income	36,481	13,128
Other income not included in distributable comprehensive income	<u>39,283</u>	<u>6,962</u>
At end of year	<u>608,986</u>	<u>533,222</u>
<b>Equity, end of year</b>	<u><b>608,986</b></u>	<u><b>533,222</b></u>

The accompanying notes are an integral part of these financial statements.

(5)

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

## Statement of Cash Flows

**For the year ended December 31, 2022**

(expressed in Eastern Caribbean dollars)

	2022	2021
	\$	\$
<b>Cash flows from operating activities</b>		
Net income for the year	768,911	269,528
Adjustments for:		
Interest expense (Note 9)	7,453	12,056
Bad debts expense	67,196	103,685
Depreciation and amortization (Notes 8 and 13)	15,670	16,209
Loss on disposal of property, plant and equipment	–	129
Operating profit before working capital changes	859,230	401,607
Increase in receivables and prepayments	(283,038)	(568,397)
Decrease in due from related party	670	–
Decrease in accruals and other payables	(14,487)	(74,188)
(Decrease)/increase in deferred revenue	(11,309)	213,482
Net cash provided by/(used in) operating activities	551,066	(27,496)
<b>Cash flows from investing activities</b>		
Purchase of property and equipment (Note 8)	(4,383)	(11,748)
Net cash used in investing activities	(4,383)	(11,748)
<b>Cash flows from financing activities</b>		
Distributions to rights owners	36,141	(22,716)
Interest paid	(7,453)	(12,056)
Repayment of borrowings	(36,132)	(30,659)
Net cash used in financing activities	(7,444)	(65,431)
<b>Net increase/(decrease) in cash</b>	539,239	(104,675)
<b>Cash, beginning of year</b>	2,151,022	2,255,697
<b>Cash, end of year (Note 4)</b>	2,690,261	2,151,022

The accompanying notes are an integral part of these financial statements.

(6)

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

Notes to Financial Statements

For the year ended December 31, 2022

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## 2 Summary of significant accounting policies...continued

### **o) Foreign currency translation**

#### *(a) Functional and presentation currency*

Items included in the financial statements are measured using the currency of the primary economic environment in which the entity operates (“the functional currency”). The financial statements are presented in Eastern Caribbean dollars, which is the Company’s functional and presentation currency.

#### *(b) Transactions and balances*

Foreign currency transactions are translated into the functional currency using the exchange rates prevailing at the dates of the transactions. Foreign exchange gains and losses resulting from the settlement of such transactions and from the translation at year-end exchange rates of monetary assets and liabilities denominated in foreign currencies are recognised in the statement of comprehensive income and expenditure.

### **p) Contingencies**

Contingent liabilities are not recognised in the financial statements. They are disclosed in the notes to the financial statements unless the possibility of an outflow of resources embodying the economic benefits is remote. Contingent assets are not recognised unless the realisation of the assets is virtually certain. They are disclosed in the notes to financial statements when an inflow of economic benefits is probable.

### **q) Subsequent events**

Post year-end events that provide additional information about the Company’s position at the balance sheet date (adjusting events) are reflected in the Company’s financial statements. Post year-end events that are not adjusting events are disclosed when material to the financial statements, if any.

### **r) Comparatives**

Where necessary, comparative figures have been adjusted to conform with changes in presentation in the current year.

## 3 Critical judgements in applying the entity’s accounting policies

Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances.

The Company makes estimates and assumptions concerning the future. The resulting accounting estimates will, by definition, seldom equal the related actual results. Management does not consider that there are estimates and assumptions that will have a significant risk, causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year.

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

Notes to Financial Statements

For the year ended December 31, 2022

---

## 2 Summary of significant accounting policies...continued

### c) Trade Receivables

Receivables are carried at fair value and subsequently measured at amortised cost using effective interest method, less provision made for impairment of these receivables. A provision for impairment of receivables is established when there is objective evidence that the Company will not be able to collect all amounts due according to the original terms of receivables. The amount of the provision is the difference between the asset's carrying amount and the present value of estimated future cash flows, discounted at the original effective interest rate. The amount of the provision is recognised in the statement of comprehensive income and expenditure. When a trade receivable is uncollectible, it is written off against the allowance account for trade receivables. Subsequent recoveries of amounts previously written off are credited against 'administrative and operating expenses' in the statement of comprehensive income and expenditure.

### d) Property and equipment

Land is stated at cost. All other property and equipment are stated at historical cost less accumulated depreciation. Historical cost includes expenditure that is directly attributable to the acquisition of the items.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the Company and the cost of the item can be measured reliably. The carrying amount of the replaced part is derecognised. All other repairs and maintenance are charged to the statement of comprehensive income and expenditure during the financial period in which they are incurred.

Depreciation is calculated on the straight-line method to allocate their cost to their residual values over the estimated useful lives as follows:

Building	2%
Computers	20%
Office furniture	20%
Office equipment	20%

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at each balance sheet date.

An asset's carrying amount is written down immediately to its recoverable amount, if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with carrying amount and are recognised within other income, in the statement of comprehensive income and expenditure.

### e) Intangible assets

Website development costs are capitalised on the basis of the cost incurred to acquire and bring to use the website into use. These costs are amortized over their estimated useful life of 4 years. Acquired computer software licences are capitalised on the basis of the costs incurred to acquire and bring to use the specific software. These costs are amortised over their estimated useful lives of 4 years.

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

Notes to Financial Statements

For the year ended December 31, 2022

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## 2 Summary of significant accounting policies...continued

### f) Impairment of non-financial assets

Assets that have an indefinite useful life are not subject to amortisation and are tested annually for impairment. Assets that are subject to amortisation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of the asset's fair value less costs to sell and value in use. For the purposes of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash flows.

### g) Financial instruments

#### Financial assets

Trade and other receivables and cash

These financial assets are recognised initially at the transaction price. Subsequently, they are measured at amortised cost using the effective interest method, less provision for impairment. Sales are made on normal credit terms and trade receivables do not bear interest.

Where there is objective evidence that the carrying amounts of receivables are not recoverable, an impairment loss is recognised in profit or loss.

#### Financial liabilities

The Company's financial liabilities include borrowings and trade and other payables. Financial liabilities are recognised initially at transaction price. After initial recognition they are measured at amortised cost using the effective interest method. Trade payables are on normal credit terms and do not bear interest.

### h) Accruals and other payables

Accruals and other payables are recognised in the period in which the related money, goods or services are received or when a legally enforceable claim against the Company is established. These are recognised initially at fair value and subsequently measured at amortised cost using effective interest. Accruals and other payables are classified as current liabilities if payment is due within one year or less. Otherwise, they are presented as non-current liabilities.

### i) Deferred revenue

Deferred revenue represents unamortised license fees received. Deferred revenue is amortised over the life of the license.

### j) Borrowings

Borrowings are recognised initially at fair value, net of transaction costs incurred. Borrowings are subsequently stated at amortised cost; any difference between the proceeds (net of transaction costs) and the redemption value is recognised in the statement of comprehensive income and expenditure over the period of the borrowings using the effective interest method.

Borrowings are classified as current liabilities unless the Company has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

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

Notes to Financial Statements

For the year ended December 31, 2022

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## 2 Summary of significant accounting policies...continued

### k) Provisions

Provisions are recognised when obligation (legal or constructive) is incurred as a result of past events and when it is probable that an outflow of resources will be required to settle the obligation and a reliable estimate can be made of the amount of the obligation. If the effect of the time value of money is material, provisions are determined by discounting the expected future cash flow at a pre-tax rate that reflects current market assessment of the time value of money and, where appropriate, the risks specific to the liability. Where discounting is used, the increase in the provision due to the passage of time is recognised as an 'Interest expense' in the statement of comprehensive income and expenditure.

### l) Revenue recognition

Revenue comprises the fair value of the consideration received or receivable for the sale services in the ordinary course of the Company's activities.

The Company recognises revenue when the amount of revenue can be reliably measured, it is probable that future economic benefits will flow to the entity and specific criteria have been met for each of the Company's activities as described below. The Company bases its estimates on historical results, taking into consideration the type of customer, the type of transaction and the specifics of each arrangement.

- (a) Performing rights royalty income from Broadcasting and Special Events is recognised on an accrual basis, where the organisations involved have the proven capacity to pay the amounts invoiced by the Company.
- (b) Registration fees are recognised on an accrual basis upon submission of a completed registration form.
- (c) Interest income is recognised on a time proportion basis using the effective interest method.

### m) Related party relationships and transactions

Related party relationships exist when one party has the ability to control, directly, or indirectly through one or more intermediaries, the other party or exercise significant influence over the other party in making financial and operating decisions. Such relationships also exist between and/or among entities which are under common control with the reporting enterprise, or between, and/or among the reporting enterprise and its key management personnel, directors, or its shareholders. In considering each possible related party relationship, attention is directed to the substance of the relationship, and not merely the legal form.

Transactions between related parties are accounted for at arms' length prices or on terms similar to those offered to non-related entities in an economically comparable market.

### n) Borrowing costs

Borrowing costs are expensed as incurred.

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

Notes to Financial Statements

For the year ended December 31, 2022

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## 2 Summary of significant accounting policies...continued

### **o) Foreign currency translation**

#### *(a) Functional and presentation currency*

Items included in the financial statements are measured using the currency of the primary economic environment in which the entity operates (“the functional currency”). The financial statements are presented in Eastern Caribbean dollars, which is the Company’s functional and presentation currency.

#### *(b) Transactions and balances*

Foreign currency transactions are translated into the functional currency using the exchange rates prevailing at the dates of the transactions. Foreign exchange gains and losses resulting from the settlement of such transactions and from the translation at year-end exchange rates of monetary assets and liabilities denominated in foreign currencies are recognised in the statement of comprehensive income and expenditure.

### **p) Contingencies**

Contingent liabilities are not recognised in the financial statements. They are disclosed in the notes to the financial statements unless the possibility of an outflow of resources embodying the economic benefits is remote. Contingent assets are not recognised unless the realisation of the assets is virtually certain. They are disclosed in the notes to financial statements when an inflow of economic benefits is probable.

### **q) Subsequent events**

Post year-end events that provide additional information about the Company’s position at the balance sheet date (adjusting events) are reflected in the Company’s financial statements. Post year-end events that are not adjusting events are disclosed when material to the financial statements, if any.

### **r) Comparatives**

Where necessary, comparative figures have been adjusted to conform with changes in presentation in the current year.

## 3 Critical judgements in applying the entity’s accounting policies

Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances.

The Company makes estimates and assumptions concerning the future. The resulting accounting estimates will, by definition, seldom equal the related actual results. Management does not consider that there are estimates and assumptions that will have a significant risk, causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year.

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

Notes to Financial Statements

For the year ended December 31, 2022

### 4 Cash

	2022 \$	2021 \$
Cash at bank and on hand	2,627,621	2,088,382
Restricted cash (Note 10)	62,640	62,640
	<u>2,690,261</u>	<u>2,151,022</u>

### 5 Investment securities

	2022 \$	2021 \$
<b>Debt securities</b>		
Unlisted investment securities	241,373	230,979
Less: provision for impairment of investment securities	<u>(241,373)</u>	<u>(230,979)</u>
	<u>—</u>	<u>—</u>

The weighted average effective interest rate on debt securities is 4.5% (2021 - 4.5%) per annum. This investment with CLICO International Life Insurance Limited matured on December 22, 2009. This investment has been fully provided for.

### 6 Trade and other receivables

	2022 \$	2021 \$
Trade receivables	1,485,385	1,238,626
Less: Provision for impairment of receivables	<u>(479,495)</u>	<u>(444,294)</u>
	1,005,890	794,332
Prepayments	<u>27,118</u>	<u>22,834</u>
	<u>1,033,008</u>	<u>817,166</u>

The fair value of receivables approximates the carrying values at December 31, 2022 and 2021, since these receivables are expected to be realised on a short-term basis.

The creation and release of provision for impaired receivables have been included in administrative expenses in the statement of comprehensive income (Note 14). Amounts charged to the allowance account are generally written off, when there is no expectation of recovering additional cash. In 2022, \$67,196 of receivables were provided for (2021 - \$89,400) and \$31,995 of the receivables being provided for were recovered (2021 - \$29,901 were written-off).



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

Notes to Financial Statements

For the year ended December 31, 2022

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## 7 Related party balances and transactions

	2022 \$	2021 \$
<b>Due from related party</b>		
Performing Right Society Ltd.	<u>5,012</u>	<u>5,682</u>

Balances with related parties are unsecured, non-interest bearing and due and demandable.

### Key management compensation

Key management comprises senior management of the Company.

Compensation of key management personnel were as follows:

	2022 \$	2021 \$
Salaries and wages	40,844	49,275
Social security costs	700	2,494
Pension and medical benefits	203	762
Other benefits	<u>400</u>	<u>1,600</u>
	<u>42,147</u>	<u>54,131</u>

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

Notes to Financial Statements

For the year ended December 31, 2022

## 8 Property and equipment

	Land and Building \$	Computers \$	Office Furniture \$	Office Equipment \$	Total \$
<b>At December 31, 2020</b>					
Cost	475,462	29,674	18,707	69,904	593,747
Accumulated depreciation	(103,241)	(20,987)	(17,204)	(63,596)	(205,028)
Net book amount	372,221	8,687	1,503	6,308	388,719
<b>Year ended December 31, 2021</b>					
Opening net book amount	372,221	8,687	1,503	6,308	388,719
Additions	–	9,653	–	2,095	11,748
Disposal	–	(129)	–	–	(129)
Depreciation charge (Note 14)	(8,661)	(3,478)	(1,326)	(2,744)	(16,209)
Closing net book amount	363,560	14,733	177	5,659	384,129
<b>At December 31, 2021</b>					
Cost	475,462	39,198	18,707	71,999	605,366
Accumulated depreciation	(111,902)	(24,465)	(18,530)	(66,340)	(221,237)
Net book amount	363,560	14,733	177	5,659	384,129
<b>Year ended December 31, 2022</b>					
Opening net book amount	363,560	14,733	177	5,659	384,129
Additions	–	4,383	–	–	4,383
Disposal	–	–	–	–	–
Depreciation charge (Note 14)	(8,661)	(4,460)	(177)	(2,372)	(15,670)
Closing net book amount	354,899	14,656	–	3,287	372,842
<b>At December 31, 2022</b>					
Cost	475,462	43,581	18,707	71,999	609,749
Accumulated depreciation	(120,563)	(28,925)	(18,707)	(68,712)	(236,907)
Net book amount	354,899	14,656	–	3,287	372,842

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

Notes to Financial Statements

For the year ended December 31, 2022

## 9 Borrowings

	2022 \$	2021 \$
<b>Current</b>		
Bank borrowings	32,461	32,461
<b>Non-current</b>		
Bank borrowings	1,369	37,501
<b>Total borrowings</b>	<b>33,830</b>	<b>69,962</b>

Bank borrowing is secured by a hypothecary obligation over the land and building of the Company which was stamped to cover \$321,800, assignment of insurance policy of the building for \$538,500 and lien over the Company's current account for \$62,640.

The maturity of non-current borrowings is as follows:

	2022 \$	2021 \$
Between 1 and 2 years	1,369	32,461
Between 2 and 5 years	–	5,040
	<b>1,369</b>	<b>37,501</b>

Finance cost incurred in 2022 amounted to \$7,453 (2021 - \$12,056). The weighted average effective interest rate at the balance sheet date was 10% in 2022 (2021 - 10%).

## 10 Accruals and other payables

	2022 \$	2021 \$
Accrued expenses	180,737	174,345
Accounts payable	13,928	21,797
VAT payable - net	11,070	13,792
Other payables	43,558	53,846
	<b>249,293</b>	<b>263,780</b>

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

Notes to Financial Statements

For the year ended December 31, 2022

## 11 Due to rights owners

	2022 \$	2021 \$
At beginning of year	2,120,587	1,893,864
Foreign distribution received for rights owners	41,449	34,259
Distributable income to rights owners	<u>693,146</u>	<u>249,438</u>
	2,855,182	2,177,561
Less: benevolents fund	(103)	(729)
Less: adjustment/distribution to rights owners	<u>(5,204)</u>	<u>(56,245)</u>
At end of year	<u>2,849,875</u>	<u>2,120,587</u>

The Company's Article of Incorporation and By-laws stated that the Company may appropriate 5% of its net distributable income at the end of each financial year as a reserve fund.

## 12 Royalties

	2022 \$	2021 \$
General	699,792	471,137
Live events	439,141	17,500
Broadcasting	<u>192,993</u>	<u>389,975</u>
	<u>1,331,926</u>	<u>878,612</u>

The revenue is attributed to the member territories as follows:

	2022 \$	2021 \$
St. Lucia	714,517	366,858
St. Kitts	62,422	33,724
Antigua	236,736	417,849
St. Vincent and the Grenadines	27,628	13,858
Dominica	230,624	10,796
Grenada	<u>59,999</u>	<u>35,527</u>
	<u>1,331,926</u>	<u>878,612</u>

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

Notes to Financial Statements

For the year ended December 31, 2022

### 13 Administrative and general expenses

	2022	2021
	\$	\$
Agents fees and commissions	72,608	63,052
BMAT licensing system fee	28,373	28,175
Expenses for meetings	21,900	9,653
Utilities	21,700	24,831
Promotion and advertising	18,471	1,433
Audit fees	16,000	16,000
Depreciation and amortization (Notes 8, 9)	15,670	16,209
ACCS subscriptions	13,585	13,585
Director's fees	11,000	17,400
Accounting fees	8,500	12,000
Printing, postage and office supplies	7,673	16,089
Taxes and licenses	5,183	25,148
Bank charges	5,172	7,310
CISAC/SUISA subscriptions	4,608	7,409
Security Services	4,240	2,750
Dues and subscriptions	3,938	6,417
Office repairs and maintenance	3,788	2,108
Insurance	3,365	3,365
Membership fees	1,583	1,583
Travel and entertainment	206	141
COSIS subscription	-	13,994
Other expenses	8,831	13,331
	<u>276,394</u>	<u>301,983</u>

### 14 Employee benefit expense

	2022	2021
	\$	\$
Salaries and wages	187,646	167,347
Social security cost	8,947	8,409
Pension and medical	2,681	3,233
Other staff benefits	761	879
	<u>200,035</u>	<u>179,868</u>

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

Notes to Financial Statements

For the year ended December 31, 2022

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## 15 Other income

	2022 \$	2021 \$
Recovery of bad debts	31,995	–
Miscellaneous income	3,452	–
	<hr/> 35,447	<hr/> –



[www.eccorights.org](http://www.eccorights.org)

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