

The **KENYA INSTITUTE** for **PUBLIC**  
**POLICY RESEARCH** and **ANALYSIS**

# Review of the Film Industry in Kenya: A Value Chain Approach

Brigit Flevian Akinyi and Silas Kiprono Samoei

**DP/284/2022**

**THE KENYA INSTITUTE FOR PUBLIC POLICY  
RESEARCH AND ANALYSIS (KIPPRA)**

**YOUNG PROFESSIONALS (YPS) TRAINING  
PROGRAMME**

# **Review of the Film Industry in Kenya: A Value Chain Approach**

*Brigit Flevian Akinyi and Silas Kiprono Samoei*

Kenya Institute for Public Policy  
Research and Analysis

*KIPPRA Discussion Paper No. 284  
2022*

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Published 2022

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ISBN 978 9914 738 09 4

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## **Abstract**

*Promoting film industry is at the core of the government's agenda towards reinventing the creative industry. This study reviewed the policy, legal and institutional framework of the film industry in Kenya to identify existing gaps and draw lessons. A value chain approach was used in the analysis. While an effective film industry is highly dependent on skilled human capacity notably skilled actors, producers, directors and the set crew including photographers, makeup artists and fashion designers, the sector in Kenya is highly informal, making it difficult to regulate and ensure quality skills development. At National and County level, the film regulatory coordination is weak, leading to double licensing regimes. Limited data and information at each level of the film making value chain constrain in-depth policy research and analysis to inform film sector policy design and implementation; limited awareness on intellectual property rights (IPRs) due to limited public awareness and knowledge sharing lead to high piracy levels. Weak linkages within and between the film industry value chains right from creation to exhibition due to weak private sector associations and absence of regular film makers' engagement platforms with industry players; and most policies and institutional frameworks lean towards promoting the creation and exhibition nodes of the value chain, leaving out other stages of film production. To strengthen the film industry, the following is recommended: Strengthen human capacity in film industry through targeted skills development in tertiary education institutions and ensure effective coordination between National and County governments in film industry coordination; Introduce regulations that curb exploitation of local film makers by foreign companies and improve the business environment by streamlining the licensing regimes for film production; enhance data collection, public awareness and enforcement of existing laws to improve the intellectual property rights' regimes, and; review policies and institutional frameworks to not only address creation and exhibition nodes of the film industry value chain but also for production and distribution of films. It is also important for the National government in collaboration with the County governments to roll out coordinated public awareness campaigns on intellectual property rights (IPRs). Further, formulate, adopt and publish national guidelines on digital films development at all value chains within the country to enable regulating online film distribution while preventing piracy and copyright infringement.*

## **Abbreviations and Acronyms**

AACC	Africa Audio-visual and Cinema Commission
BECF	Basic Education Curriculum Framework
CAK	Communications Authority of Kenya
CCI	Creative and Cultural Industries
CNN	Cable News Network
DVDs	Digital Versatile Disks
GDP	Gross Domestic Product
ICDC	Industrial and Commercial and Development Corporation
IP	Intellectual Property
KCB	Kenya Copyright Board
KFC	Kenya Film Commission
KFCB	Kenya Film Classification Board
KNBS	Kenya National Bureau of Statistics
KTB	Kenya Tourism Board
MoICT	Ministry of Information, Communication and Technology
SDGs	Sustainable Development Goals
TV	Television
UK	United Kingdom
UNESCO	United Nations Education, Scientific and Cultural Organization
UNGA	United Nations General Assembly
US	United States
VAT	Value Added Tax
WIPO	World Intellectual Property Organization

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## 1. Introduction

Creative economy refers to the use of creativity to cultural assets to foster economic growth and development. The creative economy, sometimes referred to as the 'orange economy', entails knowledge-based cultural and socio-economic ventures upon which creative industries are based on. It combines the interaction of economic, cultural, and social resources with technology and intellectual property to create a thriving economy. Creative industry involves creating, producing, and distributing goods and services using ideas and intellectual capital as the key inputs. These creative industries include but not limited to architecture, design, advertising, fashion, arts and craft, photography, film or motion picture, music, videos, performing arts, electronic publishing, computer games, television, and radio. Thus, the creative economy would refer to the entire range of economic activities that support Kenya's industrial sector. The rich cultural heritage of Kenya needs to be utilized to advance its development and national identity (Njogu, 2015).

The United Nations General Assembly (UNGA) during the 74th session held in 2019 designated year 2021 as the International Year of Creative Economy towards Sustainable Development. Around 3 per cent of the global gross domestic product (GDP) emanates from the creative industry. The African Union completed the official creation of the African Audio-visual and Cinema Commission (AACC), whose aim is to promote the film industry across the continent. In addition, the African Export Import Bank launched a US\$ 500 million creative fund that has a component solely focused on film and audio-visual (UNESCO, 2021; Sekhar, 2021).

The audiovisual industry, which encompasses film and television, plays a defining and salient role in the growth and advancement of a country's cultural industry and national identity. Often referred to as the cinema or movie industry, this industry is globally recognized as a salient medium for socio-economic and cultural development of countries. The industry is the most prestigious cultural activity globally and, as such, its content is created to draw in audience and bring communities together for leisure and provide a platform for political, social, economic, and cultural engagements. As an art, film is an amalgamation of different forms of art such as music, dramatic performances, writing, fashion, cinematography, animation, and editing (Damasio, 2022).

The Kenya film industry involves activities such as hiring locations and facilities for film and video productions and the creation of film and television advertising. It employs a diverse group of people, some of whom include script writers, lighting crew, makeup artists, costume and set designers, cinematographers, special effects professionals, animal trainers, editors, animators, sound technologists, and directors (Ndung'u, 2014).

Kenya's easily accessible wildlife, breathtaking scenery, and traditional cultures have made the country a favourite filming location, serving as the backdrop for a variety of films. These include the Academy Award-winning 'Out of Africa', the biopic of renowned conservationist George Adamson, 'To Walk with the Lions',



and the true-crime mystery 'White Mischief'. Over 80 foreign films have been produced in Kenya. Some of the most notable ones are Forbidden Territory, King Solomon's Mines, The Life of Hemmingway, The Wilby Conspiracy, Born Free, Mugambo, Master of the Game, Kitchen Toto, Rise and Fall of Idi Amin, The Colour Purple (second unit), Cry Freedom (second unit), and Besieged (Okioma and Mugubi, 2015).

The Government of Kenya has made numerous efforts to develop the country's film industry. To boost this industry, the Government lowered the cost of filmmaking in Kenya in the 2009 budget by eliminating the 16 per cent value added tax (VAT) and 25 per cent import duty on video camera recorders, digital cameras, television cameras, and zero-rating the VAT on taxable goods and services provided to filmmakers. It also granted a 100 per cent investment deduction on capital expenses incurred by filmmakers on the purchase of filming equipment. In the 2015 budget, importation of film equipment was also zero rated. This move resulted in a decrease in the cost of filmmaking equipment and a rise in the number of international production companies entering the market (Ng'ang'a, 2015).

Demand for local content on television and other audio-visual industry platforms in Kenya increased significantly following technological modifications from analogue to digital broadcasting, which occurred in 2015. The country had 178 radio stations and 66 digital terrestrial TV stations as of June 2017. As of 2021, Communication Authority of Kenya (CAK) anticipated to further license 100 new broadcasting services. The amendments to the Kenya Communication and Information Act, which placed quantum for local content by local TV broadcasters at 40 per cent and later to 60 per cent by 2018, created considerable promise for the film sector. Kenya has also witnessed emergence of digital platforms that depend on continuous supply of content. These digital platforms include Internet platforms such as YouTube, content aggregators such as Viusasa and vernacular TV stations (Njoroge, 2017).

The Government has various policies such as National Policy on Culture and Heritage and institutions such as the Kenya Film Commission (KFC) and Kenya Film Classification Board (KFCB) to regulate and support growth and development of this industry. Despite the government's efforts and initiatives, the industry still faces several challenges. These include but not limited to changing media consumption patterns, which include competition from other entertainment platforms such as Video on Demand (VOD), the impact of piracy on traditional revenues generated from films, dominance by foreign films, challenges of new technology, multiple licensing regimes both at the National and County level, financial, taxation, intellectual property rights in creation, production, distribution, and exhibition of films.

Thus, this research paper conducted an in-depth policy review of the film industry to contribute to existing literature and provide actionable policy recommendations using a value chain approach. The overall aim of this study was to undertake a policy review of the film industry in Kenya, to identify existing gaps and draw lessons from developed film industries in Africa. Specifically, the study fulfilled the following objectives: First, it reviewed policy, legal and institutional framework

that informs the film industry in Kenya and identified lessons from selected countries in Africa that Kenya can adopt to strengthen its film industry.

Films are important to both the lives of producers and consumers and contribute positively to a nation's economy. Not only are they a form of language learning and entertainment, but also a source of employment, providing an opportunity for economic growth and an avenue for cultural identity and education that emerged in the beginning of the twentieth century. Previous studies undertaken in the film industry outline the history of this industry and initiatives by the government to develop this sector, thus gaps exist on legal and policy frameworks that inform this industry. The study identified policies relevant to film industry value chain specifically creation, production, distribution, and exhibition within the sector. It provided information on existing policy, legal and institutional framework in Kenya's film industry. It also identified lessons from Nigeria and South Africa, which Kenya could borrow to advance this industry.

The study is organized as follows: section 2 outlines the situational analysis and policies that guide the film industry; literature review is organized in section 3; section 4 presents the methodology and approach; the findings and discussions are presented in section 5 while section 6 concludes and makes policy recommendations.

## **2. Situational Analysis**

The Kenya Film Commission (KFC) is mandated to promote the country's film industry. For instance, KFC markets the country and its film industry. Participating in international film fora such as exhibitions and festivals helps promote Kenya as a filming destination. The goal is to draw as many filmmakers as possible to shoot their films in Kenya. This has seen the American streaming giant Netflix partner with the Ministry of Tourism and Wildlife following the footsteps of Cable News Network (CNN). To promote Kenya as a tourism destination, the Kenya Tourism Board (KTB) and the major media company Cable News Network (CNN) entered into a partnership in 2015. Netflix will partner with KFC and other stakeholders. To build institutional capacity and provide technical support for the creation, establishment, and implementation of a functional incentive programme for the screen industry and the necessary frameworks for operationalizing the structure in Kenya. Following a contract signed by the Ministry of ICT and American streaming powerhouse Netflix to increase capacity in the local industry, Kenyan filmmakers and content creators stand to gain. The two-year agreement would see Netflix promote young filmmaker training opportunities, purchase content from Kenyan producers, filmmakers and support marketing and consumer protection for digital content creators and consumers.

The Kenya Film Classification Board (KFCB) was established to regulate the film industry in Kenya by identifying and classifying films meant for public consumption to conform to national aspirations and moral societal standards. It also provides the adult population with a wider range of choices. KFCB Act Guideline of 2012 recognizes thoughts and ideas which can be presented in a song, book, or a film. According to the Stage and Film Plays Act, Cap 222 Section 12 and 14, it is envisaged that film distribution shall be subject to approval upon a receipt of Ksh 1,000 and further Ksh 100 per minute, depending on the size of the film. One of the Board's responsibilities is to regulate TV content and other media. To ensure that harmful content is not distributed to the public, the government has increased film monitoring and enforcement by issuing 4,500 film regulatory licenses, conducted 5,753 random inspections to ensure harmful content is not distributed to the public; carried out 81 sensitization programmes to various stakeholders and issued 11,561 film production licenses to regulate the film industry. In addition, 201 television programmes were classified from 15 television stations and classified 659 films; issued 4,712 licenses to video exhibitors and distributors; and registered 341 film agents. In addition, 201 television programmes were classified from 15 television stations and classified 659 films; issued 4,712 licenses to video exhibitors and distributors; and registered 341 film agents. According to the Culture Sector Reports 2014/15 to 2018/2019, the Government through the film agencies made progressive efforts in documenting steps undertaken by the relevant authorities in this field.

Through the approved film institutions, the Government had a record of films produced, documented, and disseminated. The government surpassed most of its targets as shown in Table 1.1. The lack of data in the subsequent fiscal years was because the sector was moved to the Ministry of Information, Communications

**Table 1.1: Films planned, documented, and disseminated in Kenya, 2014/15-2018/19**

	2014/15		2015/16		2016/17		2017/18		2018/19	
Number of Films	Planned	Achieved	Planned	Achieved	Planned	Achieved	Planned	Achieved	Planned	Achieved
Documentaries produced and disseminated	100	120	80	90	70	100	70	78	70	81
Examined and classified	300	308	350	409	550	670	700	629	700	441
Regulatory licenses issued	5250	5627	4900	6680	7430	7043	-	-	-	-
Youth groups mentored	2	4	3	6	5	7	-	-	-	-
Filmmakers trained	150	205	220	250	150	200	-	-	-	-
Local films screened	-	-	50	112	100	120	150	150	150	162
Local & international film festivals participated in	3	5	7	10	10	10	8	10	5	6

Source: Culture Sector Reports 2014/15 to 2018/19

and Technology (MoICT).

The film industry rests on capacity building for the directors, actors, technicians, and existence of funding mechanisms by the local filmmakers. To further develop the film industry, international cooperation through co-production, participation in international cooperation and professional film fairs are some of local and international strategies identified to promote the film industry. The government has committed to fighting all forms of piracy that may deprive local creators of their income and promote the production and distribution of local programmes to strengthen this industry. In the pre-production stage, a filmmaker pays Ksh 15,000 as license fee for shooting to KFCB, Ksh 1,000 per day, the film maker is shooting and further Ksh 1,000 to Music Copyright Society of Kenya on every day of shoot. While this amount may vary depending on the county, some counties such as Machakos do not impose any fee at this stage. According to Communications Authority of Kenya, production cost of local content is between Ksh 600,000 and Ksh 800,000 per episode (Government of Kenya, 2022).

## 2.1 Review of Regional and National Policies of the Film Industry

Cognizant of the vital role that the film industry plays to a nation’s economy and culture, the focus of all stakeholders involved globally, regionally, and nationally has been to create awareness and strengthen this industry. For this purpose, several policies, legislative acts, and treaties have been developed to address salient issues facing the film industry. A review of some of these policies is shown in Table 1.2.

**Table 1. 2: Policy documents in film industry**

Policy	Objectives	Focus on the film industry	What has been done	Gaps
<b>Regional policies</b>				
Beijing Treaty on Audiovisual Performances	To address the persistent need to expand the moral and financial rights of actors and performers in audio-visual productions, such as films, TV shows, and videos	Protect the rights of audiovisual performers in the digital age as films and videos are increasingly distributed across borders using web distribution channels	To protect its performers, Kenya signed the treaty on 26th June 2012, ratified on 15th November 2019 and adopted it on 28th April 2020	Institutional capacity and collaborative agencies to monitor online piracy is limited. As a result, the role of identifying infringing use of performers’ works is largely left to the copyright owners who have neither the mechanism nor capacity to monitor the distribution of their work  Kenyan actors and performers lack awareness of the valuable IP rights that they possess.

Berne Convention for the Protection of Literary and Artistic Work (Paris Act, 1971)	To protect creative creators from illegal distribution, distortion and modification of their works	Provides creators, such as writers, musicians, poets, painters, and actors, protection from infringement and gives them control over who can use their work and how	Kenya acceded to the Convention on 11th March 1993 and entered into force on 11th June 1993 to protect its creative citizens from infringement of their artistic works	Inadequate enforcement mechanism since the Convention gives member States lesser powers to punish those that contradict the provisions stated in the Convention
WIPO Copyright Treaty (WCT, 1996)	To support the requirement that the rights of writers be balanced with the interests of the public, notably those of education, research, and information access for audiovisual works	Authors of digital audio-visual works have the sole right to authorize any public communication of their creations at their discretion	-	Kenya is yet to ratify the Treaty despite signing it on 20th December 1996
Protocol for Establishment of the East African Community Common Market (the Common Market Protocol)	Mandates member states to put in place measures to prevent infringement, co-operate in preventing piracy and promote public awareness on intellectual property rights	Provides protection against online piracy of audio-visual works	-	Regional harmonization of collective efforts to curb online piracy of audiovisual works has not been done within the East African Community
<b>Domestic policies and legislations</b>				
Constitution of Kenya 2010	Ensuring the protection of digital audio-visual works in Kenya to guarantee the preservation of local communities' cultural heritage as intellectual property through the creation of content that accurately reflects the African origins and customs	Ensuring improved protection for digital audio-visual works to increase profits and attract additional investment to the sector	Establishment of the Kenya Copyright Board to promote and protect intellectual property rights (IPRs)	Low public awareness on Intellectual Property Rights IPRs is still a challenge
The Film and Stage Plays Act, Cap. 222	Established the Kenya Film Classification Board (KFCB) whose mandate is to restrict unauthorized distribution and exhibition of films	Protection of films from illegal distribution	Establishment of the KFCB to regulate the film industry in Kenya	Online piracy has made it easier to obtain and copy digital audio-visual content illegally without strong KFCB oversight
Kenya Information and Communication Act No. 2 of 1998	Clarifies on laws and regulation within the communication sector	States that broadcasters involved in film distribution and exhibition ought to be licensed	The country set up Communication Authority of Kenya, which ensures that local licensed broadcaster adhere to the percentage of Kenyan films required	Inadequate enforcement on broadcasters who fail to adhere to the required local quota content

Source: Authors' compilation

### **3. Literature Review**

#### **3.1 Theoretical Literature Review**

##### **3.1.1 Value chain approach**

Michael Porter (1985) coined the phrase "value chain" to refer to the entire set of actions necessary to take a good or service from the inception stage to final disposal following use, including all stages of production, distribution to customers, and disposal after use. It is presumable that the product will increase in value as it passes from one actor in the chain to another. As a result, the value chain can be used as a tool to break down a company into its key functions, enabling the discovery of sources of competitive advantage (Zhu, 2013).

The core tenet of the value chain is that businesses create value for their customers in the form of low pricing by processing inputs such as raw materials into finished goods that they sell. Businesses exist to maximize economic value (profit) for their founders through the production and exchange of goods and services. However, businesses must first produce value for their consumers if they are to create value for shareholders. Customers experience this when they believe the good or service they buy is worth more than the amount they pay for it (Brown, 1997).

A linked series of actions that join to produce and provide a product (or value) to customers could be characterized as an industry value chain or system. Production, packaging, research and development, marketing, and distribution are a few examples of these activities. In a strict sense, a value system reflects those activities as carried out by a collection of many firms or independent contractors working together to generate and distribute the product, as opposed to those activities carried out within a single company in a value chain. Business scholars and consultants have already used the value chain and system in a variety of industries, such as the automotive, food processing, and retail sectors. It is also applicable to the motion picture business (Lynch, 2006).

Recent studies have employed value chain analysis, which goes beyond the borders of the firm and even the industry, whereas earlier management literature tended to focus on the firm as the principal production unit. Value chain analysis solves the shortcomings of traditional analysis, which is static and has a limited ability to pinpoint success causes (Kaplinsky and Morris, 2003).

Suppliers, distributors, partners, and collaborators make up a value system where value is created and captured, extending the firm's access to resources and prospects. Value chain analysis is concerned with the dynamics of intricate network linkages. As an illustration, the value chain in the film sector commences at the production stage and includes the pre- and post-production aspects of film creation, and the distribution stage, the exhibition stage, and finally the consumption stage. In this industry, customer satisfaction is at the core of the value chain (Zott et al., 2011).

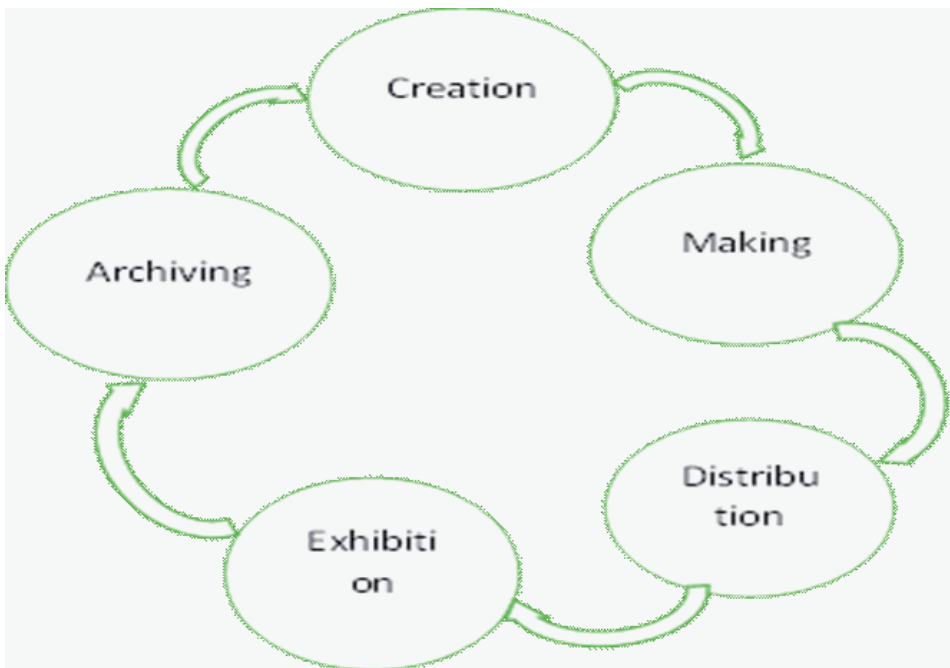
A simple corporate value chain describes how a movie is frequently planned, produced, distributed, and exploited within the studio system without ever leaving a single integrated corporation or consortia. A limited number of multinational

studio-style companies are similarly like this. As a result of shifts in the economies of film financing and distribution that threaten the current business models, such as technological convergence, the decline of DVD sales, and the anticipated rise of digital downloads, there has been a recent increase in interest in the analytical concepts of the film value chain and value system. The alignment of an organization with its strategic environment is a crucial component of competitive business strategy. Thus, it is crucial for individuals managing firms in the film industry to have a thorough understanding of the value chain they are operating in (Porter, 1985).

### 3.1.2 Creative economy ecosystem

The model views the creative industry as an ecosystem that needs specific understanding and policies. It therefore addresses specific strengths and weaknesses, and it considers the role of facilitating cultural links.

**Figure 3. 1: Economy ecosystem model**



*Source: Adopted from UNESCO (2021)*

The creative economy ecosystem model is premised on cultural production cycle, which divides the cultural economy into several stages: creation, making, distribution, exchanging and archiving. The context in which production takes place is captured under multiple interdependent factors across spatial, temporal, and organizational dimensions. This allows for deeper understanding of CCIs



with their specific characteristics and policy needs. It envisages that the cycle of creation is iterative and includes feedback and crossover between the processes that feed into the cycle and conditions that affect it. This, therefore, can be illustrated by exploring the activities that are associated with each phase. Each of the activities is made up of several sub-activities, which can intersect or crossover to other cultural forms and other industries of the broad economy. Besides institutional and organization structures in creative industries, the ecosystem goes beyond looking at proximity and space. However, the model does not offer priori distinction between formal and informal, state funding and commercial enterprises, and indigenous versus main cultural products. Thus, it is accepted that the system is a blend where some characteristics will be dominant at a particular stage at a particular time. The network differences across organizations in creative industries proves that spatial clustering can be used to improve feedback and communication in creative economy (UNESCO and World Bank, 2021).

### **3.2 Empirical Literature**

Fernandez-Blanco and Pino (1997) investigated the factors causing the decline in cinema industry using Spanish data for the period 1968 to 1992. In this study, cointegration analysis was applied where an individual demand function for cinema was expressed in an average attendance per year. It was found that the cinema demand had a positive association with individual income and the substitute's price. The findings were similar to that of Pautz (2002), who applied multiple linear regression model to estimate the factors that affect the weekly decline of US to analyze how the total number of screens in the US, the number of feature films released each year, the average admission price adjusted for inflation, real gross domestic product (GDP) and the number of households with one or more televisions affected the average weekly cinema attendance. The total number of screens had a positive relationship with the number of films, while GDP had an insignificant relationship with the number of screens. Prices showed a negative relationship with the number of screens owned by the households.

Debande and Chetrit (2001) conducted a study on the European audiovisual industry. The study stated the various stages of the film industry value chain. The production and dissemination value chain are represented by several industries, which can be split into distinct stages of activity. For film industry, the stages are: the development stage during which the producer purchases the rights to an original screenplay, looks for creative and financial collaborators, and determines the production's budget; production stage, which includes pre-production during which the producer will gather all the production crew and casting, technical including shooting schedules, location selections, and financial resources necessary for the film or TV production, shooting during which the film is actually shot, and post-production during which the film is edited, the soundtrack is introduced, and special effects are added; distribution during which the movie is marketed and sold to theatres while the TV programme is packaged and delivered to the audience using a variety of delivery systems; the exhibition

and broadcasting stage is when the TV programme or movie is exhibited on TVs and movie screens. All those different activities are connected.

As noted by Eliashberg, Elberse and Leenders (2006) in the past, research in motion picture has risen, given its importance to the global economy. It is also considered a key driver of the market for entertainment products worldwide and as one of the sectors with high cultural importance. Other approaches have also been used to study the performance of the movie industry. For instance, Hennig Thureau et al. (2001) applied consumer behaviour approach to assess the factors determining theatrical film access in United Kingdom, United States and Germany. Eliashberg et al. (2006) while using the value chain approach showed a range of issues related to film professionalism and researchers with particular emphasis in marketing and technology.

Suominen (2011) investigated what is responsible for Finland's weekly admissions in 2003 in terms of film distribution to theaters. The major goal was to ascertain how reviews from critics and previous week's admissions affected movie attendance. Critics, word-of-mouth, ticket price, the number of screens, and the time factor/weeks after release were all examined as explanatory variables. Fixed and random effects were determined using panel data analysis. The study concluded that the fixed effect model was best suited to account for weekly movie attendance. According to the study, word-of-mouth, ticket price, the number of screens, and the time factor are all key factors in predicting movie attendance. Reviews of the literature were judged to be insignificant.

Chambers (2013) employed multiple linear regression to identify the spatial association between film qualities and gender/age demographic factors while estimating the effectiveness of film attributes with respect to audience demographics. For theatrical release films, demographic and attribute data was collected in Canada between 2010 and 2012. The dependent variables were age and gender cohorts, with the film attribute acting as the independent variable. The various film genres and the length of the film were taken into consideration. The model was run for each dependent cohort of a certain gender and age, and three sets of outputs were generated for each cohort. The data was then examined and contrasted both within and between research zones. The study aimed to produce findings that would help find how recently released films should be distributed to cinema markets. The study showed that the film's qualities can be utilized to forecast audience demographic proportions because results were consistent across all locations. Additionally, it was noted that less meaningful predictors were found as the cohorts aged. However, the study made notice of the fact that other film characteristics, such as season, budget, and performer's appeal, may have an impact on the audience proportion of older cohorts. The study noted a limited analysis due to the use of aggregated data and the short and limited selection of independent variables, and that an analysis on a smaller scale would yield different conclusions. The scope of the study was restricted to Canadian theatrical markets.

Mario (2014) researched on the audiovisual industry in Europe on the possibility of distinguishing between TV products, film works, and items meant for web

distribution based on the distribution model. It is important to note that this disparity is no longer as significant as it previously was. In fact, the growth of the market has aided in the spread of hybrid goods. The identification of the major distribution channel for any product is difficult in the setting of the contemporary audiovisual market. Remakes, sequels, prequels, and spin-offs are just a few of the specific adaptations that are being created for a specific product to cater to various distribution markets. In addition, hybrid products are now available on the market. These items were created from the beginning with the intention of being placed on various distribution channels without the need for any specific changes. An audiovisual output can be classified as a TV product if it is created with the intention of being broadcast exclusively or mostly. This method makes it simple to understand that TV broadcasters do more than just arrange TV shows. If we consider all film works that are aired after their viewing period, this becomes much clearer. TV products are a complex construct since they can be conceptualized as a collection of audiovisual products that the public can view on a TV platform. Films are often categorized by duration or content and are generally meant for theatrical release. They can be categorized as either feature or short films based on their minute runtime. The Internet is quickly emerging as one of the most effective platforms for distributing audiovisual content. The online distribution system, which is yet to be fully controlled, enables new independent filmmakers to broadly disseminate their works without restriction by the public. Regardless of price, audiovisual web products often have a short runtime and few episodes, though not always. The web's creative flexibility has spurred the growth of a variety of product categories, many of which cannot be classified using conventional criteria.

Masood (2015) conducted a microeconomic analysis of French moviegoers' cultural preferences between domestic and foreign productions. The purpose of the research was to find out how preferring by consuming money and liking by other people through social interactions affected preference across variations of an addictive commodity. Consumer preference for French and non-French movies was the dependent variable. The independent variables of interest included income, degree of education, exposure to a wide range of films, and the number of DVDs purchased. The study employed survey data from the French Ministry of Culture and Communication, which was based on interviews of 5,004 people who were chosen at random and interviewed in six French Metropolitan regions. A probit model was used to analyze the data, and average marginal effects were translated. The study showed that preference for the local variety was positively and strongly linked with education level and greater exposure to local varieties. The quantity of DVDs bought was strongly and adversely connected with preference for the regional choice. Although income had a negative correlation and not significant. By analyzing the effects of people belonging to a certain age-gender-occupation group, social contact was incorporated. The study showed that prior exposure was the key factor in deciding film preference because it had a significant impact on the effect's significance. The social contact term had no effect if a person had too much exposure to foreign variations.

### **3.3 Overview of Literature**

From the theoretical literature reviewed, it was noted that research towards value chain in film industry has gained momentum over the years. Film value chain begins from the development stage, production, distribution and lastly to the exhibition stage. These four stages interact with one another to bring films to the audience. The study highlights the importance of films and the different film products that are available. As noted by Mario (2015), films once produced are intended for TV programmes, theatrical release, and web distribution. All these distribution models vary depending on the type of films produced. While TV and cinema have feature and short films, web distribution often exhibits short films, usually 15 to 40 minutes. It is therefore imperative that the study acknowledges the works of Chambers (2013), Masood (2015), Mario (2014), Suominen (2011), Eliashberg, Elberse and Leenders (2006), Hennig Thurau et al (2001), Eliashberg et al. (2006), Debande and Chetrit (2001), Pautz (2002), Porter (1985) in understanding value chain approach in film industry for various stages.

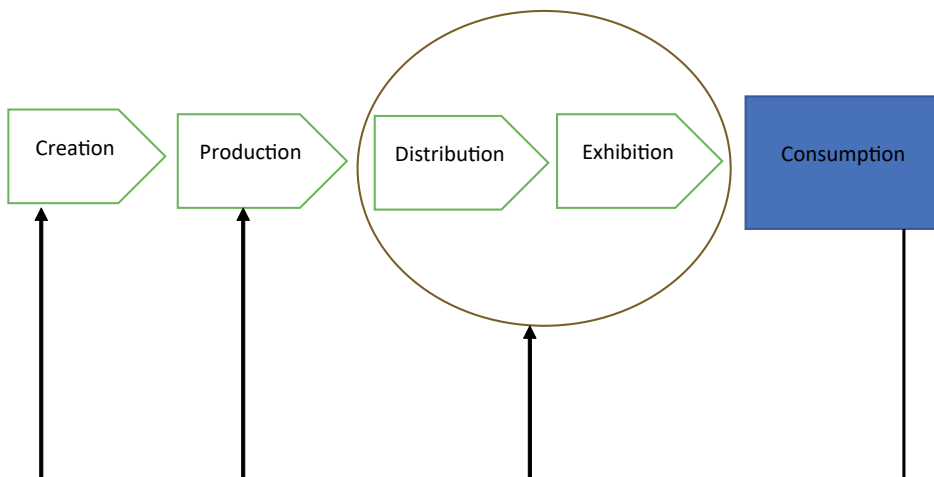
## 4. Methodology

The concept of values as put forward by Porter (2001) are a set of interrelated activities carried out within an industry to deliver a product. The activities help to analyze firms' competitive advantage in a marketplace.

Over the years, several academic researchers and policy analysts have acknowledged the importance of value chain approach used for analyzing the film industry. Such writers include Aris and Bughin (2006); Vickery and Hawkins (2008); Eliashberg et al. (2006); and Zerdick et al. (2000). In addition, film value chain was assessed in marketing literature and academic circulars in the United Kingdom. The film industry, which is often referred to as the motion picture industry, has high economic importance in the global economy. The four distinct stages of film industry value chain are creation or development, production, distribution, and exhibition that precede the consumption of films by the audience.

According to Eliashberg et al. (2006), several types and levels of entities and individuals take part in each stage of the value chain. The competitive film industry terrain includes vertically joint independent production companies, major film studios, national and regional distribution and exhibition chains, independent distributors, and cinema houses. The study borrows from the authors who undertook a comprehensive study of value chain in the United States (US) film industry to understand the industry's landscape. For this study, the authors focused on the first three distinct stages of the value chain, since it is more applicable to Kenya's film industry. A caveat to note is that for this industry in Kenya, there is no clear distinction between distribution and exhibition. However, there exists some distinction in terms of licensing for distributors and exhibitors. It draws opportunities from other jurisdictions that are doing well in the industry. It is from these discussions that the authors were able to find opportunities in each stage that the country can use for policy interventions.

**Figure 4. 1: The value chain of motion picture industry**



Source: Eliashberg et al. (2006) with authors' modifications

#### **4.1 Creation**

The first stage of a film involves the creation and development stage. This is a long interactive stage that lays the foundation for any film. It involves drafting of a script, financial planning, scouting filming locations, actors, equipment, costume design, talent management and creative planning. It is at this stage that a script is selected after going through several changes to suit the needs of the intended audience and the filming company's needs.

#### **4.2 Production**

Film production is a long interactive and creative process with far-reaching economic implications for all players involved, be it public or private, national, or international. It is important to note that for each film, the development and production process is different. However, some notable observations are similar across the board. The process begins with a literary concept, after which it goes for review if successful, and then the film goes into the development stage. At this stage, financial resources determine the quality of the film in terms of the crew hired, such as writers, actors, editors, videographers, makeup and fashion, and the filming location to develop the film. Financing the development of a movie is an extremely risky decision rooted in artistic and business considerations.

#### **4.3 Distribution**

Once a film is fully developed, the next stage is distribution. This stage encompasses the physical and digital distribution of films to theatres and to the media. The stage also involves marketing strategies undertaken to capture the attention of the audience to which the film is intended for. It is at this point that film studios and other distributors undertake different decisions on when to release the films in theaters and cable TV, the number of screens to open and the media to use for advertising. Distributors spend large sums of resources on advertising their films. Television advertising accounts for the largest share of film advertising followed by print advertising, Internet advertising, billboards, and radio commercials.

#### **4.4 Exhibition**

The film exhibition landscape is made up of organizations and presentation of films. This includes theater screens, independent exhibitors, film festivals, home video and widescreen television. This is the presentation stage of films to the public and this may be directly through theatres, television or through home viewing such as video on demand, pay per view and television programmes.

#### **4.5 Policy and Institutional Analysis**

The authors undertook a policy, legal and institutional analysis. The policy analysis was guided by the film industry value chain in creation, production, distribution, and exhibition. For easier analysis, at each stage, the documents were analyzed chronologically to bring out clear issues and highlight the steps taken by the country over the years to develop its film industry. It is from this analysis that the authors were able to find existing gaps within this sphere with regard to available policy and legal frameworks.

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## **5. Findings and Discussions**

### **5.1 Creation**

The film industry, in the context of value chain approach, is an iterative process. There are interlinkages and intersections of activities, crossover, and feedback that feed into the system and this is seen in activities involved in each stage. Film creation involves both activities and sub-activities of composition, recording and film instruments needed. The key activities in the creation stage include talent identification and management, scouting, shooting location and financial services.

#### **5.1.1 Talent identification and management**

At this stage, filmmakers methodically find the right talents needed to produce a film. The Kenyan Government has in place legal and institutional frameworks geared towards talent identification and management. The Kenya Vision 2030 identified film as one of the key drivers of the country's development. In promoting the film industry, the national 30-year development blueprint envisages promoting the film industry by setting up initiatives that enable the youth to identify and nurture their talents, thus improving and diversifying their income opportunities. In addition, the country seeks to set up the National Hall of Fame dedicated to veterans in film and culture to honour their contributions to this sector. The Kenya Vision 2030 recognizes the prominent levels of informality in film and, thus, it aims to ensure that the rights of talented youth in film are protected.

As one of Africa's most pragmatic constitutions in terms of protection of International Property Rights (IPRs), the Constitution of Kenya is cognizant of the Kenyan culture in audio-visual products. As such, Article 11 and 33 of the Constitution mandates the government to protect IPRs of its citizens involved in the audio-visual industry and creative industries at large. Moreover, the Kenya Copyright Board was established to protect IPRs of creative persons in the country, thus protecting their content and earnings.

The National Policy on Culture and Heritage of 2009 commits to identify and nurture local talents. The policy identifies film as part of cultural expression that ought to be protected and promoted. As such, the government is encouraged to place emphasis on training of local talents in this field, both locally and internationally. In addition, the policy encourages local talents to promote local themes that add cultural value to the State.

The Basic Education Curriculum Framework of 2017 (BECF) recognizes the need for academic institutions to identify and nurture students' talents and potential. At the core of creation is talent identification. As such, the policy framework emphasizes that the government and all stakeholders provide an avenue for all learners to actualize their talents in all fields. By creating an avenue for learners to nurture their talents, they can venture into professional opportunities, including career advancement in the film sector.



The World Intellectual Property Organization (WIPO) of 1970 Division for Least Developed Countries (LDCs) assists LDCs to use Intellectual Property (IP) in support of innovation and creativity. Through the division for LDCs, WIPO aims to protect talented individuals from copyright infringement. These LDCs are supported in literary, visual, artistic, and financial works. This is done through trademark protection, commercial names and designs, protection against unfair competition and protection of visual and artistic performances. Limitations and exceptions to copyright and related rights vary from country to country due to socio-economic, political, and historical conditions.

### **5.1.2 Shooting location**

Filming in Kenya requires a film maker to obtain a permit for the shooting location, which can either be private property, County government or National government. The Kenya Film Commission provides that a permit should be applied prior to commencement of the film shooting. Shooting from National parks or game reserves requires a permit from the Kenya Wildlife Service. In addition, it is required that there be minimal disturbance of flora and fauna.

## **5.2 Production**

Under the Sustainable Development Goals (SDGs), there is no goal that clearly focuses specifically on the film industry. Sustainable Development Goal No. 8 envisages promoting inclusive sustainable economic growth, employment, and decent work for all. Reference is made to cultural development and no indicator points to the film industry. This section focuses on filming, including filming equipment and shooting script.

### **5.2.1 Equipment**

The Kenya Revenue Authority (KRA) levies an import duty on imported film equipment per consignment. For temporary importation of film equipment, film makers are required to secure a permit from the Kenya Film Classification Board, with a 1 per cent charge on the total value of the imported equipment. KRA also removed Import Duty of 25 per cent and VAT of 16 per cent on digital cameras, television cameras, and video camera recorders. It also zero-rated VAT and taxable goods and services offered to film producers. A 100 per cent grant investment deduction on capital expenditure incurred by a film producer or purchase of any filming equipment is also provided.

### **5.2.2 Shooting script**

Film and audio-visual production represent a major stake in the Kenya society and is a potential source of income generation. This concerns creators and distributors, and an increasing population of viewers. With its natural and

attractive sceneries compared to other East African countries, Kenya attracts many film makers. Local film agents need to submit their application applying for shooting the film. Shooting of a script in Kenya is in two-fold; foreign and local. Film and Stage Plays Act Cap. 222 provides that no film outside or within shall be exhibited without a license. It is for this reason that local and foreign film makers must obtain film license from the KFCB, whose mandate is to issue licenses. International filmmakers are mandated to obtain a special pass from Department of Immigration Services. Local film makers must submit their applications through their local agents, who facilitate shooting, hotel reservation, travel arrangements and other necessary coordination. This is mandatory for all applications to make feature films or documentaries.

### **5.3 Distribution**

As a stage within the film industry value chain, distribution is when a film is packaged and broadcast to viewers using various delivery technologies. It is also when a new film is promoted and sold to cinemas by the distribution company. The producer has access to a variety of marketing techniques and distribution avenues, including those through intermediaries and agencies. Film and television festivals, the use of sales agents, cable and television networks, and online distribution. Distribution companies are often licensed by each country depending on the requirements. Each stage of the film industry value chain is governed by policy, legal and institutional framework.

#### **5.3.1 Film festivals**

The promotion of a thriving film industry is a key component of the Kenya Film Commission's goal. Systems of awards are essential to the development and expansion of national film industries, according to research on the global film industries. There are film awards or festivals in about 100 nations. Successes such as the Pan African Film and Television Festival of Ouagadougou (FESPACO) in Ougadougou, Burkina Faso, the Durban Cinema Festival in South Africa, and the Dhow Festival in Zanzibar show that festivals and award ceremonies consistently and strongly support national and continental film industries inside Africa. As a government film institution, the Commission aims to promote the country's film industry through film festivals such as the Kalasha Film Festival and Awards. In promoting the country's film industry, KFC conducts continuous research within and outside the country.

Consumption of cultural materials is possible on film and audiovisual platforms. Through these channels, audiences are amused and introduced to many cultural experiences. The National Policy on Culture and Heritage asserts that a thriving local film and audiovisual sector fosters the development of talent and material. Cinematic screenplays that are well-made and effectively promoted can boost cultural entrepreneurship, pay content producers well, and boost Kenya's reputation abroad. To promote growth of the sector, the National and County

governments are mandated to promote the use of digital media for the distribution of local content, including film, promote and support Kenyan creatives' and cultural stakeholders' participation in local and international markets, film festivals, and forums.

### **5.3.2 Film distribution**

As a critical and salient stage in the film industry value chain, distribution of films is essential in bringing films to the audience for viewing. The Kenya Film and Stage Plays Act Cap 222 stipulates that all distributors of films ought to be licensed and issued certificates of approval by the Kenya Film Classification Board (KFCB). In line with this, the KFCB regulates the distribution of films by examining and classifying all films, film trailers and film posters using the National Film Classification Guidelines to protect children from consuming adult content; imposing age restrictions on viewership; giving consumer advice; licensing and issuing certificates to film distributors; and developing classification guidelines, standards, and regulations for the film industry.

## **5.4 Exhibition**

Exhibition along the value chain is the last stage that precedes consumption. For the purposes of this study, exhibition is considered as the last stage in the film industry value chain. This stage encompasses TV screening, VOD screening and theatrical screenings.

### **5.4.1 Television (TV) Screening**

The Government has put in place policies that support TV screening of films within the country. The Kenya Information and Communication Act No. 2 of 1998 clarifies on laws and regulations within the communication sector. Section 46I of the Act lays out the responsibilities of broadcasters. Broadcasters ought to be licensed to distribute and exhibit films. The Act also states that licensed broadcasters by the Communications Authority ought to adhere to the percentage of Kenyan programmes stated by the Authority. This ensures that Kenyan films are given priority by local broadcasters.

As an institution, the Communication Authority (CA) of Kenya clarifies on laws and regulations within the communication sector. The CA mandates broadcasters to adhere to the 40 per cent local content limit. This is a bold step by the Government in promoting Kenyan films and ensuring that local films get enough airtime on registered TV stations.

As an institutional framework for the film industry, KFCB was established to regulate the film industry. The Board regulates the exhibition of films to ensure that children are protected from viewing films that display adult content. The

KFCB also ensures that the watershed rule (no age-restricted content between 5 a.m. and 10 p.m.) is adhered to.

#### **5.4.2 Video on Demand (VOD) distribution**

This form of film exhibition entails web exhibition of films in VOD platforms such as ViuSasa. The Beijing Treaty, which was developed in 2012 and came into force in 2020, offers copyright owners a wide range of possibilities. By setting up a clear international legal framework for the protection of performers, the Treaty ensures that the profits collected are dispersed fairly, including to the audio-visual players. Notably, it offers performers security in the digital world for the first time. This Treaty will keep protecting performers' rights from improper use of their performances in audio-visual media particularly on VOD platforms.

#### **5.5 Gaps in Policy Review and Analysis**

From the review of several policy legal and institutional frameworks in Kenya that support the film industry, the government is committed to promoting this vital sector. However, from the analysis, most policies and institutional frameworks promote creation, particularly talent identification and exhibition in terms of regulation.

While many policies focus on nurturing talent in the creative industry, funding gaps towards the industry exist. Whereas talent is at the core of creation, there is no mention of regulation on earning for actors, producers, and the set crew and how they are protected from exploitation in terms of benefits.

Human resources are at the core of this industry. However, having elements of informality has limited access to data for this sector, which creates gaps on management of human capacity in the industry. This puts the industry at substantial risk of exploitation by both local and foreign film companies.

From the analysis, Kenya is a signatory of various IP Conventions and Treaties and has since domesticated them in addition to having its own domestic policies and institutional frameworks on the same. However, piracy remains a challenge for creative talents in this sector. It is imperative, therefore, to question whether IP policies and institutional frameworks are enough to protect this industry from piracy.

Licensing of film production places a level of formality for the industry. However, from the analysis of available policy frameworks, the authors noted that there exists multiple licensing regimes at the national and county levels. While the Constitution of Kenya under the Fourth Schedule outlines the functions of the counties with one of them being cultural activities, the review noted that each county has its own laws on film licensing, which differ from that of the National government.

The National Policy on Culture and Heritage identifies films as part of national cultural expressions. Though the policy shows cinema screens as pertinent towards cultural expressions through films, the policy does not acknowledge the fact that the country has few cinema screens to serve the Kenyan population. Moreover, these cinema screens are in the major cities of the country, i.e. Nairobi, Mombasa and Kisumu, thus putting the rest of the population at a disadvantage when it comes to cinema.

It is important to note that digital distribution helps in promoting local films. Thus, the policy notes that the National government shall collaborate with county governments to promote digital media distribution of films. The policy, however, does not clearly outline actionable strategies that give a clear guideline on how the two levels of government can achieve this. In addition, the policy does not accurately state if digital media distribution includes both the local and international distribution outlets. Moreover, there is no framework on how regulation for web distribution is done.

The Film and Stage Plays Act clearly states that all films produced in the country ought to be licensed. Moreover, it mandates all film distributors to be licensed. An important aspect of this is that the Act does not outline the qualifications for one to be a film distributor in the country. Though licensing of distributors is undertaken by the KFCB, the Board has not made available to the public guidance on film distributors and the different qualifications needed.

The success or failure of film in the United States of America and other countries depends on how well it does at the box office, which serves as its primary channel of distribution. The box office sales for popular movies typically cover the costs in full. In Kenya, movie theaters and local productions play a little part in the dissemination of movies because there are few of them and have not had the same success at the box office as foreign films. The producers must provide the necessary licenses to the exhibitors/theaters. The licenses are often only valid for the theatrical release. The exhibition of films involves showing films in cinemas, TV and online (VOD platforms). The KFCB through the Act is mandated to regulate the exhibition of films. The study has found that films are exhibited in cinemas, online through VOD and on TV. In addition, the Board ensures that the age restriction watershed rule is adhered to. However, the Board has not clearly specified how it regulates online film exhibitors and how it ensures that the watershed rule is adhered to by online film exhibitors.

## **5.6 Lessons from other Countries in Africa**

With more foreign productions and co-production than any other country in Africa, South Africa boasts the best production infrastructure on the African continent. In South Africa, filmmakers are given a tax rebate of up to 25 per cent to shoot their films and the country has a law that protects actors. Those who meet the required guidelines to shoot are given a percentage of their money back. They also get the chance to support black-owned businesses. Proposed but to happen, the Kenya Film Commission pledged the security of the actors, crew, and

equipment, provide a suitable tax incentive package including relevant rebates, and offer a waiver of government-related fees, including those relating to filming, national parks, and heritage sites.

On the production side, the Nollywood model has proved to be an added advantage in terms of promoting Nigerian culture and increasing film production. On the production side, governments seeking to adopt this approach may concentrate on reducing regulatory and fiscal hurdles to support the growth of private ventures. This includes making it easier to buy equipment, gain access to shooting locations, create a production business, and submit a film license application. Film producers, particularly foreign producers, are also taxed by the National government. Reducing the hurdles at the two levels of government through harmonization could prove beneficial to the country, thus attracting more foreign producers into the country.

The Nollywood creative industry model has enabled the creative industry in Nigeria to develop over the years. The Nollywood model is defined by its fast, low-cost production processes that enable filmmakers to finish a film for as little as US\$ 15,000 in a matter of weeks. In addition, many of Nigerian films are privately funded. Drawing lessons from this model, on the distribution side, the model is crucial in the development of the distribution segment of film industry value chain. The model encourages governments to play a key role in this industry by investing in areas that are critical to the development of the film industry, such as facilitating country-wide access to affordable and high-speed Internet, setting broadcasters local content quota, and implementing the quota and working with strategic partners in the digital space such as YouTube. The Kenya government through the Communications Authority of Kenya sets broadcasting content at 40 per cent local content, with increase to 60 per cent over the year. To increase distribution of local films, the government could consider ensuring that the rule is adhered to by all registered broadcasters. According to the Communications Authority report of 2019/20, only 38 registered broadcasters adhered to this rule.

The Southern Sotho term ReaGile, pronounced 'Ree-e-gee-le', means 'We have built'. This name was chosen for a project that was launched in Gauteng in 2009 and involved the construction and placement of 400 square metres prefabricated, self-contained education and entertainment complexes at public open spaces throughout South Africa. A 60-seat movie theater, a 30-seat computer and Internet center, a community care facility, and a community policing facility are all part of the complex. ReaGiles were designed to reach 30,000 people in historically underserved townships and peri-urban areas that are close to theatres. The ReaGile initiative is the neighbourhood's alternative to a corporately owned urban shopping centre. ReaGile is a small-mall-plex that draws customers by offering a variety of supplementary services (community policing, a primary healthcare facility, a snack kiosk, educational use, etc). As a result, ReaGile sought to pioneer a novel form of low-volume community-centred commerce and public service that would directly benefit regional customers because the money spent and the services to be provided are locally sourced. The construction usually takes between 2 and 8 weeks. This is a South African initiative to bring films to the citizens in less advantaged societies. Presently, Kenya has 22 cinema screens.

Therefore, the country could adopt such an initiative to increase the number of cinema screens across the country and roll out the programme to all the counties. This will increase exhibition platforms across the country, thus promoting the industry.

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## **6. Conclusion and Recommendations**

### **6.1 Conclusion**

The aim of this paper was to review policy, legal and institutional framework that informs the film industry in Kenya to identify existing gaps within the documents that require policy intervention. In addition, the study sought to identify lessons from other jurisdictions with developed industries in Africa that Kenya can adopt to strengthen its film industry. The key findings were as follows:

(i) Human capacity

Human capacity is at the forefront of this industry. For any film to be made, it requires actors, producers, directors and the set crew including photographers, makeup artists and fashion designers. While skills development is necessity for this sector, the industry is highly informal and, as such, there is no clear regulation for those involved.

(ii) Institutional capacity

There are different licensing regimes for film production at the two levels of government. For instance, the National government through KFCB issues licenses that vary depending on the films to be shot, while counties have their own licensing regimes. As such, a filmmaker ends up paying for a license at the national level and the county to which the film is to be shot.

(iii) Limited data at each level of the value chain

The film industry in Kenya has an element of informality to it. Because of this, there is limited data that is accessible to the public. This, therefore, hampers in-depth research and analysis of this salient sector towards policy development.

(iv) Coordination among institutions

While institutions involved in film industry have their mandates regarding film, there is poor coordination among them, particularly on regulation of films at the national level.

(v) Limited awareness on IPRs

Piracy is a challenge to the film industry. The country has various IP laws meant to promote IPRs and protect the creative sector. However, there is limited public awareness on IPRs across the country. This is partially attributed to limited finances to facilitate knowledge dissemination on IPR to the people.

(vi) Online and VOD distribution

With technology advancements, digital distribution of films has helped to bring films to the audiences. Though the KFCB regulates distribution of films, there are no set guidelines for online distributors since online they include international and national distributors.

(vii) Reveals a weak link within film value chain in Kenya

There is a weak link within the film industry value chain running from creation



to exhibition. This has been catalyzed by weak private sector associations and absence of regular engagement platforms with industry players at each stage of the value chain.

(viii) Government in promoting this sector lean towards creation and exhibition

While each stage of the value chain is important to the industry, the study found that most policies and institutional frameworks lean towards promoting the creation and exhibition nodes of the value chain.

## **6.2 Recommendations**

The study's findings led to the following recommendations:

(i) There is a need to establish regulation to prevent exploitation of local film makers by foreign companies. This will regulate the earnings of film producers, actors, and the film crew, and shield local actors from exploitation by foreign film companies.

(ii) Improving the institutional capacity of the Kenya Film Classification Board (KFCB) to be able to harmonize licensing of films at the national and county levels. This will limit the hurdles film producers experience at every licensing stage.

(iii) Strengthen data collection in the sector and promote research to generate evidence that will support focused policy actions along the different nodes of the value chain.

(iv) Increase investment towards national film institutions to strengthen their capacity to enforce existing policies and regulations.

(v) The national government in collaboration with the county governments roll out coordinated public awareness campaigns on IPRs. In doing so, the public will be aware of the benefits and rewards of their creative works.

(vi) Formulate, adopt and publish national guidelines on digital distribution within the country. With this, the government will be able to regulate online distribution, thus preventing piracy and copyright infringement.

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**ISBN 978 9914 738 09 4**

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