



WHO IS THE AFRICAN CREATIVE ECONOMY LAWYER?

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Building a practice at the intersection of law and culture — and why Africa's fastest-growing economic sector still has no clear pathway into it.

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A BOOMING SECTOR WITH NO LEGAL PIPELINE

Africa's creative economy is now valued in the tens of billions of dollars, but the structure beneath that growth tells a more complicated story. Nigerian music charts globally. African fashion has moved from local markets to international runways and red carpets. Nollywood remains one of the most prolific film industries in the world, producing roughly 2,500 films a year.

The royalty data tracks the same trajectory. CISAC recorded €81 million in African collections in 2023. By 2024, that figure had risen to €90 million — the fastest regional growth rate anywhere in the world, at 14.2%. The sector shows no sign of slowing.

The legal profession has not kept pace with any of this. Most African law schools do not teach entertainment law as a distinct course. There is no recognised, structured pathway into the practice area. The overwhelming majority of lawyers currently working in the creative sector arrived from corporate practice, litigation, or another traditional area of law, and learned the industry entirely on the job.

There's a case to be made that this reflects resilience — lawyers building real expertise through direct exposure rather than theory. But it also means rookie mistakes get made on live client matters, structural knowledge gaps go uncorrected, and standard industry practices are picked up inconsistently, if at all.

Which raises the question this piece sets out to answer: who is the African Creative Economy Lawyer? Someone who has reviewed a handful of music contracts through a general contract law lens? Or someone with a deeper grasp of the industry, the people in it, and the culture that shapes it? And more practically — what knowledge and skill should define credibility in this practice area today?



SAME LEGAL TOOLS. DIFFERENT GAME.

At first glance, creative economy law looks like nothing more than commercial law applied to a different industry. Recording agreements are still contracts. Copyright disputes are still IP matters. Production companies still need corporate and regulatory advice like any other business.

A lawyer advising a record label genuinely does draw on contract law, IP law, employment law, corporate law, tax law, and dispute resolution — often within a single transaction. Following that logic, it would seem any competent commercial lawyer should be able to advise artists, filmmakers, and fashion brands without further specialisation.

In practice, that assumption breaks down quickly. A lawyer can understand contract law perfectly and still struggle to structure a recording deal. They can know copyright law cold and still not grasp how royalties are actually collected and paid in their market. They can draft a sound agreement and still miss the commercial realities that determine whether the deal actually protects the client's income or ownership long-term.

The African Creative Economy Lawyer is not simply someone who can apply legal principles to a new fact pattern. It's someone who understands how the industry itself works. Without that, advice can be technically correct and still fail the client in practice.

HOW DOES ANYONE ACTUALLY BECOME ONE?

Unlike the US, UK, and much of Europe — where entertainment law is an established practice area with recognised training routes — most African jurisdictions have no equivalent structure. Few law schools teach the subject, and there is no agreed standard for what a creative economy lawyer should know before holding themselves out as one.

As a result, lawyers learn however they can. Some find mentors who provide informal training and a route into the industry. Some learn by working directly alongside creative-sector clients. Others learn by trial and error, often at the client's expense. Two lawyers can each call themselves an entertainment lawyer while holding genuinely different levels of industry fluency — the difference comes down entirely to exposure, not credentials.

Some structure is starting to emerge. The Global Creative Legal Summit (GCLS) runs an annual week-long programme aimed specifically at training the next generation of creative economy lawyers, with experienced practitioners as faculty. The Creative Business Academy — formerly the Music Business Academy for Africa — runs a 6 to 9-month annual programme covering the creative economy broadly, with some content specifically built for lawyers working in the sector. Neither is a substitute for a formal legal curriculum, but both represent real movement toward structure where almost none existed before.

In short: becoming a creative economy lawyer in Africa has historically meant choosing experience over formal training, because formal training barely existed. That is beginning to change — slowly.



WHAT GOES WRONG WHEN LAWYERS DON'T KNOW THE INDUSTRY

The cost of this gap is not abstract. When a lawyer doesn't fully understand how the creative industry operates, the law often gets applied correctly on paper while still failing the client in practice.

A royalty clause can look entirely standard while bearing no relationship to how income is actually generated in that part of the industry, or without building in a workable mechanism for the client to audit what they're owed. A rights assignment can be drafted validly while sweeping in territories that were never meant to be on the table. A licence can be enforceable while giving an investor too short a window to recover what they put in, let alone profit.

Jurisdictional assumptions can also be wrong. In South Africa, the courts have held that they lack jurisdiction to hear copyright infringement claims involving the unauthorised licensing of foreign copyrights outside South African borders — a principle established in *Gallo Africa Ltd v Sting Music*.

A lawyer fluent in contract law might reasonably assume that licences can arise by conduct — but miss that exclusive licences and assignments typically require a signed, written instrument, or that a collective management organisation cannot license works it has no valid, documented mandate to represent. This was the substance of the dispute in *MultiChoice Nigeria Limited v Musical Copyright Society of Nigeria Ltd*.

The same pattern shows up across every creative sector. Film producers can sign away distribution rights they didn't realise they were giving up. Fashion designers can lose meaningful control over their own designs where IP enforcement is weak. None of this typically stems from bad intent — it stems from a lawyer who doesn't fully understand how the industry they're advising actually operates. That is precisely why the role goes well beyond drafting agreements. It means protecting a client's long-term interests in a sector that keeps changing shape, particularly as digital platforms and cross-border transactions become the norm rather than the exception.

WHAT REAL EXPERTISE ACTUALLY LOOKS LIKE

The clearest marker of expertise is the ability to merge sound legal advice with market reality. A lawyer advising creatives in Africa needs to understand not just the law, but the commercial and institutional systems that determine whether that law actually functions on the ground.

A lawyer trained in a more established entertainment market may be used to predictable royalty collection systems and reliable enforcement. Much of Africa does not offer that yet. Identifying what rights a client holds under the relevant copyright law is the easy part — any competent lawyer can do that. The harder, more valuable question is whether those rights can actually be licensed, monitored, enforced, and monetised in the specific market where the client operates. A deal that would be straightforward in London demands considerably more scrutiny in many African markets, simply because of piracy, weaker enforcement mechanisms, and royalty collection infrastructure that is still maturing.

FINAL WORD: THIS CAN'T STAY INFORMAL FOREVER

As Africa's creative industries keep growing, the demand for genuinely specialist lawyers will only intensify. The profession still leans almost entirely on self-study, mentorship, and accumulated experience to build that expertise. Those routes remain valuable. They are no longer sufficient on their own.

If the legal profession is serious about supporting one of Africa's fastest-growing economic sectors, the work starts with building clearer pathways for training the next generation of creative economy lawyers — and that only happens if industry professionals push for the structural change needed to build a real African creative legal system. If one thing from this piece is worth remembering, it's this: the creative industry cannot function without lawyers equipped to protect the rights of the people building it.



This is knowledge that has to be earned on the ground — it cannot be imported wholesale from another market. Expertise, in this context, isn't measured by deal volume. It's measured by how well a lawyer understands the specific market they're operating in. A textbook can explain what a recording agreement is. It cannot tell a lawyer whether a young, unrepresented artist should sign the one in front of them as drafted, push back on specific terms, or walk away entirely.

For an underqualified lawyer, the real danger isn't misreading the law. It's giving advice that exposes the client to avoidable risk — an artist who signs away ownership at the very start of their career, with no safeguards built in, may never get it back.

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