Music Copyright Guide for Churches

A PRACTICAL COPYRIGHT GUIDE TO USING MUSIC TO ITS FULL POTENTIAL

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APRA | AMCOS

Introduction

Just like other organisations that use music, churches need to be aware of their copyright obligations. There are a number of licences and processes they need to explore to ensure that their music use both in services of worship and other church-related activities are covered.

This guide is designed to provide churches and their affiliated organisations with some insight into how copyright works and what they need to do to obtain the correct licences for their music use.

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What is Copyright?

Copyright law in Australia is federal law, established by the Australian parliament. It protects literary, dramatic, musical and artistic works, as well as subject matter such as recordings and published editions, giving a number of rights to creators as dictated by the *Copyright Act (1968)* which was amended in 2006. These rights include the right to:

- Reproduce the work;
- Publish the work;
- Communicate the work;
- Publicly perform the work; and
- Adapt the work.

If you want to use a copyright protected work in any of these ways, you need to have the permission of the copyright owner.

How Long Does Copyright Last?

According to the *Copyright Act,* a work is in copyright from the moment it is written down or recorded until 70 years after the death of the creator. Before 2005, the duration of copyright was from the moment it was committed to paper or recorded, plus 50 years from the creator's death. Works that went out of copyright under this 50 year duration, such as those by Bela Bartok, remained out of copyright when the law changed, even though he died in 1945.

Arrangements are protected in this same way and sound recordings for 70 years from the year of publication. Published editions, however, are protected for 25 years from the date of publication. This means that a recent publication of a work may be protected even though the work it contains is out of copyright (in the public domain).

Copyright in a musical work lasts 70 years from the death of the composer.

Copyright in a published edition lasts 25 years from publication date.

Performing Music & Playing Sound Recordings

Many churches play music as part of their order of service. Traditionally this music was a hymn or prayer, but as music and technology continue to advance, this now includes popular and pre-recorded music. Church groups such as Sunday school, youth groups, Bible study groups and choirs or bands also use music in lots of different ways.

Playing Music in a Service

If you wish to play copyright music within a service of worship, you do not require a licence from APRA. This is because although you are playing music (either live or a recording) APRA considers the use of music in this context exempt from public performance licensing requirements. This includes services that are held outside the church, for example outdoors or in a separate hall.

Playing Music at a Wedding, Funeral or Baptism/Christening

You don't need an APRA licence to play music at a wedding, funeral or baptism/christening. Just be sure that if you want to make any booklets with music or lyrics in them you read the *Copying* section of this guide for information on how to get permission to do so.

Playing CDs in a Service

You don't need an APRA or PPCA licence to play a CD or other type of commercial sound recording in a service of worship.

Playing Music at a Church Event

Churches use music in lots of ways, not just in services. If you want to use music in a context outside an order of service, you need to have the appropriate licence to do so. There are many circumstances where you might need an APRA licence to cover you, such as youth groups, meetings, choir or band concerts, socials, dances, and fetes. For this, APRA offers an annual church licence that covers most musical performances.

This licence doesn't, however extend to cover Grand Right Works (such as musicals, operas, operettas, pantomimes or revues) or concerts promoted to the general public where a box office is generated. For uses such as these that fall outside the scope of the annual licence you need to contact APRA to find out what kind of licensing you require.

If you want to play sound recordings you will also need a PPCA licence to cover the performance of the recording itself (while the APRA licence covers the musical work on that recording).

Visit **www.ppca.com.au** for more information.

If you hire out your church premises to a third party for an event that is not organised by the church, it is the responsibility of the person or organisation authorising the use of music at that event to obtain licensing from both APRA and PPCA.

Playing Music on Hold

Some churches use music on their phone lines when they put callers on hold. To be able to do this you need a Music on Hold licence from APRA. If you are playing commercial sound recordings (as opposed to the radio or a recording of your church choir for example) you may need a licence from PPCA as well.

Copying Music and Lyrics

Reproducing Lyrics in an Order of Service, Wedding, Funeral or Baptism/ Christening Booklet

Under no AMCOS licence are churches permitted to reproduce lyrics. To do this you need to have permission from the copyright owner, which is usually a publisher. If you are not sure who the publisher to contact is, you can contact our Educational Licensing Department and we will be able to point you in the right direction.

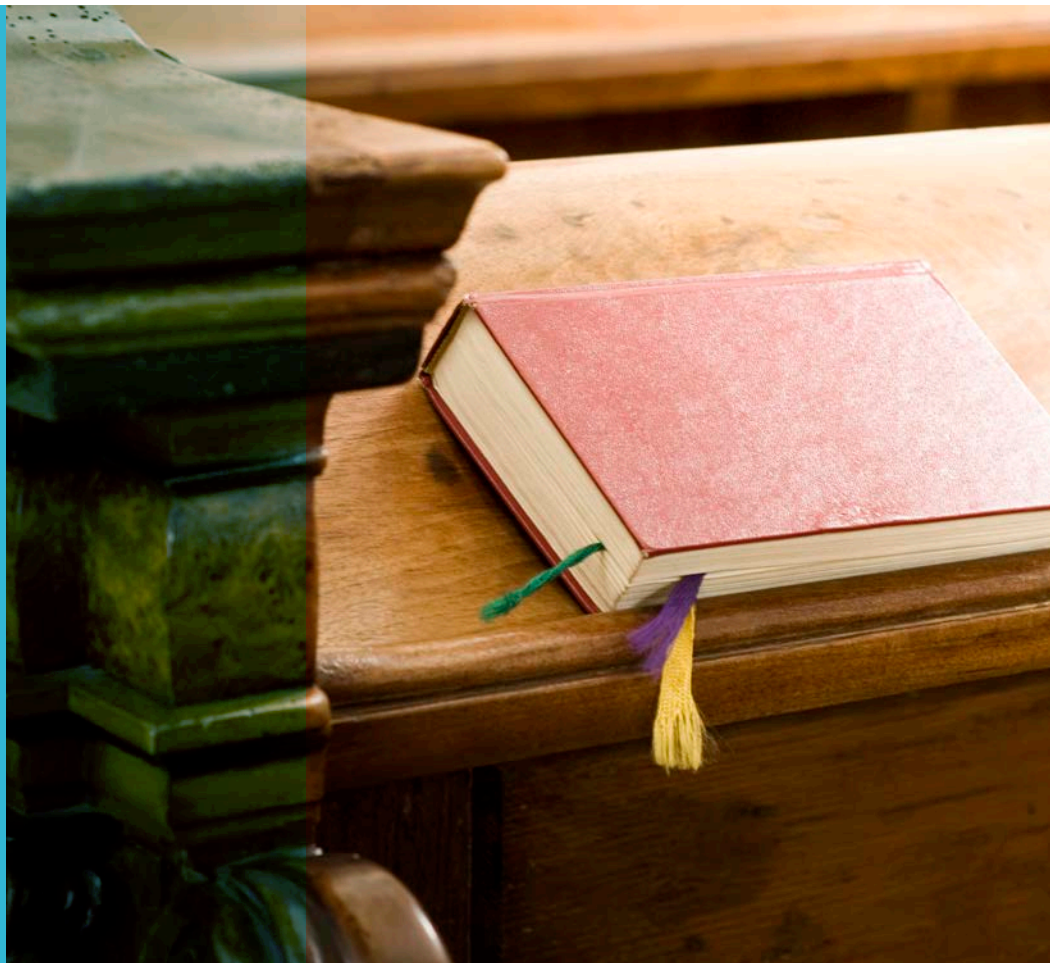
Photocopying Music for Choirs or Bands

There are a number of religious photocopying licences available through different organisations (although not through AMCOS) that mainly cover religious music catalogues. To be able to photocopy or reproduce music that falls outside the scope of the available licences you will need to contact the copyright owner directly for permission. If you are not sure who to contact, the AMCOS Educational Licensing Department can help you.

Religious Copying Licences

Several licensing organisations offer licences to churches for religious copying purposes. There is no one licence that covers all copying, so it's important to understand which licence will best suit your needs. On the following pages, we have created a table that will help you understand what each licensing organisation represents.

If a licensing organisation doesn't cover the music you want to copy you must contact the copyright owner for permission to reproduce that music.



Church Copying Licences

	Copyright Agency Limited (CAL) Religious Organisations Licence	Christian Copyright Licensing International (CCLI) Church Licence	CCLI Music Reproduction Licence
What titles are in this catalogue?	CAL is developing an online search program so you can look up titles to see if they are covered. In the meantime, contact them for information on the titles covered.	Over 150,000 titles are covered by major religious publishers and songwriters. Visit **www.ccli.com/songsearch/index.cfm?t=48&v=1** for the song search facility.	For a song to fall under this licence it must be on the Authorised Song Owner List and books must be published by a publisher on the Authorised Publisher List. Visit **www.ccli.com.au** for more information.
What kind of use does this cover?	Common Religious Worship, which means a gathering of people in a church, chapel, hall or similar building for the purpose of taking part in a religious service. This includes Sunday school, study groups and the distribution of related newsletters.	This is an annual licence that covers song and lyric reproduction used during a service of worship, and church activities such as youth groups, retreats, camps, study groups and classes.	Copying from a published music book or hard copy sheet music, printing multiple copies from **www.songselect.com**, CCLI member's sheet music download websites, printing from enhanced CD music books, copying PDF sheet music bought online through an online music store.
Can I copy music?	No	No	Yes, CCLI works only.
Can I copy lyrics?	Yes, CAL works only.	Yes, CCLI works only.	Yes, but only photocopying, scanning or printing PDFs.
Can I copy any other kinds of material?	Yes, this licence allows the copying of up to 10% of the pages in a collection of print (not artistic or musical) works.	No	No
What types of copying are allowed?	Photocopying, retyping, handwriting, duplicating, facsimiles, making overhead transparencies.	Handwriting and typing only (for uses such as overhead transparencies, booklets and bulletins). You cannot photocopy directly from books or music.	Photocopying, scanning and printing but no retyping words.

	Copyright Agency Limited (CAL) Religious Organisations Licence	Christian Copyright Licensing International (CCLI) Church Licence	CCLI Music Reproduction Licence
Can I make PowerPoint slides?	Yes	Yes	No
Can I make booklets of lyrics?	Yes	Yes, as long as it is handwritten or typed (you can photocopy the reproduction you make but not the original).	Yes
Do I need to own an original before copying?	Yes and it must be owned by the church or a congregation member.	No, but it is preferable.	Yes and it must be owned by the church.
What do I need to put on PowerPoint slides or booklets to acknowledge copyright?	Title, author, publisher, date of copying, copied under the CAL Religious Organisations Licence. Unauthorised recopying is prohibited.	Title, composer/lyricist, year written, name of copyright owner, used by permission, CCLI Licence Number.....	Song titles, composer/lyricist, year written, name of copyright owner, used by permission, PCL Licence Number.....
How do I record the use of titles?	Your church may be selected for a survey in which you must keep all records for a 10-week period, every four years.	Online reporting is required at **www.portol.ccli.com** to provide a recording of copying.	A record must be kept and reports filled out annually.
Can I make audio or video recordings of music?	No	Yes, but only 15% of the church licence size, and only for cost recovery of up to $5 for audio and $15 for visual.	No

	Word of Life Annual Restricted Licence	Word of Life Annual Music Copying Licence	Word of Life One-Time Use Licence	Word of Life Parish Hymnal Licence
What titles are in this catalogue?	Covering over 1,100 publishers and their catalogues for restricted copying.	Covering over 1,100 publishers and their catalogues for restricted copying.	Covering over 1,100 publishers and their catalogues for restricted copying.	Covering over 1,100 publishers and their catalogues for restricted copying.
What kind of use does this cover?	Copying of melody lines and lyrics in churches and other religious organisations, including services and other activities such as Sunday school, one-time events such as weddings and funerals.	Photocopying published editions of music.	Copying for one-off uses such as special service booklets, wedding or funeral booklets.	Copying hymns.
Can I copy music?	Yes, but only the melody line of Word of Life titles.	Yes, but only Word of Life titles.	Yes, but only Word of Life titles.	No
Can I copy lyrics?	Yes	No, unless it is part of the musical work (e.g. a hymn).	Yes	Yes, but only Word of Life titles.
Can I copy any other kinds of material?	No	Yes (only Word of Life publications though).	Yes	No
What types of copying are allowed?	Transcription and photocopying of lyrics, making overhead transparencies and PowerPoint presentations.	Photocopying from published editions of the music.	Transcribing, photocopying, reprinting and computer projections (PowerPoint).	Transcribing, photocopying and reprinting.
Can I make PowerPoint slides?	Yes, but of lyrics and melody lines only.	No	Yes	No
Can I make booklets of lyrics?	Yes, as long as it is handwritten or typed (you can photocopy the reproduction you make, but not the original).	No	Yes, as long as it is handwritten or typed (you can photocopy the reproduction you make, but not the original).	Yes, as long as it is handwritten or typed (you can photocopy the reproduction you make, but not the original).

	Word of Life Annual Restricted Licence	Word of Life Annual Music Copying Licence	Word of Life One-Time Use Licence	Word of Life Parish Hymnal Licence
Do I need to own an original before copying?	Yes	Yes, two originals	Yes, two originals of the music and one of the lyrics.	Yes
What do I need to put on PowerPoint slides or booklets to acknowledge copyright?	Title, composer/ lyricist, copyright owner, used with permission, Word of Life International Licence Number:	Title, composer/ lyricist, copyright owner, used with permission, Word of Life International Licence Number:	Title, composer/ lyricist, copyright owner, used with permission, Word of Life International Licence Number:	Title, composer/ lyricist, copyright owner, used with permission, Word of Life International Licence Number: ....
How do I record the use of titles?	Details to be reported to Word of Life annually via the website.	Details to be reported to Word of Life annually via the website.	Details to be submitted with licence request.	No requirement.
Can I make audio or video recordings of music?	No	No	No	No

Making Recordings

If you wish to make a recording, whether it is audio or audio-visual, you first need to have the permission of the performer. You also need to consider what licensing you will need to cover the recording process and royalty payments. In all but one case you need to have an AMCOS licence for the production of audio only and audio-visual recordings. The only circumstance under which you won't need a licence to make a recording is for members of the congregation who cannot go to a service due to illness, age or because they are house-bound. Both AMCOS and ARIA have a complementary policy of allowing recordings for this purpose to be made without a licence.

The only time a licence is not required for making recordings is for members of the congregation who are house-bound and cannot attend services. All other uses require licensing.

Making Audio Recordings

If you want to make an audio recording of copyright AMCOS works you need to apply for an Audio Manufacture Licence from AMCOS.

If you want to copy or dub an existing sound recording, you need permission from the record label that owns the copyright to that recording as well as a Casual Blanket Licence from AMCOS. In this case, it is a good idea to contact the label or ARIA|PPCA before contacting AMCOS to make sure you have copyright clearance to use the recording.

For more information and to apply for this licence, visit our website or email **mechlic@apra.com.au**

Audio Manufacture Licence - For recording songs

Casual Blanket Licence - For making compilations (label permission required)

Domestic Use Video Licence - For one-off video recordings

Synchronisation Right - Requires publisher permission

Making Audio-Visual Recordings

If you make a video recording of a one-off event such as a wedding or service, you will require a Domestic Use Video Licence from AMCOS. This licence covers the creation of the recording for domestic and personal uses and you cannot publicly screen or distribute the film.

If you need to record more than a single event, or plan on making the film public (i.e. putting it online or screening it in a festival) you will need to obtain publisher or record label permission to make the recording. If you are not sure which publisher or label to approach, you can contact our Research Department on **mechres@apra.com.au** or contact ARIA.

Arrangements and Lyric Changes

Under no blanket licence are you able to make arrangements of copyright works, nor change lyrics. If you want to do this you will need to contact the copyright owner – usually a publisher – directly.

Arrangements and lyric changes require publisher or copyright owner permission.

Contacting Us

If you have any questions about the music use in your church or you are not sure what licence best suits your need, our Licensing Department is on hand to help.

Contact us at **licensing@apra.com.au** or (02) 9935 7900.

Other Useful Contacts

APRA|AMCOS State Offices

NSW/ACT

16 Mountain Street

Ultimo NSW 2007

Tel 02 9935 7900

Fax 02 9935 7999

apra@apra.com.au

VIC/TAS

3 & 5 Sanders Place

Richmond VIC 3121

Tel 03 9426 5200

Fax 03 9426 5211

victas@apra.com.au

QLD

3 Winn Street

Fortitude Valley QLD 4006

Tel 07 3257 1007

Fax 07 3257 1113

qld@apra.com.au

SA

Suite 29, 8-20 O'Connell Street

North Adelaide SA 5006

Tel 08 8239 2222

Fax 08 8239 0744

sa@apra.com.au

NT

Level 1 Chin Arcade,
Cavenagh Street

Darwin NT 0800

Tel (08) 8941 0988

nt@apra.com.au

WA

Suite 1, 12-20 Railway Road

Subiaco WA 6008

Tel 08 9382 8299

Fax 08 9382 8224

wa@apra.com.au

Australian Recording Industry Association (ARIA)

PO Box Q20

Queen Victoria Building

Sydney, NSW 1230

02 8569 1144

licensing.mail@aria.com.au

www.aria.com.au

Phonographic Performance Company of Australia (PPCA)

PO Box Q20

Queen Victoria Building

Sydney, NSW 1230

02 8569 1100

licensing.mail@ppca.com.au

www.ppca.com.au

Copyright Agency Limited

Level 15

233 Castlereagh Street

Sydney, NSW 2000

02 9394 7600

licence@copyright.com.au

www.copyright.com.au

Australian Copyright Council

3/245 Chalmers Street

Redfern, NSW 2016

02 8815 9777

info@copyright.org.au

www.copyright.org.au

Christian Copyright Licensing International

PO Box 610

Baulkham Hills Business Centre

NSW 2153

1800 635 474

support@ccli.com.au

www.ccli.com.au

Word of Life International

PO Box 409

Leongatha, VIC 3953

03 5664 9245

office@freelink.com.au

www.freelink.com.au/wolstart.htm

For further information about specific licences, please contact the relevant licensing body for advice. Please note that APRA|AMCOS does not issue licences on behalf of other organisations.

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Design concept - APRA|AMCOS

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