



LITURGY

BRISBANE

WORKSHOP MATERIALS

OCTOBER 2017

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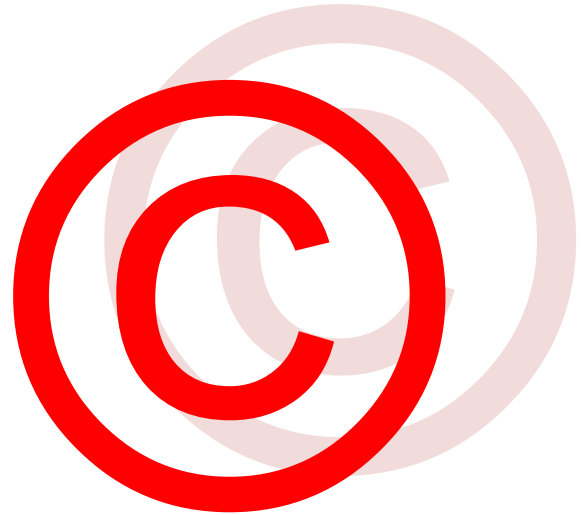


What is copyright?

Quite literally, it is what it says – “the right to copy”.

Copyright applies to:

- literary works (poetry, hymn texts, novels, instruction books)
- dramatic works
- music
- art (paintings, sculptures, photographs)
- films (i.e. moving images and sound tracks)
- recordings (CDs, MP3s, etc)
- broadcasts
- published editions (layout, typesetting and formatting)



Why should we respect it?

- The law of the land (and of other countries as well)
- An issue of integrity
- An issue of “fair pay”

How does it work?

What do we mean by “the right to copy”?

The owner of the copyright has the right to:

- **reproduce** the work, including copying by hand, photocopying, scanning, copying a digital file
- **print** out and record or film the work or a performance of it
- **communicate** the work in a non-domestic context (for example, emailing, faxing or broadcasting the work or putting it on an intranet or internet site)
- **perform** the work live, or play a recording of it, in a non-domestic context
- **adapt** the work (for example, making an arrangement of a musical work, or translating song lyrics)

By implication, if you don't own the copyright you **don't** have these rights.

The exclusive rights of an owner of copyright in a sound recording include the right to:

- **reproduce** the sound recording;
- **communicate** it in a non-domestic context; and
- **play** it in a non-domestic context (generally, other than with family or friends).

There may be as many as four copyrights involved in a piece of sheet music (a hymn or song or choral anthem)

- literary – the poetry or text
- music – the notes
- the “arrangement” or “edition” of the work (i.e. derivative – where a composer, arranger or editor has in some way worked on the piece. A translation of the text would also come under this category)
- the published edition (i.e. the layout, typesetting and formatting of the hymn).

When does copyright over a work cease?

Note the 70/25 rule

70 years after:

- the death of the poet
- the death of the composer
- the death of the arranger or editor

25 years after:

- the “published edition” was first released

Therefore for one piece of music:

- Different people or organisations may own copyrights which relate to it.
- These copyrights will probably expire at different times.
- The “music” is “copyright” (i.e. cannot be copied without permission) until all of the copyrights have expired.
- When something has ceased being copyright we say it is in the “public domain”.

How can I attend to copyright appropriately?

Solution 1

Buy enough copies of the music - including musicians' copies.

Solution 2

Purchase an annual license from a licencing organisation. For example:

- One License
- CCLI

Solution 3

Write to the copyright owner(s) asking permission

Solution 4

Look for "public domain" music

Solution 5

Deal with an organisation which licences you to photocopy their publications, e.g. St. James' Music Press for choral music

Three main criteria to remember when making music copies:

1. The Parish must have purchased the song

There should be evidence of buying the music as an individual song/ as part of a published book/ as a digital download.

2. The Parish must have the permission of the copyright owner.

If the 'owner' of copyright is listed in the parish licence, you have this this permission.

3. The Parish must be able to report usage.

All usage (i.e. sightings of the music copied) must be recorded by the Parish each week (for all liturgies and practices).

Everyday rules for complying with copyright in a parish setting:

- **All projected/printed text or images should display these details:**
Composer, year, publisher and copyright licence number.
- **All projected/printed songs should be copyright compliant:**
The song should be in the public domain OR listed in license information for reporting. Amendment of lyrics or music is not permitted. No music accompaniments can be copied (including melody lines with chords).
- **Create a list of approved hymns for use in your parish:**
Use hymns/songs only from an agreed/ authorised list (that you know are copyright approved) and send your selection to the Parish Secretary at the beginning of the month/week. Draw mainly on AOV1/2 and CWB II.
- **Report to your licensing company:**
The number of printed copies made; the number of times these copies were used (including practices); and if they were used on slides.
- **When choosing a new song to be introduced into your repertoire...**
Check first if the song is available for reporting through your licensee. Check to see if you own the song; and especially check to see if the lyrics reflect current Catholic theology. Inform the Parish Secretary to update the database to include this song.**mages**
All images must be sourced from Creative Commons or attributed correctly or purchased.



Copyright Q & A

Q. Is liturgy subject to copyright?

A. Yes! Virtually all scripture, liturgical texts and music contained in the rites of the Church are copyright protected works. The *Gather Australia* hymnal, the *As OneVoice* hymnals, the *Together in Song* hymnal, the *New Living Parish Hymnal* and the *Catholic Worship Book II* hymnal are copyright protected published editions of works. CD and DVD recordings are also copyright protected. There are some older hymn texts and melodies that are in the public domain (i.e. they are no longer copyright protected). But it is worth noting that recent publications of arrangements of public domain hymns are copyright protected for 25 years from date of publication.

Q. Is permission needed to “publicly perform” liturgy?

A. No. Thankfully, parishes and schools do not need permission to publicly perform copyright protected works in a liturgical or other worship service. Performances in these circumstances are exempt from public performance licensing requirements by the Australian performance rights organisations – Australasian Performing Right Association (APRA) and Phonographic Performance Company of Australia (PPCA). This exemption covers live performance as well as the playing of recordings and extends to all liturgical services – Masses, Weddings, Funerals, Reconciliation Services, etc. – whether in a church, school hall, or other location.

Q: If we have purchased a quantity of hymnbooks for our congregation and we project lyrics up on a screen, do we need a copyright licence?

A: Yes, you need a licence if you reproduce, reprint, 'run-off', photocopy, or write out by hand any part (lyrics and/or melody lines) of a song or hymn that is under copyright. You need to ensure that every song you project is covered by your licence - no one licence necessarily covers every song!

Q: I don't understand why church music isn't free - isn't it for the glory of God?

A: The vast majority of composers who write music for the church do so for the 'glory of God' and as part of their vocation and ministry. Their bread, their milk, their clothes cost the same as yours and mine do. If we do not support the creative work of composers of sacred music, they would not be in a position to write for the church and that would be a great loss to the worshipping community. We have a moral obligation to honour their work and make sure we have the appropriate permissions/licences in place.

Q: I have a OneLicense Licence. Do I have to report every time we use a song/hymn?

A: Yes, this is a condition of the licence. If you do not report accurately EVERY time you use a work, the composers do not receive their just royalty.

Q: If we have purchased an OneLicense Licence can we have a worship service in a hall, in someone's home or on an oval without having to buy an additional licence?

A: Yes, unlike other church music copy licences, OneLicense licence holders can conduct a service anywhere, in any location. Remember, you must always report the usage of each title, every time you use a title.

Q: Do I need a licence to play recorded music in a church service?

A: You do not need a licence to play recorded music in a church service. However, if you project or copy the lyrics you will need a reprint licence or if you put the sound track to visual images you need a synchronisation licence from APRA.

Q: We have purchased 2 copies of As One Voice - Next Generation Music Book and we have 6 musicians at our 6pm Mass. We have a OneLicense licence, can we make 4 copies of the accompaniment sheet music for our musicians?

A: No, none of the music editions in the As One Voice family are to be reproduced. You may however reproduce words and melody lines from AOV editions if the titles are covered under Licence. You will need to purchase 4 copies of the sheet music for each song you wish to use or purchase 4 copies of the published music book. This is a one-time cost and no further licence or reporting is required if you have your own copies. Good news... single sheet music is available on the website for many AOV titles. New titles are added on a regular basis.

Q: Is it permissible to buy a CD and make copies to use in several churches at the same time?

A: It is not permissible to copy CDs without a reproduction licence from APRA-AMCOS or ARIA. The problem with these licences is that religious publishers are generally not members of these associations and their works are not covered. Parishes would then have to negotiate with individual publishers. It is probably much easier and cheaper to purchase more than one CD.

Q: Is it permissible to burn a compilation of songs from several CDs to use at a liturgy?

A: It is not permissible to burn 'compilation' or 'playlist' CDs without a licence as above. The same difficulties apply. APRA-AMCOS suggests that iPad or iPod playlists could be created from songs legally purchased from iTunes. However songs on CDs cannot be uploaded to an iPad or iPod and included in a playlist.

Q: Are there any copyright issues related to sharing of written and recorded music on a parish google drive account.

A: It is illegal to share any recorded or written music without a licence or permission from the publisher or composer. This applies to hard copies and digital copies e.g. google drive accounts.

Q: We have a choir. May I download and make copies of the melody line pdfs from OneLicense for their use?

No. OneLicense directs parishes to purchase printed copies – either pew versions or accompaniment versions.

Q: I can't see a hymn we regularly use in the OneLicense repertoire. What can I do?

There is a blue button located at the bottom of the reporting screen to report a song not in their repertoire. This does not mean that you can use it though. OneLicense will act on popular requests and attempt to acquire highly requested hymns.

Q: Can we make convenience copies?

Yes. You are permitted in most cases to make one convenience copy but you must be able to produce your original. These should be kept with the original. If you are purchasing an online score, you should write your receipt number, date of purchase and 'Original. Do not copy' on the sheet music so that score and be easily identified from any convenience copies you may have.

Find us online

www.copyrightbne.weebly.com
www.liturgybrisbane.net.au

Some dos and don'ts

- **DO ensure the music you select is appropriate.** Music selections should always be true to the particular liturgical celebration and the Catholic theology underlying what you are celebrating.
- **DO ensure that everyone in your parish attends to the copyright responsibilities of your community.** Anyone playing music in the parish must abide by the parish copyright responsibilities (e.g. Funerals, Weddings, etc.).
- **DON'T report every piece of music.** You do not need to report public domain songs. Report only the songs that are managed by the licensing organisation.
- **DON'T use music that you are not licensed for.** Songs owned by Hillsong only covered by Hillsong (Contact hillsong@hillsong.com) About \$10/song or license through CCLI
- **DON'T** give copies of music/lyrics from our resources to other organisations for reproduction (e.g. other parishes, Funeral Directors, visitors, individuals, etc.).
- **DO** use copies supplied in your parish rather than music brought from home (unless the copy has been purchased personally).

Copyright Acknowledgments for Liturgical Texts

Copyright acknowledgements are normally required for copyrighted texts reproduced in service booklets and electronic projections used during worship services in order to satisfy copyright obligations. These acknowledgments are normally included in small print at the back of the service booklet or the very bottom of the relevant electronic slides.

CATHOLIC MASS TEXTS

Acknowledgement: *Excerpts from the English translation of the Roman Missal © 2010, International Commission on English in the Liturgy (ICEL). All rights reserved.*

CATHOLIC RITUAL TEXTS

(e.g. from Rite of Confirmation, Rite of Marriage, Order of Christian Funerals)

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SCRIPTURE READINGS

Jerusalem Bible Translation of Scripture used in Australian Lectionary for Mass, Vols I, II and III (London: Collins Liturgical, 1981)

Acknowledgement: *The Scripture Readings are taken from the Jerusalem Bible © 1966, 1967, 1968 Darton, Longman & Todd Ltd and Doubleday and Co. Inc. Used by permission of the publishers*

SCRIPTURE READINGS

New Revised Standard Version Translation of Scripture used in the Canadian Lectionary (Ottawa: CCCB, 1992, 1993)

Acknowledgement: *The Scripture Readings are taken from NRSV version of the Bible © 1989, Division of Christian Education of the National Council of Churches of Christ in the USA. Used by permission. All rights reserved.*

HEADINGS TO THE READINGS

(printed in italics at the top of the reading)

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RESPONSORIAL PSALM RESPONSE

Acknowledgement: *English translation of the Psalm Responses are taken from the Lectionary for Mass © 1981, International Commission on English in the Liturgy (ICEL). All rights reserved.*

RESPONSORIAL PSALM VERSES

Acknowledgement: *Psalm verses are taken from The Psalms: A New Translation ©1963, The Grail (England), published by Collins.*

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Example of the preferred referencing style from OneLicense:

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Resources

- For information
 - The Australian Copyright Council www.copyright.org.au has helpful information booklets (e.g. Churches and Copyright), training programs, advice, books, even in some instances lawyers to give you advice.
- Licencing organisations
 - APRA/AMCOS (Aust) www.apra-amcos.com.au
 - Christian Copyright Licensing International www.ccli.com.au
 - Church copyright licence
 - Music Reproduction Licence
 - Church Video Licence
 - Songselect
 - MediaCom/One License www.mediacom.org.au
- Choral music
 - Choral Public Domain Music (CPDL) http://www3.cpd1.org/wiki/index.php/Main_Page. Over 18,000 choral pieces, many of them sacred, though generally "Classical" in nature.
 - St. James Music Press <http://www.sjmp.com/>
 - Go to website and preview their music and decide whether to join.

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For more information please contact

BRISBANE



James Robinson
Education Officer
Liturgy Brisbane
robinsonj@liturgybrisbane.net.au
07 33243322

TOOWOOMBA

John Briffa
Liturgy Officer
Diocese of Toowoomba
Wed-Friday
PH: 07 4632 0989
jbriffa@twb.catholic.org.au



