

**A Brief Guide
to
Liturgical Copyright**

Liturgical Texts for Local Use:
Copyright Information

THIRD EDITION

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Introduction

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Guidance on the preparation and design of local texts can be found in the book *Producing Your Own Orders of Service* by Mark Earey (Praxis/Church House Publishing, 2000), available from Church House Bookshop and all good bookshops priced at £7.95.

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Video and Audio Recordings

General information

If a video or audio recording is to be made of the whole or part of any service, it is essential to obtain the permission of the incumbent or priest-in-charge and of the minister who is to conduct the service (if that is someone other than the incumbent). It is within the complete discretion of the incumbent/priest-in-charge/minister whether or not to allow the recording to be made, and if recording is permitted the incumbent/minister may impose conditions, including conditions as to the manner in which the recording is to be made (e.g. the number of cameras to be allowed, whether they are to be fixed or mobile, and whether additional lighting is to be permitted). A fee, payable to the parochial church council, may also be charged for the permission, and this is a matter for the discretion of the parochial church council; there is no nationally recommended scale of fees. The incumbent/priest-in-charge/minister is recommended to give the permission in writing, setting out any conditions and the fee to be paid, if any, and to obtain payment of the fee and the written agreement of the person who is to make the recording to comply with the conditions before the service takes place. A model form of permission is set out in the Video Information Sheet, which can be obtained from the Copyright and Contracts Administrator, The Archbishops' Council, Church House, Great Smith Street, London SW1P 3NZ (Tel: (020) 7898 1557; Fax: (020) 7898 1449; email: copyright@c-of-e.org.uk). It is also essential to obtain the permission of the organist/director of music/worship leader and any other musicians whose performance is to be recorded. Here again, fees or additional fees may be charged.

Texts of authorized services

Advice is often sought on the copyright position as regards such recordings, particularly in the case of weddings and baptisms, and special arrangements have been reached as regards the copyright in the forms of service in those cases, thus avoiding the need to write to Church House for permission.

The copyright owners have agreed that the following material may be recorded on either video tape or audio tape without any application for copyright permission and without paying a fee to the copyright owners, provided certain conditions are observed:

Common Worship: Services and Prayers for the Church of England (2000) (including the *Common Worship Psalter*)

Common Worship: Pastoral Services (2000)

The Christian Year: Calendar, Lectionary and Collects (1997, 1998, 1999)

Common Worship: Initiation Services (1998)

The Marriage Service from *The Alternative Service Book 1980*⁵

Alternative Services, First Series: Solemnization of Matrimony (1965, 1966)

Solemnization of Matrimony from *The Book of Common Prayer*

The Baptism of Children from *The Alternative Service Book 1980*⁵

Alternative Services, Second Series: Baptism and Confirmation (1968)⁵

Baptism of Infants from *The Book of Common Prayer*

The Revised Psalter (1966)

The Liturgical Psalter: New Inclusive-Language Version (1995)

The Psalter of *The Book of Common Prayer*

The conditions which must be complied with for these special arrangements to apply are laid down in technical language, but in substance they are as follows:

- (a) No more than 25 copies may be made of the recording.

- (b) No rights in the recording and no copies of it may be sold or transferred in return for a money payment or anything else of value. (A professional recordist who has been commissioned to make the recording by the couple/parents, etc., may sell copies to the persons who commissioned it, but apart from that neither the person making the recording, that person's employer (if any), the couple/parents, etc., nor anyone else, may sell copies or transfer them in return for something of value.)
- (c) Neither the recording nor any extract from it may be exhibited or played in public.

These arrangements do not extend to any part of the service other than the text of the authorized services and psalms from the Psalters listed above. Thus biblical passages (even if they are recommended readings), other prayers, hymns, anthems, music, etc., are not covered. Some hymns, songs, etc. may be covered by a Private Function Filming Licence (PFFL), obtainable from CCLE (see 'Hymns, Anthems, Music', p. 17). These conditions are consistent with a PFFL licence.

Biblical passages

Permission to record these may be required depending on the length of the reading and the translation used, but no permission is needed if the readings come within these maximum lengths:

No restriction

Authorized Version (King James Version)

If less than 500 words

Jerusalem Bible or New Jerusalem Bible

If less than 50 verses

Contemporary English Version

If less than 1000 verses

Good News Bible

If less than 40 verses unless a complete book of the Bible

New International Version

Any reading needs permission

Revised Standard Version (or New Revised Standard Version)

Apply to Don Parker-Burgard, RSV/NRSV Permissions, 1500 W. Kennedy Road, Lake Forest, IL 60045 USA.

For addresses of the other copyright owners of the Bible versions see 'Owners of Rights in Bibles and Psalters', pages 9-13.

Additional prayers

Permission is required from the copyright owner (including the Archbishops' Council, where appropriate) to record copyright prayers which are not in authorized or commended services, and prayers from other authorized and commended material which are acknowledged to other copyright owners.

Hymns, anthems, music

If music is being recorded in church, and it is covered by copyright (normally when the composer, arranger, etc., is still alive or has died within the last 70 years) and the recording is not covered by a Church Copyright Licence from CCLE, a Private Function Filming Licence (PFFL) must be obtained from Christian Copyright Licensing (Europe) Ltd (CCLE), PO Box 1339, Eastbourne, East Sussex BN21 1AD (Tel: (01323) 417711; Fax: (01323) 417722; email: info@ccli.co.uk).

CLE grants PFFL licences as agent of the Mechanical Copyright Protection Society (MCPS) for any recording or filming made on church premises for commercial or non-commercial purposes. These licences cover any music within the MCPS repertoire. The MCPS controls the recording rights for the vast majority of music covered by copyright and the words of that music, so that permission to record hymns, anthems or other music should not normally be sought from the publisher. However, a publisher should be able to help with any queries about whether a particular piece of music is covered by copyright. If a professional recording firm has been commissioned by the couple/parents, etc. to record music within a church, it is important to ensure that it has the necessary PFFL Licence from CLE. Licences for non-church professional recordings are available from the MCPS and the Performing Rights Society. A PFFL Licence from CLE is also required by an amateur making a recording in church. Details of the PFFL licence and fee should be obtained from CLE well in advance. It is important to note that churches that hold a current Church Copyright Licence from CLE covering the reproduction of words are covered for recordings of words and music (audio or visual) made on the church premises or as part of the church activities for non-commercial use. This would, in effect, cover any person wishing to record a wedding, christening, special celebration, etc. and would not require the cover of an additional PFFL licence unless the recording was to include music played (for example at a reception) at a separate venue from the church covered by the CLE licence. Further details of this cover can be found in the CLE reference manual. Please note that the licence covering recording of music does not affect the rights of the incumbent/priest-in-charge/minister, organist, director of music or worship leader and other performers as stated on page 16.

The audio recording of hymns, anthems and music within the setting of an act of worship falls within the terms of the CLE Church Copyright Licence (for those hymns, etc. covered by it). Permission to record hymns which are not registered with CLE should be sought from the individual copyright holder.

Obtaining copyright permissions and licences

The person who wishes to make the recording is normally responsible for applying for and obtaining the necessary permissions and licences. However, in the case of, for example, a wedding or baptism, if the couple/parents, etc., commission a professional firm to make the recording, the recording firm is considered to be their agent, and the firm is responsible for ensuring that the necessary permissions are obtained and any conditions are complied with. Nevertheless, an incumbent/priest-in-charge/minister who imposes conditions on a permission to make a professional recording of a service is recommended to give a copy of the conditions to the recordist direct. In the case of weddings, baptisms, etc., the couple or parents should if necessary also make it clear to any guest who might wish to make recordings on his or her own initiative that the guest in question must obtain the necessary permissions in advance, comply with any conditions and pay any fees involved.

Local Musical Settings

Organists and other musicians occasionally request permission to produce musical settings of extracts from *Common Worship* and other authorized and commended services which they have composed for use in a local setting for a parish, team or group ministry, cathedral or institution. *Common Worship* material may be used in a musical setting of this kind without prior application for copyright permission to the Archbishops' Council and without payment of a fee, subject to the following conditions:

- (a) The words must faithfully and accurately follow the text of *Common Worship*.
- (b) The copies must carry the name of the parish, etc., and must not be offered for sale or for use by others.
- (c) The following copyright acknowledgement must be included:

*Common Worship*⁶, extracts from which are reproduced in this setting, is copyright © The Archbishops' Council [*insert relevant date*].

These arrangements are personal to the composer and do not extend to any publisher who may wish to publish the setting commercially. If the setting is to be published commercially or copies are to be offered for sale or use outside the parish, etc., a separate agreement must be reached beforehand with the Archbishops' Council, and application for this should be made to the Copyright and Contracts Administrator, The Archbishops' Council, Church House, Great Smith Street, London SW1P 3NZ (Tel: 020 7898 1557; Fax: 020 7898 1449; email: copyright@c-of-e.org.uk).

Foreign Language Translations

The permissions without prior application outlined in this booklet apply to English language versions only. An application for permission to make a translation of any Archbishops' Council copyright material should be made in advance to the Copyright and Contracts Administrator, The Archbishops' Council, Church House, Great Smith Street, London SW1P 3NZ (Tel: (020) 7898 1557; Fax: (020) 7898 1449; email: copyright@c-of-e.org.uk).

Notes

1. This list of titles is complete at time of going to print. Further titles may be published in the future which should be treated in a similar way.
2. Only authorized until 31 December 2000 with the exception of the Ordinal (as amended in 2000) and Morning and Evening Prayer (which fall within the terms of A Service of the Word in *Common Worship*). In special circumstances, other services from the ASB may continue to be used after that date by virtue of permission given by the bishop under Canon B 2 (see 'Continued use of *The Alternative Service Book 1980* under Canon B 2' on page 14).
3. The relevant date or dates (indicated in this list in parentheses after the title) should be placed *after* '© The Archbishops' Council' in the acknowledgement.
4. Enquiries not related to copyright permission should be sent to The National Council of Churches of Christ in the USA. Room 872, 475 Riverside Drive, New York, NY 10115-0050, USA; Tel (from the UK): (001) 212-870-2271; Fax (from the UK): (001) 212-870-2030.
5. Only authorized until 31 December 2000.
6. Include the relevant title or titles from the list on pages 6-7.