

Copyright compliance in parishes of the Wellington Archdiocese

Much of the music we sing in the liturgy these days is written by people who are still alive. Their enormous contribution to our appreciation of God in our lives through parish community worship needs to be remunerated. The archdiocese is aiming to have this remuneration undertaken across all parishes by July 2016. Apart from the fact that it is required by law, it is a matter of justice that authors and composers be paid for their work.

Payment for access to the music we sing and play in our parish liturgies is governed by The Copyright Act 1994 and subsequent amendments. Under this law, all music must be paid for each time it is used unless it is in the public domain – this occurs more than 50 years after the death of an author or composer (this is likely to increase to 70 years under the Trans Pacific Partnership which is currently undergoing ratification). Or a song such as *Ka Waiata* by Richard Puanaki may be gifted to the church.

There are a number of actions that need to be undertaken to comply with the law.

1. Photocopying of music and words is prohibited – a copy of the sheet music must be bought for each musician
2. Each parish (merged parishes are seen as a single entity) must buy a licence each year.
3. Each time a song is sung, this is reported to the publisher
4. Payment is calculated on the number of people who sing the song as well as the number of times it is used. (Mass counts are submitted to publishers each November).
5. If parishes have a copy of a songbook, such as *Sing Praise*, for each person in the congregation, no licence is needed. Some parishes have compiled their own songbook. The PN Diocese has its own songbook.
6. There are a number of publishing houses which facilitate the payment of copyright fees to composers/authors. The archdiocese would like to see every parish signed up with LicenSing Online which appears to have the widest range of music (more than 50,000 titles and 250 publishers) and includes some popular New Zealand composers and authors such as Colin Gibson and Shirley Murray. Other publishing bodies include Word of Life International which a number of parishes are using. In terms of ease of reporting, LicenSing has been judged to be far superior.

What action for individual parishes

1. Find out what your parish's current practice is – what annual licences does the parish hold? When do they expire? Reprint licence number?
2. Has the parish been accurately using the reprint licence number (lyrics/melody only)
3. Who in the parish needs to be informed of copyright needs – musicians including all cultural groups, parish secretary, organists, guitarists, finance personnel.
4. Is there an inventory of music – is it kept up to date?

5. Are we correctly identifying this music – title, composer/author/public domain/publisher/date/licence number/used with permission on each page/slide? This includes music that is in the public domain, such as Richard Puanaki's *Ka Waiata* (should always be acknowledged as, for example, "Gifted to the Church in Aotearoa New Zealand. Acknowledged with gratitude.")
6. Discuss with the liturgy committee, finance committee and parish leadership how our parish can be compliant with copyright requirements.
7. Who is available to ensure the parish follows correct procedure? What facilities are needed – e.g. internet access for download, printer
8. The process of reporting – the LicenSing website guides the parish representative through the reporting process. Some parishes may have lists of songs available several weeks before the relevant Sunday liturgies. After each Mass, it is a simple matter to go to the website, choose the songs that have been sung (after checking with the musicians for each Mass that they followed the prescribed list) and click on the box beside the song that affirms the use. Music used during the week also needs to be reported. A process for recording music used in Monday to Saturday liturgies needs to be set up. If a parish is already signed up to Word of Life, LicenSing has undertaken to adjust its contract accordingly.

Costs

An annual reproduction licence which allows downloading of lyrics and melody line with guitar chords for a congregation of 500-1099 (the number of people attending all services in the parish each week including cultural Masses) would cost \$560 (\$US359) per year. For 1100 – 1999 people, the cost would be \$700 (\$US469) per year.

A word about images

The use of images is also covered by copyright law.

In general, take great care to ensure that the image you are projecting during the liturgy enhances the congregation's appreciation of the particular liturgical moment. Often images prove a distraction. If there is an image behind the words of a song, this can make it difficult for some to read the words. Best not to use any images with words of songs.

As with music attribution, an image's artist needs to be acknowledged and permission sought for the image's use. If you downloaded the image from a website, the website will provide copyright information including the name of the artist/publisher, date and how to seek permission for use. The best way to avoid this process is to use your own photos with a simple photo credit.

Some useful websites

LicenSingonline

<http://www.licensingonline.org/en-nz>

ICEL website (a joint commission of Catholic Bishops Conferences)

<http://www.icelweb.org/copyright.htm>

The Catholic Church in Aotearoa, New Zealand: National Liturgy Office

<http://www.catholic.org.nz/ms/dsp-default.cfm?loadref=139&pid=C9F2B42F-B3C8-569A-74B5BAAD927FF5F1>

More information on copyright

www.ocp.org/node/1754

Pleroma Christian Supplies

<http://www.christiansupplies.co.nz/products/music-78755/>

Some examples of costs

Cecily McNeill

13 May 2016