

COPYRIGHT GUIDELINES

for Australian* Lutheran Congregations and Agencies

OVERVIEW

1. Most congregations and LCA agencies use, reproduce, store and distribute copyright-protected material.
2. Some create material over which they hold copyright.
3. LCA congregations and agencies do not receive any special provisions under The Copyright Act 1968.
4. Each congregation and agency has a legal and moral responsibility to ensure they are using copyright-protected works with permission, and are aware of what works over which the agency or congregation or its members could hold copyright.
5. Congregations and agencies should know their copyright obligations. Breaches of the Copyright Act 1968 can cost thousands of dollars.

FAQ

What is copyright?

Copyright protects the creators of works and content from unauthorised use and provides a basis for the creators to commercialise their works.

What is protected by copyright?

Copyright exists in most cases over the following types of materials:

- Literary works (plays, Bible studies, sermons, commentaries, blog posts)
- Musical works (hymns, songs, cantatas)
- Visual art (photos, clip art, paintings, illustrations, banners, paraments, craft)
- CDs, films, DVDs, videos, broadcasts
- Computer programs.

Many of these materials would be used in most, if not all, LCA agencies and congregations in Australia.

For how long does copyright apply?

Agencies and congregations need to check if copyright has expired on the material they intend to reproduce, distribute or store. An easy rule of thumb: if the work was first published before 1955, or its creator died before 1955, then copyright has expired.

Can we use copyright-protected material?

Yes, if permission from the copyright-holder is granted. Congregations can either seek permission directly from the copyright holder – via a phone call and/or email or can obtain a licence through an agency. The written permission should be dated and retained. There are many agencies, depending on what type of material is being used. Fees may apply.

What if we don't know who the copyright-holder is? Or we try to contact them and receive no reply? Can you use the material?

No. You need to have permission before reproducing any works you do not own.

OBTAINING PERMISSION

Literary works (plays, Bible studies, sermons, commentary, blog posts)

Permission needs to be directly obtained from the publisher of the work; sometimes this is also the author. A fee may apply.

Musical works (hymns, songs, cantatas), including lyrics, music, typeset and recording

Permission must be obtained from the publisher of the work. This can be achieved by contacting the publisher directly or obtaining a licence from one of the following companies.

CCLI Australia <http://au.ccli.com/> (words and music)

The Copyright Agency <http://copyright.com.au/> (words)

Licensing <https://www.licensingonline.org/en-au> (words)

Word of Life International <https://www.licensingonline.org/en-au> (words and music)

APRA/AMCOS <http://apraamcos.com.au/music-customers/licence-types/church/> (playing live music outside of a worship context)

PPCA <http://www.pcca.com.au/music-users-/licensing-home/> (playing recorded music outside of a worship context)

No one licence will likely cover all the music you wish to reproduce or use (generally just the words for data projection) your congregation may need to obtain several licences to cover your churches favoured songs and hymns.

Backing music for video clips (eg YouTube) must be authorised by the copyright-owner, or purchased from an audio library, eg <https://www.audioblocks.com/>

Visual art (photos, clip art, paintings, illustrations, paraments, craft, photography)

Permission needs to be obtained from the representing gallery or the artist themselves.

Thousands of Australian artists are represented via Copyright Agency / Viscopy <http://copyright.com.au/licences-permission/visual-art-licences/>

Photos and clip art accessed from the internet (via Google search, for example) are not copyright-free unless specifically stated. Photos and clip art to be used for PowerPoint slides, bulletin notes and the like need to be purchased from stock libraries such as:

dreamstime (which has some free image section)
<https://www.dreamstime.com/>

iStock <http://www.istockphoto.com/au>

CDs, Films, DVD, Videos, Broadcasts

Playing recorded music from a CD or music digital file in a worship context does not require a licence or permission. Playing this music outside of a worship context does. PPCA can provide this licence. <http://www.pcca.com.au/music-users-/licensing-home/>

Permission needs to be obtained from the distributor of a DVD movie or digital file if it is to be played in whole or in part, in or out of the worship context. Contact the distributor or producers directly or obtain a licence from either of these companies.

The Big Studio Movie Licence (Heritage films)
<http://www.church.bsml.com.au/>

CVLI <http://au.ccli.com/what-we-offer/church-video-licence/>

YouTube videos and broadcasts

As a church service is deemed a public performance, you need to have permission from the content owner (the YouTube clip owner) to use the content (video) in a

public setting. YouTube's intention is for viewing and use of its clips in a private, personal-use setting.

You may be able to obtain the clip *and* permission directly from the YouTube clip owner (the person who loaded the video up to YouTube) to use the clip either in or out of a worship context.

Computer programs

Use and reproductions of computer programs and apps are covered by the terms and agreement at the time of purchase. Please check the fine print carefully.

PRODUCING COPYRIGHT MATERIAL

Your congregation or agency may consider registering for representation with a copyright agency if it is regularly devising, producing and presenting its own copyright material. It is worth protecting your work and perhaps producing an income stream for your local mission work. Contact [LCA Communications](#) for more information.

DISCLAIMER

Copyright legislation is complex, complicated and constantly changing. This document provides guidelines only, as accurate and up to date as we are able to determine. These guidelines do not replace sound legal advice, which should be sought in respect to specific copyright legislation.

Produced by [LCA Communications](#); under regular review and revision.

** These guidelines may not necessarily apply to New Zealand congregations and agencies. New Zealand congregations and agencies should be familiar with The New Zealand Copyright Act 1994 <http://www.copyright.org.nz/>*

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