



Church Copyright Fact File

Audio and Video Recording

This Fact File has been created by CCLI as a guide to the copyright implications when making audio and video recordings during church services and other associated church activities. If you don't find all the information you need here, visit ccli.com or contact CCLI (details overleaf).

What do I need to know?

Since church services usually include a range of musical and literary works, before you can audio/video record their work, or a performance of it, permission is required from the copyright owner(s). Usually this is in the form of one or more copyright licences. If you own the copyright and you have not signed rights to a third-party, you may record your own work without seeking any further permission.

Recording church services

A number of copyrights may be affected when recording a church service.

Performers	You should always obtain permission from musicians, singers, readers, preachers etc. before recording their 'performance'. You will also need their permission if you intend to make copies for sale or free distribution. Remember, a performer's copyright in a work lasts for 70 years.
Live music	Copyright exists in both the music and the words of hymns and worship songs. If an audio recording is made you'll be reproducing both the words and music, for which copyright permission must be obtained in advance. These rights are handled, on behalf of copyright owners, by MCPS (which is part of PRS for Music). The CCLI Church Copyright Licence includes certain MCPS rights which means churches that hold this licence in the UK can record services, including any live music. Churches in Ireland should visit imro.ie for more information.
Music Recordings	<p>If you record a service and music is being played from a sound recording such as a CD, DVD, MP3, cassette etc., then you would in effect be dubbing from the original source onto your recording for which copyright permission must be obtained in advance. Phonographic Performance Ltd. (PPL) administers two distinct rights in music recordings:</p> <ul style="list-style-type: none"> • Performance The public performance of a music recording, i.e. from a mechanical format • Dubbing To re-record, reproduce and/or copy or otherwise duplicate music recordings <p>PPL has waived the requirement for a performance licence during Acts of Worship (regular worship services) as well as weddings/funerals, where no entry charge is made, but a licence is still required to cover dubbing rights. So if you audio/video record services where sound recordings are played you'll require an additional dubbing licence called a Limited Manufacture Licence. Visit prsformusic.com/LM for details.</p> <p>The PPL Church Licence, available from CCLI, covers PPL performance rights only.</p> <p>Music recordings are currently protected by copyright for 70 years.</p>

Recording a concert

If you wish to make a recording of a live performance you will first need to obtain the permission of all the musicians, singers and speakers involved. You then require a Limited Manufacture Licence from prsformusic.com/LM. Many stage musicals will specifically prohibit the recording of any performances so you are advised to check the terms of the performance agreement before making an audio or video recording.

Recording your church choir or band

You may wish to consider making a recording of your choir or worship band as a fund-raiser to sell to members of the congregation and wider community. This would be deemed a recording made for commercial purposes and is not permitted under your Church Copyright Licence. You'll first need to obtain the permission of all the musicians and singers involved. You then require a Limited Manufacture Licence from prsformusic.com/LM.

Recording weddings

The information provided previously about audio/video recording in church services also applies to weddings and funerals. Whether it's a family member recording with their own camcorder/mobile phone, or a professional videographer, you will need to ensure that the appropriate copyright licences are in place before video-recording these services.

A dubbing licence would be required if any music recordings are played whilst recording takes place, or dubbed on afterwards. A Limited Manufacture Licence from PRS for Music will cover this. Visit prsformusic.com/LM for details.

Recording from the Internet

If you would like to download a performance that is available from the internet then you must first seek permission from the copyright owner. You must not assume, simply because it is available on the internet, that you have the right to copy or store it.

Mechanical-Copyright Protection Society (MCPS)

MCPS is part of PRS for Music and acts on behalf of its composer and publisher members. It negotiates agreements with those who wish to record music, ensuring that copyright owners are rewarded for the use of their music. It collects and then distributes the "mechanical" royalties which are generated from the recording of music on to many different formats, including CDs, cassettes, DVDs, audio-visual and broadcast material.

Phonographic Performance Ltd (PPL)

Phonographic Performance Ltd represents over 3,000 record companies, from large multinationals to small independents. PPL collects licence fees from broadcasters and public performers on behalf of the record companies and artists. This licence fee revenue, after the deduction of running costs, is then distributed to its record company members and to performers.

What is copyright?

Copyright is an intellectual property right given to the creators of original musical, literary and dramatic works. The Copyright, Designs and Patents Act 1988 (CDPA) is the legislation that currently operates in the UK and provides the creator with two main rights:

Economic

this allows the creator to charge anyone who wishes to copy, perform or record their work for any commercial or non-commercial use.

Moral

this allows the creator to protect their work from any change which might be considered offensive or not in keeping with their wishes.

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This Fact File is provided for information purposes only and does not constitute legal advice. If in doubt you should consult a legal expert. Whilst we aim to be as accurate as possible, CCLI can accept no responsibility for any errors or omissions in the information provided.