



Copyright Information

AT A GLANCE...

- 1 Copyright law applies to churches
- 2 You need permission to reproduce, podcast, stream copyrighted material
- 3 There are two clearing houses that are commonly used in Canada
- 4 How and what should be included in a copyright notice

Copyright and Worship

The Canadian *Copyright Act* allows the use of copyright protected work when certain conditions are met. In Canada, this is called “fair dealing.”

“People can use fair dealing for research, private study, education, parody, satire, criticism, review, and news reporting.”

<https://fair-dealing.ca/what-is-fair-dealing/>

Worship does not fall under this fair dealing explanation.

There is also a section of the Canadian *Copyright Act* (Section 32.2 (3)), for “religious organizations or institution, educational institutions and charitable or fraternal organizations”, which addresses the performance of a musical work in public. This does not appear to “protect a church from a copyright infringement action if the church includes copyrighted music when live streaming their services.”

<https://tcllp.ca/2020/04/the-move-to-live-streaming/>

Please note that this is not a legal document. Congregations requiring legal advice should consult with a lawyer specializing in copyright law.

Good articles:

One License: <https://news.onelicense.net/2021/10/15/myths-of-copyright/>

Presbyterian Church: <https://presbyterian.ca/resources/communications-resources/copyright/>



Churches and Copyright - FAQ

THE BASICS

Q: What is copyright and why do I care about it?

A: Copyright is a form of intellectual property law. It protects any artistic medium – literary works, music, art, songs, drama. These must be in a fixed form – an idea does not count. Whenever you use one of these works in a new way (reprinting in a bulletin or on a screen, including it in an online worship service) the composer, author, artists or anyone who is the owner of that piece deserves compensation for its use.

Q: But we're a Church. Does Copyright Law apply to us?

A: In short, yes. Schools, libraries, and some specific functions of churches are recognized as exempt, but in general, the same rules apply to churches as to anyone else. Churches need permission to reproduce, transmit, project, podcast and stream any copyrighted material. Copyright is also a justice issue. It is one way to ensure that an artist's rights are protected and that they are fairly compensated for the work that they have done. As we recognize the gifts that everyone brings to our communities, we want to ensure that we also honor them, both according to the law of the land, and as a way of supporting their God-given talents.

Q: We have hymnbooks and we're only using songs from them. Is that enough? What else do I need to do?

A: Purchasing a set of hymnbooks for a congregation is one way to ensure the copyright law is being followed. The publisher has already paid the necessary copyright fee to include the hymn in the book. In the days before services were being projected, recorded, and streamed, purchasing a set of hymnbooks worked fine.

Buying a hymnbook does not give permission to reprint or reproduce from them. This includes reprinting or reproducing the words or music in a bulletin, projecting onto a screen, or streaming the service either live or pre-recorded. This includes any hymn/song that will be heard and/or shown. Most hymnbooks (and other books) have specific conditions listed on the copyright page under which content may be reproduced.

When using material that is copyrighted, it is up to the user (the congregation) to ensure that proper permission has been obtained.




Obtaining Copyright Licenses


THE STEPS TO OBTAINING COPYRIGHT

1  Determine if copyright permission is needed.

2 Identify the owner.


3 Identify the rights needed. 

4 Seek permission to use the copyrighted material 

5  Get your permission agreement in writing and make payment if required.

Copyright Licenses a church may want to consider

In our Lutheran context there are mainly three copyright licenses you may want to consider to make the job of copyright permission reporting easier.

LITURGICAL TEXTS AND MUSIC

If you are printing, projecting, or streaming liturgical items in your bulletins, you will want to consider one of the following:

Augsburg Fortress

Augsburg Fortress offers two liturgical licenses, one specific to the *Evangelical Lutheran Worship* family (including *All Creation Sings*) and the Augsburg Fortress Liturgies Licenses, which covers liturgical materials in the *Evangelical Lutheran Worship* family and other Augsburg Fortress publications. Both licenses allow you to reprint, stream and podcast, and can only be purchased directly from Augsburg Fortress.

Sundays and Seasons www.sundaysandseasons.com

A *Standard Subscription* to Sundays and Seasons provides you with online access to the liturgies, liturgical music, lectionary texts, prayers, artwork, and children's bulletins. An Augsburg Fortress Liturgies License is included in the annual subscription price.

A *Deluxe Subscription* provides everything that the Standard Subscription does, plus the ability to download hymns and songs.

For further information about material under copyright to, or administered by, Augsburg Fortress, see: <https://www.augsburgfortress.org/info/permissions/>. Information can also be obtained by emailing copyright@1517.media. The phone number for copyright questions is 612-330-3530.

HYMNS AND SONGS, AND ADDITIONAL LITURGIES

Sundays and Seasons

Even though Augsburg Fortress provides hymn graphics and texts as part of the Deluxe Sundays and Seasons online subscription, it does not provide permission to reprint, project or stream the music or words. The hymn graphics and texts are provided to you as a convenience once you have obtained permission to use them. You will want to consider one or both of the license listed below.

One License <https://onelicense.net>

A One License license provides you with permission to reprint, podcast, and record hymns and songs for your congregation. The license provides access to thousands of congregational hymns from multiple publishers. There is excellent customer service and helpful monthly newsletters to assist you with your copyright needs. Most of the copyrighted songs and hymns found in Augsburg Fortress publications will be covered by One License, but not all.

CCLI <https://ca.ccli.com>

A CCLI (Christian Copyright Licensing International) provides copyright licensing for songs and hymns. The hymns and songs that are represented lean more towards the songs that would be played or led by a praise band, which may be exactly what your congregation needs. There is also licensing available for the legal download of streaming samples and full-length feature films. The website has several helpful articles about various copyright issues.

What you can do to help obtain copyright permission

For any liturgical elements, songs or hymns not covered by a Augsburg Fortress Liturgies License, One License or CCLI license, you will need to go directly to the copyright holder to ask and obtain permission.

These are the steps that need to be taken:

1. Start early – think about what you might want to use and make a list.
2. Share that list as soon as possible with the person responsible for collecting copyright information. It is easier to look up the information ahead of time – even if you don't end up using it.
3. Include as much information as possible:
 - a. Location - where did you find the music, song or hymn?
 - b. Determine the copyright
 - i. Copyrights are associated with individual songs / words – not with the book or hymnal in which they are published. This could be on the copyright page, a list at the back of the book, or listed below the work.

- ii. You are looking for the copyright information associated with the individual tune, text, or other work
- iii. A publisher and copyright holder may not be the same entity
- iv. There may be multiple copyright holders: tune, text, arranger, etc.
- c. Author, Composer, Artist
- d. Any contact information for the author, composer or artist

What needs to be included on a copyright notice?

There are basically two pieces of information required – the license number and the specific copyright information for each liturgical item, hymn or song used within your service.

These notices need to appear:

- On any hard copy bulletin, insert, newsletter, that includes something that is under copyright
- Projection slides
- Worship video/steam. Ideally, the copyright information would also be included in the video description once posted.

LICENSE NUMBER

The license number only needs to be displayed one time. In a bulletin, it is common to have a section of Acknowledgements and Copyright Notices. When projecting, the information can be on a slide at the beginning or the end of the service.

Here are some samples of appropriate wording. Replace the place holders (xx's) with your unique license number.

Sundays and Seasons (liturgical elements from Augsburg Fortress)

From Sundays and Seasons.com. Copyright 20xx Augsburg Fortress. All rights reserved.
Reprinted by permission under Augsburg Fortress Liturgies Annual License #xxxxx.

One License/CCLI

Reprinted/Podcast/Streamed with permission under ONE LICENSE #A-xxxxxx. All rights reserved.

OR

Permission to reprint, podcast and/or stream the music in this service obtained from ONE LICENSE with license #A-xxxxxx. All rights reserved.

If only one licensed song is being used, you can add the permission at the end of the song's copyright information.

Ex: **Song Title.** Text and Tune author/composer information and copyright year/holder. Used with permission. CCLI License #xxxxx. All rights reserved.

ITEM SPECIFIC COPYRIGHT INFORMATION

LITURGICAL ELEMENTS

If you have an *Evangelical Lutheran Worship* Liturgies License or Augsburg Fortress Liturgies License and are only using Augsburg Fortress liturgical items that are covered by your unique license, you do not need to list the individual liturgical elements. These are covered in the copyright statement listed above.

If you are using elements not covered by an Augsburg Fortress license, you will need to obtain permission, or check to see if they are covered under your One License or CCLI license. They do need to be listed individually using a format like that outlined for hymns and songs.

HYMNS AND SONGS

The following format is appropriate for listing hymns and songs.

One person/one copyright holder:

Name of song/hymn – Text (or Words) and Tune (or Music): Name of composer © yyyy, copyright holder's name.

Two people/one copyright holder:

Name of song/hymn – Text (or Words): Name of author. Tune (or Music): Name of composer. © yyyy, copyright holder's name.

Two people/ two copyright holders:

Name of song/hymn – Text (or Words): Name of Author © yyyy, copyright holder's name.
Tune (or Music): Name of Composer © yyyy, copyright holder's name.

Either words or tune in public domain:

Name of song/hymn – Text (or Words): Name of Author © yyyy, copyright holder's name. Tune (or Music): Public Domain.

For any liturgical elements, hymns, or songs for which you have requested and obtained permission to use, same format can be used. Add the following at the end of the copyright notice: *Used with permission.*

If the copyright holder has requested a certain way that the notice be displayed, it is appropriate to follow this request.

Other items you need to be aware of and decide if they need to also be listed, such as the arranger or translator.

REPORTING YOUR USAGE

In addition to displaying the copyright notice, it is also necessary to report your usage.

Augsburg Fortress Liturgies License – When included as part of a Sundays and Seasons online subscription, no further reporting is required for copyrighted liturgical content.

One License and CCLI – The way and frequency of reporting is different between One License and CCLI. The Welcome Package you receive, customer service and online articles provide helpful instructions.