

With the development and implementation of the Archdiocesan Pastoral Plan 2015-2020, several questions have arisen about the application of copyright law to the materials, tools and liturgies we are creating. The following information is for all parishes, quasi-parishes, missions, and committees of the Archdiocese of Grouard-McLennan. It is intended to assist them in making decisions about using copyright materials.

When do we need to think about copyright?

It is important that you seek permission to use copyright material in anything you produce for public distribution or performance. This includes brochures and bulletins published by your parish or committee, liturgical rites copied out for congregations, and music used in parish liturgies.

How can we know if something has a copyright?

Copyright protection in Canada is automatic, i.e. no registration is required. It applies to all original literary, dramatic, musical and artistic works; performances; sound recording; and communication signals.

Often, you will find the ©, especially on published literary and musical works. But just because something does not have the © on it does not mean it is not protected.

How can we know who the holder of the copyright is?

In most cases, you will find the name of the author and/or publisher on the work itself. You can then find the contact information on the internet, to make the request for permission.

If the information of the copyright holder is not evident, you can search the database at the Canadian Intellectual Property Office, which covers copyrights registered since 1991.

How long is something protected by copyright in Canada?

It is in effect for the life of the author/creator, for the remainder of the year in which the author/creator dies, and for the next 50 years. In essence, it means that only the copyright holder can reproduce the work, in whole or in part, without permission.

What if we put the name of the composer or author in the material?

It is not enough to attribute the source or origin of a work used in your publication or performed in the parish. You must have permission from the copyright holder to use it.

What happens when the copyright on something expires?

Works that are no longer protected by copyright are said to be “public domain”. Works in public domain may be reproduced without permission, but acknowledgement of the source should still be made.

Keep in mind that updated, translated, or modified versions of a work that is public domain may themselves be subject to copyright laws. For example, one version of a Shakespeare play, published in 1907 would be public domain but a version produced in a 1977 edition would not

be. Or a hymn that uses a Beethoven composition may have lyrics that are protected by copyright.

Purchasing hymnals can get pretty expensive. How about if we just buy a few and then make copies from them for the congregation?

The short answer is that you must have sufficient hymnals for the size of the congregation. Hymnals are a form of permission to use copyright materials, because either the publisher is the copyright holder or is paying annual royalties for songs. In turn, by purchasing the hymnal, you are permitted to publicly perform the music within. The expectation of the copyright holder is that each “performer” has her or his own hymnal.

However, if you prefer to use an electronic resource, you can purchase a license from a music publisher, such as OCP (*Breaking Bread, Spirit & Song, Glory & Praise*) or a music licensing company, such as CCLI (Christian Copyright Licensing International). Paying an annual license fee, based on congregation size, usually gives access to more than 50,000 songs. OCP also offers access to its online music library to those who purchase one of its hymnals.

We like to make booklets for the Confirmation celebration in our parish. Do we need to worry about copyright for them?

Producing booklets for use at special liturgies may also lead to copyright infringement. For example, providing a booklet for the Rite of Confirmation or Chrism Mass requires reproducing some or all of the rite from a publication of the Canadian Conference of Catholic Bishops (CCCCB) and perhaps the words and music for hymns. You will want to take the necessary steps to obtain permission to use this material in the booklet. In most cases, the CCCC will not charge for the use of material from ritual books, provided it is for one-time use and the booklet is not to be sold.

Examples of things that cannot be copied, reproduced or performed without permission:

- Artistic works, e.g. photographs, illustrations, paintings, maps, and plans that have been created by someone other than you
- Excerpts or entire works of literature, e.g. novels, poems, treatises, essays, magazine articles, blogs, and any other textual works written by someone other than you
- Excerpts or entire dramatic works, e.g. screenplays, plays, and scripts written by someone other than you
- Excerpts or entire musical works, i.e. compositions with or without words, composed by someone other than you

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