

# Audio/Video Recording at Church

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 do not find all the information you need in this FACT FILE, visit [www.ccli.co.uk](http://www.ccli.co.uk) or contact CCLI (details overleaf).

## COPYRIGHT AND THE LAW

Since church services usually include a range of musical and literary works, permission from the copyright owners is required, usually in the form of one or more copyright licences, before you can audio/video record their work. If you are the copyright owner 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.

- (a) **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 50 years.
- (b) **Live music** - copyright exists in both the music and the words of hymns and worship songs. If an audio recording is made then you are 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 the Mechanical-Copyright Protection Society (MCPS). The Church Copyright Licence (CCL) from CCLI includes certain MCPS rights which means churches that hold a CCL in the UK can record services, including any live music. Churches in Ireland should visit [www.mcps.ie](http://www.mcps.ie) for more information.
- (c) **Sound Recordings** - If you record a service and music is being played from a sound recording such as a CD, DVD, cassette etc., then you would in effect be dubbing from the original source on to your recording for which copyright permission must be obtained in advance. There are two rights in recorded works, both administered by Phonographic Performance Ltd. (PPL).

- **Performance**      The public performance of a pre-recorded work, i.e. from a mechanical format
- **Dubbing**              To re-record, reproduce and/or copy or otherwise duplicate sound recordings

PPL has waived the requirement for a performance licence during acts of worship, but a licence is still required to cover dubbing rights, so any audio/video recording that takes place during acts of worship whilst sound recordings are played will require an additional dubbing licence.

The PPL Church Licence covers PPL performance rights only. If your church requires a PPL Church Licence because sound recordings are played outside acts of worship, you will need to purchase it by 1st January 2012.

Sound recordings are currently protected by copyright for 50 years, however a recent change in legislation means that this is due to be increased to 70 years.

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.

## RECORDING WEDDINGS

All of the above information about audio/video recording in church services also applies to wedding videos. Whether it is 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 the wedding service.

A PPL Church Licence is not required for the performance of any sound recordings because PPL deems a wedding to be a domestic event rather than a public event. However, a dubbing licence would be required for any sound recordings being played whilst recording takes place or dubbed on afterwards.

For information about video-recording weddings please see the Weddings & Funerals FACT FILE or visit [www.wvrl.co.uk](http://www.wvrl.co.uk).

## 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. You would need permission from the musicians and singers performing plus an MCPS licence.

CCLI can provide churches with a Limited Manufacture Licence (LML), an MCPS licence, which permits you to record on any physical format (CD, cassette, DVD or video) for sale to the general public. The licence would not permit distribution of the recordings via the internet.

## RECORDING A CONCERT

If you would like to record a band that is performing in your church you will need to obtain permission from the performers and an MCPS licence, such as the LML available from CCLI.

## 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 right to copy or store it.

## MECHANICAL-COPYRIGHT PROTECTION SOCIETY (MCPS)

The Mechanical-Copyright Protection Society acts on behalf of its composer and publisher members, and 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, videos, audio visual and broadcast material.

## PHONOGRAPHIC PERFORMANCE LTD (PPL)

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

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*The information included in 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 CCLI aims to provide information that is accurate, CCLI accepts no responsibility for any errors or omissions in the information provided.*

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