

The Church & The Internet

This FACT FILE has been created by CCLI as a guide to the copyright implications for churches that upload/download text/audio/video to and from the Internet. If you do not find all the information you need in this FACT FILE, please visit www.ccli.co.uk or contact CCLI (details overleaf).

COPYRIGHT AND THE LAW

The application of copyright principles to material on the internet is an area that continues to be addressed by the music and entertainment industry. However, the fact remains that every original piece of work is owned by someone, and you should never assume that it can be freely copied, performed or used in any way without regard to the rights of the copyright owner.

USING THE INTERNET

The internet is world-wide in nature, and consequently operates across international boundaries. Each country has its own version of copyright laws, but most of them adhere to an agreed form of copyright principles, as described above.

Storing digital media on your computer or server for communication (for example via a website) is referred to as “electronic storage and retrieval”. This includes photographs, songs, music, poems, literature, maps, film scenes, etc. If you download, distribute or put anything on the internet that belongs to someone else, you should first ensure that you have the owner’s permission, unless exceptions apply.

USING PHOTOGRAPHS AND GRAPHICS

Photographs (digital or film) are protected as artistic works by copyright law, and that protection lasts for 70 years following the death of the artist (photographer). If you wish to use photographs taken from a website, or scanned from a commercial publication and electronically stored on your PC or server, you must seek permission from the rights holder, unless copyright exceptions apply. The same is true for the use of graphics including logos, artwork, clipart, drawings, maps, collages, etc.

USING FILM SCENES FROM WEBSITES SUCH AS YOUTUBE

Caution should be taken when using video-scenes from websites such as YouTube or DailyMotion because some people may have uploaded scenes from commercially available films and TV shows without first obtaining the appropriate copyright permission. Even where permission to upload the film scene has been obtained, this does not necessarily include permission for you to show the scene in public.

When uploading films created by your own church, you should ensure that you have cleared the rights to any images, music, poetry or other literature used within the production.

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.

WEB STREAMING CHURCH SERVICES

If your church makes its worship services available over the internet (live, or as a downloadable file) you should remember that a number of components will be involved: live and/or recorded music, the liturgy, the sermon, any readings or dramatic performances etc. Each of these elements is covered by copyright, so before a service is made available over the internet, care should be taken to ensure that each element has been cleared for distribution by the appropriate copyright owner. In addition, permission must be sought from all musicians, readers, prayers and preachers before you record or broadcast their performance.

The web streaming of music protected by copyright is administered by PRS for Music/MCPS* Limited Online Exploitation Licence (LOEL). This licence allows a number of small scale online services including:

- Limited download/on-demand streaming service
- Pure webcasting service (broadcasting your services over the internet)
- Interactive webcasting service (broadcasting with the ability for public interaction)
- Music podcasting (see below)

Tariffs for the LOEL are based on a number of different factors including the number of streams and downloads per year. For more details of the LOEL, visit www.prsformusic.com.

* MCPS Mechanical-Copyright Protection Society

PODCASTING

The word Podcast is a term relating to media files available in a serialised package, for example radio shows from the BBC. The content of a podcast is protected in the same way as any other copyrighted work made available on the internet.

A podcast which includes no third-party copyright material (ie, no copyright worship songs, liturgy, poems or sound recordings) would require no additional licence. However, permission must be sought from all musicians, readers, prayers and preachers before you record, broadcast or distribute their performance.

MUSIC EMBEDDED ON WEBSITES

The practice of embedding music on a website (background music that automatically plays when a particular webpage is opened) is covered by the LOEL.

Last updated: April 2011

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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