

Before I say a few words about Copyright Compliance which is one piece of the Risk Management Policy of the Diocese, I want to make it clear – I don't have all the answers – in fact I don't even know all the questions.

I first got involved in Copyright Compliance a bit over 18 years ago when a parish priest handed me a folder of papers labeled Compliance that he had accumulated over some months and asked me to take a look and let him know what needed to be done about it (I think hoping I would come back and say keep ignoring it doesn't matter). I spent some time reading the contents of the folder and did a bit of research regarding what the law had to say about copyright, and went back to him and said we needed a Copyright License which was a bit under \$300 a year, we needed to start keeping a record of all music that is being used in the parish, and that we need to send in a return annually. I'm sure there is nothing there that will come as a surprise to any of you. And that is exactly what I have been doing every year since.

In May this year a different parish priest asked me if I would like to attend a Copyright Compliance Conference in Wellington and believing that all that would mean is that I would get congratulated for being so good for so long (and I would get a chance to see the Gallipoli Exhibition at Te Papa) I attended the Conference in June of this year.

So what did I learn and was there anything that was a surprise? FOR SURE! There are 10 commandments so I thought I would share 10 things that caught my eye:

1. The parish where I work was currently only about 50% compliance with the legislation around Copyright Compliance
2. The NZCBC has delegated the National Liturgy Office to develop a national strategy to enable parishes to fulfill their obligations under the law:

Firstly by raising awareness of the issue

Secondly by educating key people in Dioceses regarding the legal requirements

Thirdly by developing a strategy which would enable all parishes in NZ to become copyright compliant.

Changes in technology have made it very easy to

- Copy music
- Project lyrics
- Create worship aids

A church music copyright license is needed to do all these things.

The NZCBC has had these issues on the long finger for some time, but what has forced the issue is that a Diocese and a Parish in Australia had been heavily fined for non compliance.

3. The issues around Copyright Compliance are deeply rooted in Social Justice – composers and music publishers have the rights to what they produce for 70 years, to have their ownership acknowledged when their work is used, and to be paid for their efforts – and we need to treat them in exactly the same way we treat anyone else whose work benefits us – no-one expects a mechanic, or a plumber or a teacher or a doctor to work for us for nothing. To put that a bit more provocatively, copying and distributing their musical compositions is in reality, no different to breaking into their home or car and stealing their stuff!
4. Copyright holders are willing to be patient and allow time for parishes to become compliant, HOWEVER WE NEED TO BE ABLE TO DEMONSTRATE THAT WE ARE MOVING TOWARDS GETTING THIS AREA OF OUR

## PARISHES OPERATING WITHIN THE LAW.

5. There is no copyright license in existence that permits the photocopying of full score music – apart from 1 convenience copy of purchased material. (This means if a parish has a musician group of 10 requiring a full music score, 10 original copies must be purchased). This was the bit that really rocked me. Our parish has oceans of photocopied full score music as has every other parish I have ever been involved with. At some point in the future, there will need to be some very big bonfires!! There have been many times when visitors to the parish have approached me after Sunday Mass, explained that they were musicians in their home parish and “asked for a copy of that lovely hymn or psalm that was sung during the Mass”. And me, being the helpful soul I am, only ever asked how many copies do you need!
6. Copyright Licenses only permit the copying or use of the melody line and text (with appropriate acknowledgement).
7. The use of the ICEL texts of the Mass must be acknowledged.
8. The parish license details need to be printed on pew sheets and/or displayed on at least one powerpoint slide every time we project music and/or lyrics.
9. Many of the Google images we use without a second thought are also subject to copyright law
10. Using music or lyrics in church for prayerful and holy purposes does not exempt us from our responsibilities under the law.

On reflection, none of this should really have surprised me – when I was in the 5<sup>th</sup> form at school (and yes I can remember that far back) I got “busted” for copying a chunk out of a book in an essay discussing the social conditions in Germany that made it possible for Hitler to come to power. I scored a “0” for my essay because I had cheated, and got a lesson in ethics from my father who explained the “Law of the 3 Dues” – ALWAYS give due where due is due”. And really that is what is at the heart of Copyright Compliance. We have to do it because:

1. It is the right and just thing to do
2. It means musicians can continue composing wonderful music for us to worship God in song.
3. Not doing so exposes us as a church, a diocese and a parish to reputational and financial risk. (and as an aside, the 1<sup>st</sup> defendant is the person who presses “print” on the photocopy machine)

## SO WHERE TO FROM HERE?:

1. Over the next weeks and months, we can insure the music we print or project has the proper acknowledgement in place (those of you who use Easy Worship – there is a tab to include this information in the “new song” and “edit song” pop up.)
2. A budget for the purchase of music or hymn books needs to be included in our planning.
3. Someone in the parish needs to be delegated the responsibility for Copyright Compliance – e.g. enroll a volunteer, add it to someone’s job description, make it a portfolio of a member of the Finance Council etc

4. More information will be coming from the National Liturgy Office and your local diocesan Liturgy desk – Watch out for it - it needs to be taken seriously and acted on.