

Copyright and The Book of Praise and The Book of Psalms

The word **Copyright** means that you must ask someone, such as the author or composer, for permission to copy something that they wrote. It also means that, since they created it, they have the right to be paid for its use.

Are there any hymns or songs that we can copy? What about authors who died centuries ago?

Works such as hymns or songs whose author died some time ago can be copied freely. The law tells us when they are considered to be in the public domain. This length of time varies, and the laws are different in Europe and North America. Songs that are traditional and whose composers are unknown, such as *Let us Break Bread Together* can be freely copied. If you wonder if something in The Book of Praise or the Psalter is now in the public domain, check the copyright notice (either under the music or at the back of the book), or ask the worship office of The Presbyterian Church in Canada.

What about arrangements or adaptations of traditional songs?

Sometimes items in the public domain, *Jesus Loves Me*, for example, are revised. If the revision is extensive enough, it becomes copyright and the “new” author has the right to control its use. Those wishing to use the old, public domain version can still do so.

We've bought one copy of each book. Can we make copies of individual hymns/psalms to insert in worship bulletins?

No. Copyright owners may give permission for individual items to be copied, but the Presbyterian Church in Canada is only the publisher of these resources, not (with a few exceptions) the copyright owner of their contents. The PCC had to obtain permission to reprint; so do you.

How do we get permission to copy material?

The Book of Praise and The Book of Psalms contain indexes of copyright names and addresses. Permission to reprint any item from either collection may be sought by writing to the copyright holders listed in connection with that item. Updated lists of copyright holders (some contact information has changed since the books were issued) for the hymn book and Psalter are available for download from the Binary Editions internet site <http://www.interlog.com/~jda>.

Can we write to the Presbyterian Church offices to ask someone there to get permission for reprinting of individual hymns and psalms?

If you have difficulty determining whom to contact for permission to reprint an item, Binary Editions (web address above; ph & fax 416 690-9967 or ph 416 422-4457) or the worship office at the PCC can offer direction. We cannot obtain permission from copyright holders on behalf of congregations, nor can we grant permission on behalf of other copyright holders. In the Book of Praise, The Presbyterian Church in Canada holds copyright on only a handful of music arrangements (e.g., 40, 378, 713, 789), and on some alterations of public domain texts (identified by the copyright notice words: *this version © The Presbyterian Church in Canada, date*) and one or two sets of original words. Text and music that is identified as being in the public domain may be freely reprinted in worship bulletins. Congregations may also reprint in bulletins older texts that are copyright by The

Presbyterian Church in Canada on account of alterations to the words. The PCC does not normally give free permission to copy any Psalter refrains, even refrains on which the Church holds copyright.

More detailed information about copyright

“Copyright” refers to the legal right to make printed copies of words or music. It helps to ensure that authors are paid for the use of their works of art, literature, criticism, music. It also helps the author to control the conditions under which the work is reproduced. The owner of the copyright (the author or the entity to which the author has assigned the copyright) may go to court to seek damages if a work is copied without permission.

The author or composer also retains a moral right to prevent, for example, a work from being defaced or bowdlerized even if the copyright has been sold, and may seek damages for misuse of the work.

Canadian copyright law is based on international agreements, and extends copyright protection to works created in other countries with different copyright regulations. It provides for the copyright protection of a work from the date of its creation until fifty years after the death of its creator. Protection may be longer for some foreign works. The author/composer owns the work, and therefore may sell the copyright, to a publisher, for example. Upon the death of the author/composer, the copyright, if not previously sold or assigned, will be passed on to the heirs like any other property in the estate.

What are churches to do???

Over the past ten years, The Presbyterian Church in Canada has developed resources to satisfy the broad range of worship styles used by our congregations. These resources, available from The Book Room of the PCC (ph: 800 619 7301 or 416 441 1111, email: bookroom@presbyterian.ca), are the starting place for congregations seeking to revitalize their use of psalms and to incorporate the best in recent hymnody in their worship.

Going beyond these resources, many congregations develop their own hymn or song books. This is a time-consuming but rewarding process. It gives insight into the dynamics of putting together a broadly appealing collection with theological and musical merit. Permission must be obtained before reprinting any material that is in copyright.

Copyright clearing houses offer congregations licenses to reprint (or project on an overhead) a large number of items controlled by many different copyright owners. Notable examples are Christian Copyright Licensing International (ph: 1-800-234-2446; email: support@ccli.com); LicenSing, “copyright cleared music and lectionary-linked worship music planning suggestions,” is administered by Wood Lake Books (ph: 250 766 2778; fax: 250 766 2736). These licences may involve payment of an annual fee and reporting annually on what was reprinted. Read the fine print carefully to determine whether the licence covers the specific items you wish to use—no program includes all publishers or all of the standard worship resources—and the kind of use you anticipate—music published in octavo format for choir is seldom covered.

Major publishers like G I A Publications and Hope Publishing Company offer easy access to non-commercial reprint permission. For instance, G I A Publications has programs for non-commercial use of much of the material under its control (e.g., hymns of John Bell and the Iona Community; and songs of the Taizé Community in France). Contact G I A at 800 442 1358 or (708) 496-3800 (fax: 708) 496-3828; email: reprints@giamusic.com. Contact Hope Publishing at 800 323 1049 (fax: 708 665 2552, email: hope@hopepublishing.com) for information on reprinting items under their control. With a few exceptions, a fee will apply.