

BUC GUIDELINES

C10 Licensing for Entertainment and Copyright (10/2011)

These notes are offered as guidelines by The Baptist Union Corporation Limited to provide information for Baptist churches.

These notes can never be a substitute for detailed professional advice if there are serious and specific problems, but we hope you will find them helpful.

If you want to ask questions about the leaflets and one of the Baptist Trust Companies are your property trustees, you should contact them. They will do their best to help.

If your church property is in the name of private individuals who act as trustees they may also be able to help.

This guideline leaflet offers information on the different licences required both for licensable events held by churches and for the use of copyright material during church activities.

A new licensing regime for 'public entertainment' was introduced in February 2005. Churches who wish to provide regulated entertainment, supply alcohol or offer late night refreshment need to consider whether their activities require a premises licence, or a temporary event notice or whether they are covered by one of the exemptions.

REGULATED ENTERTAINMENT

Regulated entertainment includes:

- the performance of a play;
- an exhibition of a film;
- an indoor sporting event;
- a performance of live music;
- any playing of recorded music;
- a performance of dance.

EXEMPTIONS

If alcohol is to be supplied, or late night refreshment provided then a licence will be required for those activities and the exemptions will not apply. 'Late night' means after 11 pm. The main exemption to the need for a licence for churches is where the entertainment is for the 'purposes of or purposes incidental to religious services or meetings or at places of public religious worship'. Charging for admission does not affect this exemption.

Church halls may not fall within this exemption and if not their use for regulated entertainment will require a licence, but there is an exemption from the need to pay a fee (unless alcohol or late night refreshment will be supplied). Church halls may, however, fall within one of the other exemptions to the need for a licence which include:

- fetes or similar events;
- Morris dancing or dancing of a similar nature;
- live or recorded music which is not incidental to 'regulated entertainment';
- film exhibitions for the purposes of advertisement, information or education;
- live television or radio broadcasts.

PREMISES LICENCE

Where no exemption applies a premises licence will be required if either regulated entertainment, or alcohol, or late night refreshment is to be provided on a regular basis. Guidance and application forms are available from your local district council. Expert bodies such as the police and fire authorities must be notified of all new licence applications and the application must be advertised. It is likely that a representative from the district council and the fire authority will inspect your premises before the licence is granted. The licence may stipulate specific health and safety requirements.

TEMPORARY EVENT NOTICE

Temporary Event Notices (TENs) can be used to authorise relatively small scale ad hoc events involving no more than 499 people. When a church does not have a relevant premises licence but wishes to hold a licensable event which is not otherwise exempt then the event organiser can issue a TEN to the district council and copy this to the police. This must be done no later than ten working days before the event. There is a fee of £21.00. Each event covered by a TEN can last up to ninety-six hours and no more than twelve TENs can be given in respect of any particular premises in any one year. The total duration of the periods covered must not exceed fifteen days in that year. Any adult can issue a TEN, subject to a personal maximum of five in one year.

It is important to note that a TEN may be required for a church event held away from church premises which involves 'regulated entertainment' but is not for the 'purposes of or purposes incidental to religious services or meetings'. This may include, for example, pre-arranged carol singing in a town centre.

Further information on public entertainment licensing can be found at:

www.culture.gov.uk

The Licensing Act information line can be contacted on 020 7072 7447.

COPYRIGHT LICENSING

It is illegal to reproduce copyright lyrics - during the writer's lifetime and for 70 years after their death - without the permission or authority of the copyright owner (or appointed representative) or a copyright licence (should one be available). By copying without permission a church faces potential legal action and writers are deprived of their rightful income.

Your church requires a Church Copyright Licence (CCL) and a Music Reproduction Licence (MRL) to:

- project hymn and worship song words from an overhead acetate;
- store and retrieve hymns and worship songs from a computer;
- create your own service sheets that contain song words;
- photocopy music from authorised music publications;
- audio or video record music from your service for those who may not be able to attend.

Christian Copyright Licensing, who administer these licences, can be contacted at:

PO Box 1339
Eastbourne
East Sussex
BN21 4YF
Tel: 01323 436103
Email: info@ccli.co.uk
www.ccli.co.uk

The cost of the licence depends on the average attendance at your main church service. For attendance of 15-49 the cost is £78, for 50-99 it is £141 and for 100-249 it is £231. This cost is lower if you do not require the MRL licence that permits music photocopying.

Churches will need to complete a Copy Report (now available on CD) to be sent to CCLI at the end of the licensed year. This records which songs were reproduced, projected or recorded in a given licence period. CCLI use this information to distribute royalties to copyright holders.

OTHER COPYRIGHT PUBLICATIONS

The CCL and MRL licences cover the lyrics or music of hymns and worship songs. They do not cover material photocopied or reproduced from other copyright publications such as books (including Bibles) and magazines. For these a Copyright Licensing Agency (CLA) Church Licence would be required. The cost for church attendance of 16-49 is £26, for 50-99 is £47 and for 100-249 is £77. This is available from CCLI.

PLAYING COMMERCIAL SOUND RECORDINGS – PRS AND PPL LICENCES

You will require a Performing Rights Society (PRS) Church Licence if you play or permit the use of music for any purpose other than as part of an act of worship. This would include, for example, background music at coffee mornings, youth clubs or fetes, dances or film shows.

This PRS licence will also be required when a radio or television broadcast (live or recorded) is used on church premises. This is in addition to the ordinary television licence which is needed wherever a broadcast signal is being received. Television equipment on church premises that is not used to receive broadcasts does not require a television licence.

Changes to the law on copyright licensing mean that from 1 January 2012 any church that plays sound recordings, or has groups that use their premises during the week who play sound recordings, must also purchase a PPL (Public Performance Licence) Church Licence. Acts of worship are exempt.

The cost of a PPL Church Licence and a PRS Church Licence is as follows. These prices are for each licence, not for both:

Number of People in Congregation	Annual Licence Fee
1 – 14	£21.68
15 – 49	£32.44
50 – 99	£59.94
100 – 249	£98.17
250 – 499	£136.39
500 – 999	£180.64

Many churches will already have a PRS for Music Church Licence purchased through CCLI (Christian Copyright Licensing International). It is important to note that churches now need both a PRS for Music Church Licence and a new PPL Church Licence in order to play sound recordings; both are available from CCLI who are sending out information with churches' annual licence renewal reminders.

More detail can be found on the CCLI website here: <http://ccli.co.uk/pdfs/ppl-leaflet1.pdf>

VIDEO LICENCES

Christian Copyright Licensing act as agent for the Church Video Licence. This licence permits the showing of authorised films and film clips within church activities. For example it would cover video clips being shown as part of a sermon or films being shown for teaching or entertainment at children's groups. Its cost for church attendance of up to 49 people is £56, for 50-99 it is £112 and for 100-249 it is £138. Further information is available at www.cvli.co.uk.

CHURCH MUSIC RECORDINGS

The video recording of music at weddings is the responsibility of the wedding couple or professional videographer. A single use Wedding Video Recording Licence (WVRL) covering the recording of live music only from the wedding ceremony costs £17.63. Licences are available at www.videollicence.co.uk

CCLI, acting as agent to the Mechanical Copyright Protection Society (MCPS), also administer the Church Music Recording Licence for the recording of copyright music for limited sale and/or general distribution (ie fundraising purposes). These recordings can be made either live from church worship or in a professional recording studio. The smallest licence for a recording of 100 copies with up to 30 minutes of music costs £17.63. The biggest licence of 500 copies with up to 90 minutes of music per recording costs £70.50.

CHARITY STATUS

Occasional plays and other public entertainment organised for fund raising purposes will not affect the charitable status of a church. The position would be different, for example, if every Saturday evening there was a concert or other entertainment in order to raise funds for the church since this might be regarded as a trading activity.

Association Trust Company	Contact
Baptist Union Corporation Ltd	Baptist Union Corporation Ltd Baptist House PO Box 44 129 Broadway Didcot Oxfordshire OX11 8RT Telephone: 01235 517700
East Midlands Baptist Trust Company Ltd	The Baptist Union Corporation Ltd Baptist House PO Box 44 129 Broadway Didcot Oxfordshire OX11 8RT Telephone: 01235 517700
Heart of England Baptist Association	Heart of England Baptist Association BMS International Mission Centre 24 Weoley Park Road Selly Oak Birmingham B29 6QX Telephone: 0121 472 4986
London Baptist Property Board	London Baptist Association 235 Shaftesbury Avenue London WC2H 8EP Telephone: 020 7692 5592
North West Baptist Association	Baptist Union Corporation Ltd Baptist House PO Box 44 129 Broadway Didcot Oxfordshire OX11 8RT Telephone: 01235 517700
South West Baptist Trust Corporation	South West Baptist Trust Corporation Wonford Baptist Chapel 36-38 Wonford Street Exeter Devon EX2 5DL Telephone: 01392 433533
West of England Baptist Association	West of England Baptist Association The Old Forge Broom Hill Stapleton Bristol BS16 1DN Telephone: 0117 965 8828
Yorkshire Baptist Association	The Baptist Union Corporation Ltd Baptist House PO Box 44 129 Broadway Didcot Oxfordshire OX11 8RT Telephone: 01235 517700

As at Jan 2010

This is one of a series of *Guidelines* that are offered as a resource for Baptist ministers and churches. They have been prepared by the Baptist Union Corporation Limited and are, of necessity, intended only to give very general advice in relation to the topics covered. These guidelines should not be relied upon as a substitute for obtaining specific and more detailed advice in relation to a particular matter.

The staff at the Baptist Union Corporation, at Baptist House (or your regional Trust Company) will be very pleased to answer your queries and help in any way possible. It helps us to respond as efficiently as possible to the many churches in trust with us if you write to us and set out your enquiry as simply as possible.

The Baptist Union Corporation staff also deal with churches that are in trust with the East Midland Baptist Trust Company Limited, the North Western Baptist Association (Incorporated), and Yorkshire Baptist Association.

If your Holding Trustees are one of the other Baptist Trust Corporations you must contact your own Trust Corporation for further advice. A list of contact details has been included.

If you have private trustees they too should be consulted as appropriate.

Contact Address and Registered Office:

The Baptist Union Corporation Ltd, Baptist House, PO Box 44, 129 Broadway, Didcot, Oxfordshire OX11 8RT England

Telephone **01235 517700** facsimile **01235 517715** e-mail **buc.corp@baptist.org.uk** **DX 40852 Didcot**

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