

BILL NO 5

Explanatory Memorandum

The reproduction and use of the words and music of hymns, anthems and the like is subject to the laws on copyright. There is a moral and legal obligation on all parishes to comply with the copyright laws and to obtain the appropriate permission, paying the appropriate fee, from the copyright holder on any occasion on which they reproduce such material.

Alternatively they can hold a licence. Discussions have taken place with Church Copyright Licensing International (CCLI), which acts as a licensing agent for the greater part of the material commonly used in the Church of Ireland; they have agreed to grant a block license for the Church of Ireland as a whole. The Representative Church Body has agreed to purchase such a license annually subject to the cost being recouped from the dioceses. This bill defines the basis on which the fee for the license would be calculated and provides machinery for its recovery.

The license fee would be based on the number of worshipping congregations (Parishes or Grouped Parishes) rather than on individual church buildings as would be the current norm. A banding system related to the weekly attendances at the various parish units throughout the church would form the basis of the calculation of the block fee. Individual parishes would be responsible for making returns of the use of copyright material to CCLI as indeed they are now. The cost of the block license would be levied on the dioceses *pro rata* and they would recoup that cost from the parishes in whatever manner they chose. The number of worshipping congregations and the weekly attendance figures would be received triennially. The bill provides for the scheme to commence in January 2008. *Ad hoc* arrangements for parishes who wish to join early could be made, with refunds where appropriate.

There are a number of advantages to such a scheme.

First, for both the church at large and for individual parishes the problem of compliance with the copyright rules will be largely taken care of.

Second, there would be a significant cost saving. Based on current figures and practice the total license fees payable to CCLI could amount to a sum in excess of €250,000. The cost of the block license would be of the order of €140,000.

How that saving would impact on individual parishes would depend on the method used by the various dioceses to recoup the cost.

Finally, the amount of administration on a church wide and diocesan level will be kept to a minimum. Individual parishes will have to make returns for any hymns/songs uses but they are already bound to do that under existing rules.

The bill as drawn reflects the terms discussed with CCLI but it also provides for the possibility of making similar arrangements (based on worshipping congregations) with a new or different licensing agent should that become appropriate. It would be anticipated that assistance with the implementation of the scheme would be available to parishes in the period September 2007 and February 2008.

REV CANON PF PATTERSON
REV CANON RB ROUNTREE

(on behalf of the Standing Committee)

BILL

To provide for the better observance of requirements relating to copyright

WHEREAS it is expedient to make provision for the better observance of requirements relating to copyright in churches of the Church of Ireland

AND WHEREAS for that purpose the Representative Body has agreed to purchase annually a licence or licences authorising the use in all churches (or cathedral churches) in the Church of Ireland of musical and poetic works.

AND WHEREAS it is desirable that the cost of such licence or licences be recovered from the various dioceses

BE IT ENACTED by the Archbishops and Bishops and the Clergy and Laity of the Church of Ireland in General Synod assembled in Kilkenny in the year 2007, and by the authority of the same as follows:

- 1 (i) From 1st January 2008 each diocese shall contribute towards the cost of the said licence or licences a sum in respect of each cure, including vacant cures, in each such diocese as at the preceding 30th June calculated according to such formula, based on the usual weekly attendance in the cure, or such other basis as may seem to the Standing Committee appropriate, as the Standing Committee may from time to time, with the consent of the Representative Body, adopt
- (ii) The number of cures in each diocese shall be agreed between the Representative Body and the diocesan council. In the event of disagreement between the Representative Body and the diocesan council as to the number of cures in any diocese, such shall be determined by the decision of the archbishop of the province in which such diocese is situated.
2. Each diocese shall collect and obtain and, if so requested by the Representative Body, provide such information as may be reasonably required to calculate the sum referred to in clause 1(i) hereof.
3. Contributions shall be payable quarterly in arrears by each diocesan council on 31 March, 30 June, 30th September and 31 December each year or in such other manner as the Representative Body may approve.
4. Each diocesan council shall be at liberty to recover in whole or in part the contribution so charged by direct assessment on the individual parishes, unions or groups of parishes, or churches, within its jurisdiction in whatever manner it deems appropriate.
5. For the purposes of this Statute the term 'cure' shall have the same general meaning as contained in Chapter IV of the Constitution of the Church of Ireland, and shall include:
 - (a) A parish, union or group of parishes under the care of an incumbent appointed under Part III of Chapter IV;

- (b) A parish, union or group of parishes under the care of a bishop's curate appointed under section 42 of Chapter IV;
- (c) A parish, union or group of parishes assigned to the immediate care of a vicar appointed under Part X of Chapter IV;
- (d) A parish, union or group of parishes in respect of which a certificate has been issued by the Representative Body under section 52 of Chapter IV;
- (e) A "light-duty parish" as defined by section 62 of Chapter IV;
- (f) A cathedral which is non-parochial.