

**CANADIAN CONFERENCE OF CATHOLIC BISHOPS
PUBLICATIONS SERVICE**



RIGHTS AND PERMISSIONS POLICY

Last updated October 2010

Rights and Permissions Policy, copyright © Concacan Inc., 2010. All rights reserved.

CCCB Publications Service
CANADIAN CONFERENCE OF CATHOLIC BISHOPS
2500 Don Reid Drive
Ottawa, ON K1H 2J2
cccpublications.ca

TABLE OF CONTENTS

INTRODUCTION	4
What is Copyright?	4
<i>Works protected by copyright</i>	4
<i>Duration of copyright protection</i>	4
<i>Infringement and exceptions</i>	5
<i>Public Domain</i>	5
<i>Moral rights</i>	5
<i>Electronic Rights</i>	5
<i>Mechanical reproduction and licence</i>	5
<i>Collective societies and licensing agencies</i>	5
How to obtain permission?	6
<i>Rituals</i>	6
<i>Lectionaries</i>	6
<i>Hymnals</i>	6
<i>School programs</i>	7
<i>Vatican Documents</i>	7
<i>All other print documents</i>	7
Guidelines for obtaining permission	8
<i>Reprint rights</i>	8
<i>Electronic rights</i>	8
<i>Other rights</i>	9
<i>Permission fees and royalties</i>	9
FAQ's	9
Useful contacts	11
Resources	12

INTRODUCTION

The Publications Service of the Canadian Conference of Catholic Bishops is proud to provide Canadian Catholics with catechetical and liturgical resources. We are happy to share our material with clients and other publishers.

In this Rights and Permissions Policy booklet, authors, publishers and clients will find information on copyright and its applications as well as the necessary tools to request permission to reproduce some of CCCB's material.

This Policy is not intended to act as a substitute for legal advice, and proper legal advice should be obtained when necessary.

What is Copyright?

Copyright literally means the "right to copy", and like its French terminology counterpart, *le droit d'auteur*, it also includes a number of other rights exclusive to the author, such as moral rights. The Canadian Copyright Act defines copyright in works as being "the sole right to produce or reproduce the work or any substantial part thereof in any material form whatever". Among others, it includes the sole right to translate a work. Copyright preserves the integrity of a work, and ensures that artists, authors, and composers receive the means to continue their work.

Works protected by copyright

Every original literary, dramatic, musical and artistic work is protected by copyright as soon as it is physically created.

- a) a "literary work" includes various translations of the Bible, as well as prayers and any other liturgical texts;
- b) a "musical work" may be protected by multiple copyrights for the lyrics, the music, the recording and the publishing;
- c) "artistic works" such as paintings, photographs, sculptures, and even architecture are also protected by copyright. If you wish to reproduce the picture of a painting, you will most likely need to obtain permission from the artist of the painting, and the photographer of the picture.

Duration of copyright protection

In general, in Canada, copyright protection subsists for the duration of the life of the author, and a period of fifty (50) years after his death.

Infringement and exceptions

Infringement occurs when a person reproduces a copyrighted work, in any manner and under any form, without the permission of the copyright owner. Ignorance of the law, good faith, and even having no motive of gain are not excuses.

There are however exceptions to infringement provided by the “fair dealing” clause of the *Copyright Act*. Under fair dealing, a person may reproduce a work for the purpose 1) of research or private study; 2) of criticism and review, provided the source is properly acknowledged; 3) of news reporting, again provided that the source is properly acknowledged. Other exceptions may apply to education institutions, libraries, archives and museums. For further details, please consult the *Copyright Act* (laws.justice.gc.ca), or the copyright resource person of your establishment.

Public Domain

Public domain is the state of a work after the expiration of copyright protection (in Canada, 50 years after the death of the author). When in public domain, a work may be reproduced without permission, but an acknowledgement of the source should always be provided.

Moral rights

Moral rights insure the integrity of the author’s work, and the right to be recognized as the author or remain anonymous.

Electronic Rights

Electronic rights represent the right to reproduce the work in an electronic format, be it on the internet, on an intranet website, on CD, DVD, e-book format, or any other platform that may be developed in the future.

Mechanical reproduction and licence

A mechanical licence grants a person the right to reproduce an audio recording, such as music, on CDs, records, tapes, and sometimes on the web.

Collective societies and licensing agencies

Collective societies generally administer the copyrights and royalties of a group of copyright owners. They grant usage of the works by means of licences in exchange for a royalty fee. There are a number of collective societies in Canada and abroad. For a list of Canadian Collective Societies, visit: cb-cda.ga.ca.

How to obtain permission?

The Publications Service of the Canadian Conference of Catholic Bishops publishes an array of documents for which copyrights are handled differently. Please refer to the section that interests you to learn more about its reproduction rights.

Rituals

Canadian rituals use the translations of the International Committee of English in the Liturgy (ICEL) approved by the Canadian Conference of Catholic Bishops. Canadian adaptations have been included in most rituals. If you wish to reproduce excerpts of a ritual, please send us your request following the guidelines below. Our copyright officer will verify that the texts are in conformity, and will indicate if an additional permission from ICEL is necessary. For more information on ICEL, please visit: icelweb.org.

Lectionaries

The Canadian Lectionary uses the New Revised Standard Version of the Bible owned by the National Council of Churches (NCC) with Canadian adaptations. To reproduce excerpts from the Lectionary, please send your request following the guidelines below. Our copyright officer will assess your request and see if a contract should be established between all parties. For more info on the NCC, please visit: nccusa.org.

Hymnals

Although the Canadian Conference of Catholic Bishops (CCCB) publishes the *Catholic Book of Worship III (CBW III)* series, we do not own every song reproduced in the hymnals. We obtained permission to reproduce the songs from each copyright owner, and we pay them royalties every year for the use of their compositions. Consequently, the copyrights for most of the hymns remain with the original authors, composers or publishers. Only they, or an affiliated licensing agency, can grant reproduction permissions.

However, the CCCB does own some of the songs reproduced in *CBW III*. You will find a [list of songs owned by the CCCB](#) on pages *vi* and *vii* of the *CBW III* choir or pew edition under "CCCB" and "Copyrights assigned to the Canadian Conference of Catholic Bishops." Please note that in some instances, only the words or music, or part of the words or music, are under CCCB's copyright. You should refer to your hymnal to see if other authors or composers own parts of the same song.

To figure out who owns the copyright for a song, check the copyright notice at the bottom of the page. If no notice is given, check pages *vi* and *vii* of the *CBW III* choir or pew edition.

You can get permission to reproduce the hymns in *Catholic Book of Worship III (CBW III)* through either the copyright owners (author/composer/publisher) or an affiliated licensing agency (like OneLicense.net, LicenSingOnline.org or CCLI).

The permissions department of the CCCB Publications Service can help you locate the copyright owners of the hymns you wish to reproduce. You can e-mail or fax a list of the song titles and numbers to permissions@cccb.ca or (613) 241-5090.

For more information, please visit our [FAQ](#) on copyrights in *CBW III*.

School programs

CCCB Publications Service is an affiliated publisher of Access Copyright. Any school board, school, or other organization that wishes to reproduce CCCB's material may do so under the terms of their licence. If you wish to know more about Access Copyright and its services please visit: accesscopyright.ca.

You may also send a request directly to the Permissions department of the CCCB Publications Service following the guidelines below.

Vatican Documents

The CCCB has exclusive rights in Canada to publish Vatican documents. These titles include, but are not limited to the *Catechism of the Catholic Church*, *Compendium of the Catechism of the Catholic Church*, *Compendium of the Social Doctrine of the Church*, and new encyclicals. If you wish to reproduce excerpts from these publications in Canada, please contact the Permissions department of the CCCB Publications Service following the guidelines below.

If your publication will be distributed outside Canada, you should contact the Libreria Editrice Vaticana directly. For more information on the Vatican's publications policy, please visit: cccbpublications.ca.

All other print documents

For all other print documents, please send your request to CCCB Publications Service's copyright officer following the guidelines below.

Guidelines for obtaining permission

All requests should be submitted in writing via email, fax, or regular mail at least 4 weeks before publication.

Reprint rights

When submitting a request for print material, please include:

- Title of your publication
- Author, publisher
- Date of publication
- Number of pages
- Print run
- Selling price (if any)
- Language
- Territory of distribution
- Colour or Black/White reproduction

- Title of CCCB's publication (book or article)
- ISBN or ISSN number
- Pages where the excerpt can be found
- Number of pages or lines occupied by our material

Please submit any other information on your project, like the purpose of your publication, or if you plan on adapting any part of the material.

Electronic rights

To obtain permission to reproduce CCCB's material on your website or in electronic format, please include:

- Title of CCCB's publication (book or article)
- ISBN or ISSN number
- Pages where the excerpt can be found
- Number of lines occupied by our material

- The address of your website
- The amount of time it will be posted on your website
- The format
- If it will be password protected
- In what section of your website the material will be posted
- If it will be downloadable or purchased online, and if so the price
- If you need electronic files from CCCB Publications

Other rights

To be granted any other rights, including mechanical and translation rights, please contact the CCCB Publications copyrights office.

Permission fees and royalties

Upon request, one-time, non-exclusive and free of charge permissions are granted to parishes, dioceses and not for profit organizations that distribute their publication without charge, provided they include the copyright acknowledgement and do not use our material for marketing or advertising.

If the publication is to be sold, a royalty fee is calculated based on the prorated share of material used, and a contract stipulating the terms of the usage is signed. Depending on the amount of material used, a flat fee may be charged.

Please note that in all cases, a fee is requested for the preparation and transfer of electronic files.

FAQ's

Why do I need permission to reproduce songs that will be used at my church?

You need permission to reproduce songs, even if they are to be used in a religious and non-commercial setting, because it's the law. Copyright laws exist to ensure that the authors and composers who provide great music for parishes are justly compensated for their work. By compensating these artists, you also encourage and support the creation and publication of new works in the future.

Do I need permission to reproduce hymns every time I make a booklet for a special occasion (e.g., weddings, funerals, retreats, etc.)?

Yes. You need permission every time you produce copies of the songs. If your parish is contacting the copyright holder directly, and you foresee using a particular hymn on several occasions, you may want to ask permission to use the song over an extended period (e.g., four months to cover the wedding season, one year for funerals, two months for Lent or Advent, etc.).

If you already have a license, verify that it covers these events. Then report the usage of the hymns as indicated in your license.

My parish bought the Catholic Book of Worship III pew edition for all the parishioners at my church. Does this grant us permission to reprint hymns in a booklet or on an overhead?

No. Purchasing numerous copies of a hymnal doesn't automatically grant you permission to reproduce songs in another format. If you want to reproduce a song on the overhead or in a booklet, you need permission from the [copyright holder](#) or an [affiliated licensing agency](#).

Is the Bible copyrighted?

The different translations of the Bible are copyrighted, although some translations are now in the public domain. When reproducing excerpts from a Bible, identify the version you are using and visit the publisher's website. In some cases, the copyright owner of the translation will allow people to reproduce up to 500 verses without a written permission.

Are prayers copyrighted?

Prayers certainly represent a grey area in copyright law. People copy prayers in booklets, on their website, in chain letters, emails, without asking permission or acknowledging any source. Often people believe that it is the purpose of a prayer to be shared. Even if some traditional prayers are in the public domain, or some authors of prayers wave their rights to be recognized as the author, new prayers and translations are still copyrighted. The wide diffusion and the lack of acknowledgment make it sometimes challenging to locate the copyright owners of prayers. However, when reproducing a prayer, you should make every effort to retrace the copyright owner or the source and request permission if necessary.

If a book is out of print, can we reproduce it?

Although a book is out of print, it does not mean it is in the public domain. You still need permission from the copyright owner to reproduce it. Copyrights to out of print books often revert back to the authors. If you do not have their contact information, you should contact the publisher.

Useful contacts

Permissions – CCCB Publications Service

2500 Don Reid Drive
Ottawa, ON K1H 2J2
Tel: 613-241-9461 x 118
Fax: 613-241-5090
Web: cccbpublications.ca
Email: permissions@cccb.ca

LicenSingOnline.org

licensingonline.org
Wood Lake Books
9590 Jim Bailey Road
Kelowna, BC V4V 1R1 Canada
Tel: 800-663-2775
Fax: 888-841-9991
Web: woodlakebooks.com
Email: woodlake@licensingonline.org

OneLicense.net

7343 S. Mason Ave.
Chicago, IL 60638
Tel: 1-800-ONE-1501 (1-800-663-1501)
Tel: 708-458-5900
Fax: 708-458-4940
Web: onelicense.net

CCLI

17201 NE Sacramento Street
Portland, OR 97230 USA
Tel: (503) 257-2230
Tel: 1 (800) 234-2446
Fax: (503) 257-2244
Web: ccli.com
Email: support@ccli.com

ICEL

1100 Connecticut Avenue, NW, Suite 710
Washington, DC 20036-4101
Tel: (202) 347-0800
Fax: (202) 347-1839
Web: icelweb.org
Email: ICEL@eLiturgy.org
Email: permission@eliturgy.org

NRSV

Web: nccusa.org/newbtu/permmiss.html

Resources

Books

A Guide to Copyrights (Canadian Intellectual Property Office, 2005)

Canadian Copyright Law, Third Edition (Lesley Ellen Harris, McGraw-Hill, 2001)

Musicians and the Law in Canada, second edition (Paul Sanderson, Carswell, 1992)

The Annotated Copyright Act (Thompson-Carswell, yearly)

Newsletters

LEH-Letter: Copyright, New Media Law and E-Commerce News (Lesley Ellen Harris)

Wipo Magazine (World Intellectual Property Organization)

Websites

Access Copyright (accesscopyright.ca)

Canadian Conference of Catholic Bishops – FAQ's on copyrights for CBW III (cccpublications.ca/CCCB_HTM/faq_cbw3.html#FAQ3A)

Canadian Heritage – Copyright Policy Branch (pch.gc.ca)

CIPO: Canadian Intellectual Property Office (cipo.ic.gc.ca)

CMRRA: The Canadian Musical Reproduction Rights Agency Ltd. (cmrra.ca)

Copyright Board of Canada (cb-cda.gc.ca)

Department of Justice Canada (laws.justice.gc.ca)

SOCAN: Society of Composers, Authors and Music Publishers of Canada (socan.ca)

SODRAC: Society for reproduction rights of authors, composers and publishers in Canada (sodrac.ca)

This policy has been most recently updated on October 2010.