

Copyright and Media Licencing Policy

Created Author/Date	Reviewed/Updated Author/Date	Approved by Exec. Comte/Date	Next Review Date
AS (?) June 2019	LS 1 July 2023	3/10/23	Sept 2025

1. Purpose

To ensure materials are used by Bristol u3a groups in accordance with UK copyright law.

2. What is Copyright?

Copyright is an area of law that confers rights on the owners of an original literary, dramatic, musical or artistic work, sound recording or film, allowing them to control:

- Copying and distributing copies of it, either free of charge or for sale.
- Renting or lending it to the public.
- Communicating it to the public, including making it available via the internet.
- Performing it in public, including performing a play, reading a speech or holding an exhibition.
- Adapting it; for example, translating it.

Copyright arises automatically when a work that qualifies for protection is created and committed to paper or another fixed form; it does not need to be registered and the creator does not have to be a professional for their original work to be protected; for example, a photograph by a u3a member can be protected by copyright.

Copyright in the UK is governed by the Copyright, Designs and Patents Act 1988 – there is comprehensive and current copyright information at

<https://www.gov.uk/copyright>

3. Relevance of Copyright Law to u3a Groups

Copyright protects the output of many u3a interest groups, e.g. craft-based groups, photography, creative writing groups etc, but other groups will want to use materials already created by someone else, e.g. photos, writings, pictures etc, to distribute to interest group members as part of their sessions.

There are only 4 circumstances in which the work owned by others can be used:

- Copyright in the work has expired, meaning that the work has entered the public domain and can be freely used or exploited by anyone.

- The copyright holder has given permission for the use or exploitation of their work, e.g. has responded to you directly giving permission or has already given a general approval via a public copyright licence such as a Creative Commons (CC) licence. CC is a non-profit organisation, which provides free licences that creators can use to make their work available to the public. There is a listing and explanation of the different types of licence at: <https://creativecommons.org/about/cclicences> and you can search for content to use at: <https://search.creativecommons.org/> .
- The use falls under one of the copyright exceptions in the Copyright, Designs and Patents Act 1988. There are three copyright exceptions which are of particular relevance to u3a groups:
 - Fair dealing - using a work for the sole purpose of illustration or instruction for a non-commercial purpose and accompanied by a sufficient acknowledgement (where this is possible).
 - Performing a literary, dramatic or music work before an audience consisting of teachers and pupils at an educational establishment. The performance must be carried out either by a teacher or a pupil, or by any other person for the purposes of instruction.
 - Playing or showing a sound recording, film or broadcast before an audience consisting of teachers and pupils at an educational establishment for the purposes of instruction.
- The relevant work and use is covered by a licensing scheme that the u3a and/or the Third Age Trust and/or the relevant venue has subscribed to – see below.

4. Bristol u3a Copyright Licences

4.1 Literary works – Copyright Licencing Agency (CLA)

Bristol u3a purchases an annual CLA licence at a special price via the Third Age Trust. This licence allows multiple photocopies from **books, journals and magazines**. Extracts can be up to 5% or a Chapter. **It does not allow multiple copies of maps, charts, newspapers or sheet music** .

4.2 Music – Phonographic Performance Ltd and the Performing Rights Society

These organisations, now merged as PPL/PRS, represent composers, session musicians and emerging artists to major record labels as well as globally successful performers and publishers of music . All of these parties need to benefit from their work and revenue is collected under various schemes for distribution.

In normal circumstances the purchaser of a music CD etc is only given the right to play that recording in a “family environment”. The Third Age Trust purchases an annual Music Licence issued by PPL/PRS which gives members of all participating u3a groups permission to play recorded music in public as part of their interest/activity groups.

NB It is the **responsibility of the venue** to have the PRS cover and not the u3a group.

4.3 DVDs/Videos – Motion Picture Licensing Corporation (MPLC) and Filmbank

The Third Age Trust purchases an annual licence for all the production companies covered by MPLC which allows you to show films outside your homes for both educational and entertainment purposes. You can find out if a film you want to screen is licensed by MPLC via the website (www.themplc.co.uk) or by contacting MPLC direct - their phone no. is 01323 649647 and you will need to quote the Third Age Trust Customer Number, which is 78226.

Many films not covered by MPLC are covered by Filmbank – a Filmbank annual Public Video Screening Licence is purchased from Filmbankmedia, by the u3a. You can find out if a film is licensed by Filmbank via the website (www.filmbankmedia.com)

If a film is not covered by MPLC or Filmbank, we either must not show the film OR we must buy a licence from the current UK distributor, which can be found via the British Board of Film Classification website (bbfc.co.uk).

4.4 Printed Sheet Music – Music Publishing Association (MPA)

Copying a musical work that is in copyright without permission is an infringement. We can however make use of a **Fair Dealing Exceptions** clause to allow copy of **limited** extracts of a copyright work for the use of non-commercial work or private study. It is considered to be “fair dealing” if you are not making any commercial gain. As part of any reproduction of the work **you must give sufficient copyright acknowledgement.**

5. Summary

U3a members should only use the work of others if it is legally permissible. If you wish to use the work of others, you must determine who owns the copyright and whether you need to seek their permission.

Illegal or unauthorised use of copyright material has led to u3a groups in the UK facing threats of court action and requests to pay substantial damages for copyright infringement. The easy availability of materials on the internet can make it appear that a work is in the public domain and can be used free of charge. This is a misconception and many copyright owners systematically monitor different media,

including the internet, for copyright infringement. Breach of copyright is not covered by the insurance provided by the Third Age Trust.

Further information can be found on the Third Age Trust website in “Support for u3as” / “Advice and Guidance” / “Document Categories” / “Legal” / “Copyright and Licences”.