

EARLY CHILDHOOD EDUCATION COPYRIGHT LICENCE

The copyright licence is designed to cover early childhood education and care providers across Australia to use copyright-protected creative materials in certain ways beyond what is allowed for in the *Copyright Act 1968*.

Below are some frequently asked questions about the licence and how it might work in your service.

Why do I need the licence?

You will need the licence if you:

Use of Materials	Some Examples of Use
Play music – both live or recorded – at your facility	<ul style="list-style-type: none"> During nap time, dancing, relaxation time, as part of a game, at working bees, fêtes, third party concerts, or as part of DVDs and movies.
Play music on your telephone hold system or in staff areas	<ul style="list-style-type: none"> Having a CD, iPod, radio or TV playing in an administration area or staff room. Play or perform (or have a third party performance) at a staff or service Christmas party.
Copy CDs or digital downloads to use at your facility	<ul style="list-style-type: none"> Downloading an album from iTunes and burning it to a CD to keep in each room at the Centre. Putting a downloaded album on the server for all educators to access. Copying your CD library to keep back-up copies. Copying your CD library into digital formats for use on educator iPods.
Make video recordings that contain music	<ul style="list-style-type: none"> Making a video recording of an event – such as a fête or working bee – where music might be captured playing in the background. Making a slideshow of photos from ‘Storybook Day’ at the Centre and putting music behind it in order to provide to families as a memento of the day.
Copy portions of books, artwork, pictures or other materials that won’t unreasonably prejudice the work	<ul style="list-style-type: none"> Photocopying pictures from the children’s favourite storybooks to put up on the wall during ‘Storybook Day’. Printing pictures and photos of different kinds of animals to make a collage with the children. Copying or scanning maps, photos, drawings, pictures, artworks, books, poems, song lyrics and other kinds of materials to share with the children and other services.
Share your materials with other facilities	<ul style="list-style-type: none"> Scanning and emailing a magazine article on early childhood education to other licensed services. Uploading a folder of useful workbook snippets to a password protected server for use by other licensed services. Housing copyright materials on a password protected intranet system for licensed ‘franchisees’ to access for use in their service.

Aren't I already covered to do those things for educational purposes?

The *Copyright Act* covers only very limited use of materials by educational institutions where tuition is given for no profit. For example it covers non-profit educational institutions to use certain kinds of copyright material strictly for pure educational instruction, such as the performance of music in the classroom for specified educational instruction.

If you are using creative content outside what the *Copyright Act* allows you to do (for example if you are a for-profit provider) then you need to have licensing in place to cover you for this.



What doesn't the licence cover me to do?

The licence does have some limitations, including:

Use of Materials Not Covered	Some Examples of Uses Not Covered
Sharing music and videos on the internet	<ul style="list-style-type: none"> • Uploading videos containing music, such as slideshows to the internet – including YouTube and Facebook – for families or the public to view.
Copying more than a reasonable portion of a work (usually no more than 10% or one chapter)	<ul style="list-style-type: none"> • From a book or a collection of poems, articles, illustrations, drawing, photos or other kinds of artistic and literary works.
Using music or other kinds of works in any advertising or marketing	<ul style="list-style-type: none"> • In radio, TV or internet advertising. • As a DVD in a 'prospective parent package' designed to encourage enrolment.
Using music at events where admission fees are charged	<ul style="list-style-type: none"> • Third party events that the children and staff are charged to attend. • Facility professional development days where admission fees are charged.
Making a profit from the sale of any materials used under the licence	<ul style="list-style-type: none"> • Selling the DVD slideshows to parents for more than cost recovery purposes. • Selling copied recordings to other licensed facilities for profit. • Selling copied literary and artistic works to other facilities or to families.

How much does it cost?

The cost is an annual fee per approved place at your facility. Approved places are the number of children you are licensed to have on the premises on any given day, not the number of children that are enrolled. Check the ECA website for up-to-date-fees.

What information do you need from me each year?

All we need to know is what your facility is called (including your trading name and address) and how many approved places you are licensed for in that financial year. We will also need to know whether you are an ECA member or not. (You don't have to be a member to apply for the licence through the ECA website though.)

What do you do with this information?

We will only use it to calculate the licence fee you need to pay for that year based on your approved places.

How long does the licence last?

The licence will cover you for 12 months from the date you purchase it online. When that 12 month period is coming close to an end, we will send you a renewal notice for the upcoming year.

What do you do with the money I pay?

The money you pay in licence fees goes back to the creators of the works you use in the form of royalty payments. The money is distributed to composers, songwriters, lyricists, performers, authors, poets, playwrights, artists, photographers, topographers and all sorts of creative artists. For many creators, these royalty streams are an important part of their income that allow them to continue creating the wonderful content used by your service.



Which organisations are part of this licence?

There are six different organisations who are licensing these rights. They are:

- **Australasian Performing Right Association** representing composers, songwriters and publishers
- **Australasian Mechanical Copyright Owners Society** representing composers, songwriters and publishers
- **Australian Recording Industry Association** representing sound recording rights owners and record labels
- **Phonographic Performance Company of Australia** representing sound recording rights owners and record labels
- **Copyright Agency Limited** representing authors and creators of literary works
- **Viscopy** representing visual artists



COPYRIGHT AGENCY

viscopy



Early Childhood Australia
A voice for young children