**The copyright of Church Records – an explanation**

Church Records are written and photographed by volunteers. By law, the copyright of all a Church Recorder creates belongs to the Recorder. This involves many people.

To rationalise the situation, every Recorder Member of the Church Recording Society has assigned the copyright to Church Recording Society, enabling Church Records to be managed for the benefit of the church, the community and the Church Recording project.

Church Recording Society’s policy is to facilitate maximum use of Church Records consistent with the wishes of the church. Also, the assignment empowers Church Recording Society to take action if there is misuse.

Whilst some use of a Church Record requires Church Recording Society’s permission, Church Recording Society has published a General Licence listing uses of the copyright material without the need to apply for permission. The General Licence is below. Key points of it are:

1. The church must be happy with the proposed use;
2. The church should have full non-commercial use and reasonable commercial use for its benefit, whilst needing permission, is considered favourably;
3. The creator of the copyright material has limited rights to use it; and
4. Some reports and other material have been obtained from outside sources. Church Recording Society cannot licence the reproduction of those.

For further information contact chairman@churchrecordingsociety.org.uk

**General Licence to use copyright material in a Church Record.** November 2021

This applies where the copyright of the text, drawings and photographs is owned by Church Recording Society (CRS)(note 1.). Changes to this Licence will be published on the CRS website.

The objectives are:

1. To control and to restrict access to information about artefacts which the recorded church wishes to be confidential;
2. To promote knowledge of and the legitimate use of the material in a Record;
3. To take into account the sensitivities and moral rights of the Recorders in respect of their contributions to the Record. For example, some Recorders give presentations and write articles using Church Record extracts;
4. To control commercial use, encouraging legitimate use for the church whilst restricting inappropriate use;
5. To prevent infringement and misuse.

Normally, permission is required for copying, reproduction or publication of text, drawings or photographs from a Church Record(note2.). To encourage knowledge and use of Church Records, CRS licences use of extracts from a Church Record, without an application for permission in the following circumstances and subject to the following conditions:

Circumstances

Non-commercial use of text, drawings or photographs (consistent with any restrictions agreed with the church):

1. by the recorded church for its purposes and benefit. The church is asked to liaise with the Church Recording Group Leader to check that CRS owns the copyright and that any sensitivities and acknowledgements are dealt with;
2. by the Church Recorder who has created the text, drawing or photograph in their writing, a talk, a presentation or a display. Where material is the work of more than one Church Recorder, use by any of them is permitted, if the traceable others have agreed.
3. Use in promotional or educational material by CRS, the Group’s sponsoring Society and by the Church Recording Group itself;
4. Reporting of finds to the national and local organisations currently on the approved list published on the churchrecordingsociety.org.uk website;
5. The sending of copyright material to an expert to obtain a report for the Church Record;
6. By local and national church authotities in dealing with the care and promotion of the recorded church; and
7. by a local body such as a local history society or a community website, as permitted by the church.

Conditions

1. The fact that use is by permission of CRS should be acknowledged and any copy or reproduction (including digital) must be marked “© Church Recording Society”;
2. Every contributor to a Church Record retains the moral rights in their work. They are entitled to have their authorship acknowledged;
3. The intending user should consult the Group Leader who might say that the church or the author should be consulted or informed. If so, that must be done before use;
4. If there is any doubt, CRS should be consulted;
5. The licence is for the legitimate use of extracts from the Church Record, but not for the copying or reproduction of the whole or a whole Section of a Church Record.

*Note 1.* Records may include things not created by the Church Recording Group, such as expert’s reports, photographs supplied on licence and architect’s plans. The copyright does not belong to CRS. Permission of the owner of the copyright is essential;

*Note 2.* The copyright legislation applying in most of the UK permits limited use, without permission being required, of extracts from copyright material for non-commercial private study and research, reviews, teaching and similar activities. It is called “fair dealing”.