



You may wish to:

.....

- share the information in this package with others in your school—such as music and other teachers, Student Council sponsor teachers, members of the Student Council and members of the Parent Advisory Council—who arrange events at the school that use music both within and outside of the educational program;
- post the enclosed reference chart, so that teachers, students and parents can refer to it when they have a question about whether or not the use of music in particular instances is permitted payment-free under either the *Copyright Act* exemption or the SOCAN/ERAC agreement;
- refer to the SOCAN website www.socan.ca for information about obtaining a SOCAN performing rights licence, if your school does need to pay a licensing fee for a specific public performance of music; and
- refer to *Copyright Matters!*, an on-line booklet prepared for educators by the Council of Ministers of Education—Canada (CMEC), and located on ERAC’s website, for information about music copyright issues beyond public performance, such as duplication or distribution of music.

The ERAC/SOCAN licence does not authorize all public performances of music in your school. There are at least two unlicensed situations where you will need to ensure that the copyright authorization is obtained prior to the public performance. Two of these situations are:

1. public performances of musical works that take place during concerts or other shows (including comedy shows or magic shows) where the live performers are not students, teachers or other personnel from the school; and
2. public performances of musical works that take place on the school’s premises or in the school’s rooms or halls that have been rented or loaned to a third party, other than the school’s students.

In either situation, schools are strongly advised to ensure that one of the following clauses is agreed to in writing *before* any music is publicly performed on your school’s premises.

Facility Rental Agreement

.....

It is agreed that obtaining copyright authorization for public performances of musical works that take place on the school’s premises or in the school’s rooms or halls that have been rented or loaned to a third party, other than the school’s students, is the responsibility of the person or entity renting or being loaned the school’s premises.

Outside Performer Contract

.....

It is agreed that the performer(s) is responsible for obtaining copyright authorization for the public performance of musical works during concerts or other shows (including comedy shows or magic shows), where the live performers are not students, teachers or other personnel from the school.