**Schools Music Licence**

**Updated 7 April 2022**

Schools have entered into a Schools Music Licence, which allows schools to copy and share [musical works](https://smartcopying.edu.au/glossary/musical-works/) and [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) in certain circumstances. All government and most Catholic and independent schools, are covered by the Schools Music Licence. You can check whether you are covered by the music agreements by [contacting your school authority](https://smartcopying.edu.au/contact-us/).

**Performing** [**musical works**](https://smartcopying.edu.au/glossary/musical-works/) **live or playing** [**sound recordings**](https://smartcopying.edu.au/glossary/sound-recordings/)

The Schools Music Licence, together with an exception under section 106(1)(b) of the Copyright Act and an interim agreement with [PPCA](https://smartcopying.edu.au/glossary/ppca-phonographic-performance-company-of-australia-limited/) , allow schools to perform [musical works](https://smartcopying.edu.au/glossary/musical-works/) live and play [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) for a range of purposes that a school undertakes as part of its usual activities (eg providing educational or religious services for staff, students and members of the school community as part of normal school activities, engaging with members of the school community, promoting students work and [school events](https://smartcopying.edu.au/glossary/school-events/) such as school concerts, dances or formals, sports days and fairs).

Schools can charge admission fees to performances of music as long as the proceeds from the fees mostly go to the school or a registered charity.

Schools can perform some songs from a musical, but, to perform an entire musical, schools cannot rely on the Schools Music Licence and will need to obtain permission from the copyright owner of the musical.

If a secondary school is performing music in a [dramatic context](https://smartcopying.edu.au/glossary/dramatic-context/) (eg a performance where there is a storyline, characters or a ballet) it cannot charge admission and advertise the event outside the school community.

The licence does not allow schools to perform [musical works](https://smartcopying.edu.au/glossary/musical-works/) and play [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) for [commercial activities](https://smartcopying.edu.au/glossary/commercial-activity/).

**Copying sheet music**

The Schools Music Licence allows schools to make multiple copies of sheet music for [educational purposes](https://smartcopying.edu.au/glossary/educational-purpose/), including delivering school music lessons and ensemble programs, provided they do not make more copies than reasonably required for the relevant [school purpose](https://smartcopying.edu.au/glossary/school-purpose/). The licence tops up the rights that schools have to copy sheet music under the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/the-statutory-text-and-artistic-works-licence/).

Under the Schools Music Licence, schools can:

* photocopy hardcopy sheet music
* make digital copies of print sheet music (ie scan to digital format)
* print copies of digital sheet music
* email PDF versions of digital sheet music
* upload copies of sheet music to a password protected or restricted access [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/).

Schools should not undertake ‘just-in-case’ copying, such as digitising entire collections of print sheet music.

Schools can make as many copies of print or digital sheet music that the school considers is reasonably required for a relevant [school purpose](https://smartcopying.edu.au/glossary/school-purpose/). However, the copies must be made from an original copy of the sheet music that the school or a teacher at the school owns. What this means is that the school first needs to purchase of a copy of the sheet music from an authorised publisher before they make any copies.

There are some other limits on the copies of sheet music that Schools can make under the School Music Licence. For example, a school:

* can only copy up to three songs from a [Grand Right Work](https://smartcopying.edu.au/glossary/grand-right-works/) (eg words and music that has been written expressly for an opera, operetta, musical play, revue or pantomime), but it can make as many copies as it needs of the sheet music for each of those three songs. So, it could make copies of the sheet music for three songs from ‘Matilda the Musical’ for its students to sing. However, if a school wants to rehearse or perform an entire musical, it needs to obtain permission from the copyright owner of the musical
* can only copy a [choral work](https://smartcopying.edu.au/glossary/choral-work/) that is longer than 20 minutes where the public performance of the [choral work](https://smartcopying.edu.au/glossary/choral-work/) is validly licensed (e.g. the School has a obtained a licence to perform the [choral work](https://smartcopying.edu.au/glossary/choral-work/))
* cannot make copies of sheet music for students’ private music tuition.
* cannot make copies of sheet music where the lyrics have been changed or the music has been adapted.

The Schools Music Licence also extends to departments and administrative bodies making copies of sheet music in order to:

* deliver music lessons to students on behalf of a school (provided such lessons do not constitute private tuition)
* for use in ensemble programs that are organised by the administrative body or department and connected with the school.

The department or administrative body may only make copies of an original version of the sheet music (i.e. an original published copy of the sheet music owned by the administrative body on behalf of each school for which it is making copies).

**Marking hardcopy and digital copies of sheet music**

Under the Schools Music Licence, schools must do all they reasonably can to mark all hardcopy and digital copies of sheet music they make with the words "AMCOS LICENSED COPY" and the following information:

* name of the school
* date copied
* the name of the owner of the original sheet music that was copied (e.g. if the school bought the original, the school or if it was a teacher, the teacher).

**Live streaming** [**school events**](https://smartcopying.edu.au/glossary/school-events/)

Schools can live stream their [school event](https://smartcopying.edu.au/glossary/school-events/), where [musical works](https://smartcopying.edu.au/glossary/musical-works/) are performed (eg a live performance of a song by a school band or orchestra) and/or a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) is played, in real time from the school website, a social media platform (eg Facebook Live, YouTube) or a video conferencing platform (eg Zoom). In the case of social media platforms, schools can rely on the licences that APRA AMCOS and record labels have with the social medial platforms to communicate (ie make available) the stream on the platform.

If you are live streaming a performance where a [musical work](https://smartcopying.edu.au/glossary/musical-works/) or [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) is being played on social media, it is possible that the performance may be muted or blocked by the social media platform. For what to do if this happens, see ‘Blocking or muting of event on social media’ below.

**Making audio or video recordings of school events**

Under the Schools Music Licence, schools are able to make audio visual or audio only recordings of [school events](https://smartcopying.edu.au/glossary/school-events/)at which [musical works](https://smartcopying.edu.au/glossary/musical-works/) are performed or [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) are played.

All [school event](https://smartcopying.edu.au/glossary/school-events/) recordings which include music made by the school should display the following notice:

‘*This recording has been made under a licence from AMCOS and ARIA for school purposes only’*.

Schools can also authorise members of the school community (or a third party such as a commercial videographer), to make recordings of music performed at [school events](https://smartcopying.edu.au/glossary/school-events/), provided this is either for the exclusive use of the school, or for private and domestic listening or viewing by members of the school community (eg parents, guardians and friends can make a video of a presentation night at which the school band played, or a videographer could make a recording for the school to use later in an end-of-year presentation).

**Uploading recordings of school events, where a** [**musical work**](https://smartcopying.edu.au/glossary/musical-works/) **or** [**sound recording**](https://smartcopying.edu.au/glossary/sound-recordings/) **is being played, to social media**

Schools can rely on the Schools Music Licence to upload recordings of their [school events](https://smartcopying.edu.au/glossary/school-events/) to the school’s official social media page on platforms such as Facebook and YouTube. In order to communicate (ie make available online) those recordings from those social media pages, schools can rely on the licences that APRA AMCOS and record labels have with the social media platforms.

Schools can also upload videos and presentations, or audio only recordings, of someone performing a [musical work](https://smartcopying.edu.au/glossary/musical-works/) (not a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/)), to the school’s official social media page on platforms such as Facebook and YouTube (e.g. a video of a student performing music or singing a song in class). If the video, presentation or audio only recording contains a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/), it must not be uploaded to social media (e.g. a video in which a recording downloaded from Spotify or YouTube is playing cannot be uploaded to social media).

Where Schools upload recordings to social media the post may still be muted by the social media platform, or the school may be asked to take it down.

**Blocking or muting of events on social media**

Music recording companies (ie record labels) and some music publishers use software to identify potentially infringing content on social media platforms, such as Facebook. When a school live streams a performance where a [musical work](https://smartcopying.edu.au/glossary/musical-works/) or [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) is being played, or uploads a recording of a [school event](https://smartcopying.edu.au/glossary/school-events/) where a [musical work](https://smartcopying.edu.au/glossary/musical-works/) or [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) is played, this software may alert Facebook or other social media platforms to mute the recording or send a takedown notice to the school. If you are concerned about a live stream or recording being muted or your school being issued with a take-down notice, [contact the National Copyright Unit](https://smartcopying.edu.au/contact-us/). Alternatively, you may want to consider uploading the recording to your school website or password protected [digital teaching environment](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/) or intranet.

**What else can be done with audio or video recordings of**[**school events**](https://smartcopying.edu.au/glossary/school-events/)

Schools can also do the following with their recordings of [school event(s)](https://smartcopying.edu.au/glossary/school-events/):

* upload the recording to the school website
* upload the recordings to a password protected school server, intranet or [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/) and make this available to parents, guardians and students. For example, if parents and guardians are unable to attend an assembly or graduation day, the school could send them a link to the recording on the school’s password protected intranet and allow them to download a copy for their private use
* upload the recording to an app that is being used by the school for internal school communications to members of the school community, such as Schoolbag, Seesaw, Compass and SZapp. This is limited to apps being used by the school for internal school communications, and would not include apps like Snapchat or TikTok
* email/message a copy or make a physical copy of the recording (eg copy it on to a USB) and distribute it (for a no cost or on a cost-recovery basis) to members of the school community (eg students and parents or guardians)
* provide a digital or physical copy of the recording to:
	+ members of the school community (e.g. parents, guardians and staff)
	+ other third parties, including other schools and administering bodies, to facilitate entry to events such as music competitions and festivals by students representing the school.
* stream a live communication of the [school event](https://smartcopying.edu.au/glossary/school-events/) from the school’s website.

**Making audio or video recordings that are not of school events**

As well as recording [school events](https://smartcopying.edu.au/glossary/school-events/)at which [musical works](https://smartcopying.edu.au/glossary/musical-works/) are performed or [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) are played, schools are also able to make recordings that are not of school events as long as they are being made for [school purposes](https://smartcopying.edu.au/glossary/school-purpose/). Schools can:

* make videos or presentations (e.g. classroom PowerPoint slides, presentations for assemblies or functions or end of year videos) in which [musical works](https://smartcopying.edu.au/glossary/musical-works/) or [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) are playing in the background
* record someone playing a [musical work](https://smartcopying.edu.au/glossary/musical-works/) (eg record a student playing the violin)
* copy sound recordings (eg download tracks from a streaming services, such as Spotify, or format shift a CD to MP3):
	+ for the [educational purposes](https://smartcopying.edu.au/glossary/educational-purpose/) of the school (e.g. to play in class relevant to material being studied, whether face-to-face or virtual) – this doesn’t extend to ‘just-in-case’ format shifting of whole CD collections
	+ to use at a school event (eg to play at a school graduation); or
	+ to include in another work, such as a video or presentation (e.g. to add as a soundtrack to a PowerPoint presentation or a commemorative video).

Schools should not undertake ‘just-in-case’ copying, such as format shifting entire CD collections.

All recordings and videos and presentations, which include music, made by the school should display the following notice:

‘*This recording has been made under a licence from AMCOS and ARIA for school purposes only’*.

**What can schools do with audio or video recordings that are not of** [**school events**](https://smartcopying.edu.au/glossary/school-events/)

Schools can do the following with:

(i) recordings of [musical works](https://smartcopying.edu.au/glossary/musical-works/) (e.g. a recording of a student performing a [musical work](https://smartcopying.edu.au/glossary/musical-works/) in class)

(ii) videos and presentations that include [musical works](https://smartcopying.edu.au/glossary/musical-works/) (eg a PowerPoint presentation to which a recording of the school choir has been added)

that are not of school events, provided that what is being done is for a [school purpose](https://smartcopying.edu.au/glossary/school-purpose/):

* upload them to the school website, password protected intranet or password protected [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/)
* upload them to the school’s official social media page on platforms such as Facebook and YouTube
* email and/or message them to students and parents or guardians (the school community)
* upload them to an educational app that is being used by the school to communicate with the school community (ie Schoolbag, Seesaw, Compass and SZapp, but excluding apps like Snapchat and TikTok).

Schools can only upload [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) (eg a track the school has downloaded from a streaming service or a CD that the school has digitised) to an intranet, DTE, educational App, video conferencing application or school website where it is password protected and only made available to members of the school community.

Schools can only do the following with videos and presentations that are not of school events and which contain [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) (eg a video of the school athletics carnival highlights to which a Spotify track has been added as a soundtrack), provided that what is being done is for a [school purpose](https://smartcopying.edu.au/glossary/school-purpose/)::

* upload the recording to the school website, password protected intranet or password protected [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/)
* email and/or message the recording to students and parents or guardians (the school community)
* upload the recording to an educational app that is being used by the school to communicate with the school community (ie Schoolbag, Seesaw, Compass and SZapp, but excluding apps like Snapchat and TikTok).

**Sale of recordings made by schools**

Schools may sell any of the recordings they make:

* to another school, provided that the sale price is no more than needed to cover the costs of creating the recording.
* to members of the school community for their private and domestic listening and/or viewing, provided the sale price is no more than what is needed to cover the costs of creating the recording, including, any costs staging a [school event](https://smartcopying.edu.au/glossary/school-events/) comprised in the recording (i.e. a school could sell recordings of a [school event](https://smartcopying.edu.au/glossary/school-events/) to recoup some of the costs in staging the [school event](https://smartcopying.edu.au/glossary/school-events/) but cannot sell the recordings in order to make a profit).

**Summary of how schools can share recordings**

This table summarises how schools are permitted to share live streams of [school events](https://smartcopying.edu.au/glossary/school-events/), [school event](https://smartcopying.edu.au/glossary/school-events/) recordings, videos or presentations that include music and audio-only recordings under the Schools Music Licence.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Activity** | **Email or message** | **Password protected DTE** | **School website or educational app** | **Social media** |
| **Live stream of** [**school event**](https://smartcopying.edu.au/glossary/school-events/) |  |  | Checkmark | Checkmark | Checkmark |
| **Recording of** [**school event**](https://smartcopying.edu.au/glossary/school-events/) **(audio or audio-visual)** |  | Checkmark | Checkmark | Checkmark | Checkmark |
| **Video or presentation**  | **to which a recording of a** [**musical work**](https://smartcopying.edu.au/glossary/musical-works/) **has been added (eg school makes its own recording** | Checkmark | Checkmark | Checkmark | Checkmark |
|  **to which a** [**sound recording**](https://smartcopying.edu.au/glossary/sound-recordings/) **has been added** | Checkmark | Checkmark | Checkmark | Close |
| **Recordings for school purposes that are not of a** [**school event**](https://smartcopying.edu.au/glossary/school-events/) | **of a musical work** | Checkmark | Checkmark | Checkmark | Checkmark |
|  | **of a** [**sound recording**](https://smartcopying.edu.au/glossary/sound-recordings/) | Close | Checkmark | Close | Close |