**October 2023 – Issue 18 - THE LATEST NEWS IN COPYRIGHT FOR AUSTRALIAN SCHOOLS AND TAFE**

**End-of-Year School Events - 2023**

Welcome to the final National Copyright Unit (NCU) newsletter for 2023.   
  
Term 4 is in full swing, and many schools will want to end the year on a high note, celebrating their successes and farewelling their school leavers with end-of-year events such as presentation evenings, graduation ceremonies and Christmas concerts. This newsletter updates schools on the ways they can use music in their end-of-year events.  
  
Schools can rely on the [Schools Music Licence](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3D4aee39873b%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463230583%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=IYDs04wc%2F5V37LTxWgLWBdocnOpXcL2VFEMbjkXFVik%3D&reserved=0) to play and perform music at end-of-year school events, record end-of-year school events and share recordings of end-of-year school events with the school community. Schools can also use music in end-of-year videos and presentations.  
  
Following are some of the ways that schools can use music.

**Recording school events**

Schools can make a recording (including an audio or video recording) of a [school event](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3D14e059f50c%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463386953%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=vY6W%2FXbO1gitEFOBhMjqq9Ra%2BU5%2BoOGqUI%2B1kGG%2FWyw%3D&reserved=0) where [musical works](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3D75bf2ecba3%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463386953%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=7u%2FxE5gUOU61z0zPNHK%2F6xyvn9CPyrUtLSMxx7rUGOY%3D&reserved=0) are performed (eg a live performance by a school choir or rock band), or where recorded music is played (eg a popular song is played at a graduation evening, or as a backing track to a student dance performance).   
  
Remember the labelling requirements for recordings, which are set out in the [Music Copyright Guide for Schools](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3D90b97d5040%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463386953%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=9tWzmh3MnsloQ0sgI4Dq31JjP%2FD05oPqqJOctCgmvBs%3D&reserved=0). 

**Sharing recordings of school events**

There are many different ways a school can share recordings of their school events with students, parents and guardians (the school community). For example, schools can:

* upload the recording to the school website
* upload the recording to a password protected school server, school intranet or [digital teaching environment (DTE)](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3D5c4c92c7fb%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463386953%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=PdbncnNeTgDRv1pKkfQwr6EQgrxhCh20bYiVexIkTVg%3D&reserved=0) (eg if a parent couldn’t attend a graduation ceremony, the school could send them a link to the recording on the school’s password protected intranet, and they could download a copy for their private use).

See below for information about how to share a school event using social media.  
  
For a full list of ways schools can share recordings of their school events, see [Music Copyright Guide for Schools](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3De02064dee7%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463386953%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=nwRDBVRX3CfG5A82jGmd%2FewPb%2FUAvmH4iVTesu4osuA%3D&reserved=0). 

**Live streaming from, or uploading recordings to, social media**

Schools can live stream their school events via the school website, the school’s official social media platforms (eg Facebook Live, YouTube), educational apps (eg Schoolbag) or a video conferencing platform (eg Zoom).   
  
For example, schools may live stream their Year 12 Awards Night via their official Facebook page for parents to view at home.   
  
Schools can also upload their recordings of school events, where musical works or recorded music was playing in the background, to their official social media pages (Facebook and YouTube), for parents to view at home.    
  
When live streaming or sharing recordings of school events via social media, schools are relying on licences collecting society APRA AMCOS and record labels have with these social media platforms to [communicate](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3D027d650a45%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463386953%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=oPp%2FLmP0BsS59Do3DGLby%2BZIycsXXhveb4suxXXB3K0%3D&reserved=0) them (ie make available) on the platform.

**What should we do if the recording/livestream of our school event has been blocked on social media?**

Where a musical work or a sound recording is being performed or played at a school event, the post may still be blocked or muted by social media platforms.   
  
If this happens, [contact the NCU](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3Dcd7dda52f3%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463386953%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=9MDM2UjVcHeZB0YBx5wf%2Fx962WQ9fU4vNv4080950ss%3D&reserved=0) or consider uploading to, or live streaming from, the school website or using a video conferencing system to live stream rather than a social media platform. 

**Using recorded music in end-of-year videos and presentations**

Schools can incorporate recorded music (eg a popular song downloaded from Spotify), or a recording of a school performance (eg a school strings ensemble performing a piece of music) into another, unrelated work, such as an end-of-year video montage.   
  
Schools can do this provided they are using the video or presentation for a [school purpose](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3D8dab4181b2%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463386953%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=95uKs8llDSmr2DwrKZVZ1Cj4Nuwp4YWkj0I%2BGxHpHrE%3D&reserved=0), which is a purpose the school undertakes as part of its usual activities, provided it is non-commercial. A school purpose includes a school event (such as a school Christmas concert, graduation ceremony or award nights), engagement with members of the school community or promotion of students’ work.  

**Sharing end-of-year videos and presentations**

The school can play these videos or presentations at school events, such as graduation ceremonies, or share them with the school community by uploading them to a school website, password protected intranet or password protected DTE. For more ways to share, see [Music Copyright Guide for Schools](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3D1f8851f084%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463386953%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=FOErv4Z8oEZJ69c5XhNCNjXseeE%2BHj5J7cw%2FWWX%2BAsY%3D&reserved=0).   
  
Please note, the school **cannot** upload these videos or presentations to social media. 

**Student consents**

Most schools obtain student consent forms at the time of enrolment. We recommend that you check consent forms to ensure they cover your intended uses of recordings of student performances, particularly where recordings are shared on social media. 

**FAQs**

**1. We have added the song ‘Count on Me’ by Bruno Mars, to a video montage of all the highlights of our school leavers final semester. Can we share this with our school community?**

Yes, you can upload this to the school website, intranet or password protected DTE, an educational app, or email/message this to members of the school community.   
  
You cannot upload this recording to social media.    
  
**2. Are we able to live stream our school graduation ceremony (where our school choir is performing ‘Firework’ by Katy Perry) to our school’s YouTube page?**  
  
Yes. Note that where a musical work (or sound recording if the school wanted to include a backing track) is played, this may be taken down or muted by the social media site.  
  
If this happens, [contact the NCU](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3D110bc015d7%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463386953%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=S03xkEaRyag72EIfboZW4qtdxsgiViNGOZinGU3k5bA%3D&reserved=0) for assistance.    
  
**3. Can we upload a recording of our school band and strings ensemble performing a series of Christmas songs at our school Christmas concert to our school’s password protected intranet, and email a link to parents?**  
  
Yes, you are permitted to upload a recording of the school band and strings ensemble performing musical works (eg Christmas songs) at a school event (ie your school’s Christmas concert) to your school’s password protected intranet, and send a link to parents and members of the school community. They can then download a copy for their private use.  

**Additional information**

The purpose of this update is to provide a summary and general overview of selected copyright issues. It is not intended to be comprehensive nor does it constitute legal advice. If you need to know how the law applies in a particular situation, please get advice from the [NCU](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3Dc9c8a15708%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463386953%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=MsCTQUurY63X7qSTCSjSb4awaMZEU2mxgUjecA6QtxQ%3D&reserved=0). For information about our [National Copyright Webinar Series](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3D7bb2f9e36a%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463543074%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=0Ro1%2BQt%2BPPjDfi%2FkC%2Fyx2YwUgQeIQdu9VTUTxdk1yBs%3D&reserved=0) and [Copyright for Educators (C4E) course](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3Dcf3dc19b6b%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463543074%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=JiGefCtCGxHYDqCJvR03BqMMJN29xeegxh9EV4nYUts%3D&reserved=0), please visit the [Smartcopying website](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsmartcopying.us19.list-manage.com%2Ftrack%2Fclick%3Fu%3D1f887395dfbdbb075a924bc2f%26id%3D30c47fa6bf%26e%3Dd25044a3ea&data=05%7C01%7Csara.lewis1%40det.nsw.edu.au%7Cc190357487634e07d52708dbd67fff2f%7C05a0e69a418a47c19c259387261bf991%7C0%7C0%7C638339617463543074%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=lMmWdoNmMUeOm3%2B%2FBBpOVOCxpTSIV1Y3mp25o0AsuUA%3D&reserved=0).