



## A FILMMAKERS'S GUIDE TO MUSIC AND COPYRIGHT

### The basics

#### ***What's copyright?***

When someone creates a piece of musical, literary, dramatic or artistic work, that work is protected by copyright laws. This means that any original work, which is considered a property, is owned by someone.

#### ***Who owns the copyright in a piece of music?***

When a song or piece of music is written, the person who wrote it owns the copyright and has the right to decide how and when it should be played. Music is released, allowing individuals to purchase a song which they can play at home. However, if an individual wishes to play that song to a wider group of people, for example on their film, they must first seek permission from the copyright owner of that song before you do so. This permission is known as a licence.

#### ***What rights do the copyright owners have?***

The copyright owners (i.e. the owner of the work and the owner of the recording respectively) have a number of exclusive rights, including the right to:

- Make copies of the tracks;
- Perform music in public (e.g. by playing the tracks in hotel, café or retail stores);
- Communicate the tracks to the public.

#### ***What should I keep in mind when choosing music?***

Music should be one of the first things you consider when planning your production - the last thing you want to do is limit the life of your film by making hasty music choices or leaving this till the last minute. There are plenty of rights free tracks available on the internet. We have included a couple of links in the entry guidelines. Alternatively you could use local musicians or composers if you are looking for something original. You should be aware that well known and published music can be very expensive to use.

#### ***Can I use someone else's music in my film?***

Yes, as long as you have obtained permission to use the music from all of the copyright owners.

#### ***What if I record my own version of someone else's song to use in my film? Do I still have to get permission?***

Yes even if you record your own cover version of a song, you must still get permission from the owner of copyright in the musical work in order to use it in your film. Similarly, if you arrange or transpose someone else's music you may first obtain their permission to include it in your film.

#### ***Do I need permission to film a live performance of music?***

Yes, performers also have rights under the Copyright Act and permission must be sought to film a live performance of music, as well as live performances of dramatic and literary works, circus acts and dance. You should obtain written consent from all performers, by asking them to sign a release form.

### **Need more information?**

PRS For Music  
BBC Filmmaking Music Rights

[www.prsformusic.com](http://www.prsformusic.com)  
<http://www.bbc.co.uk/filmnetwork/filmmaking/guide/before-you-start/music-rights>