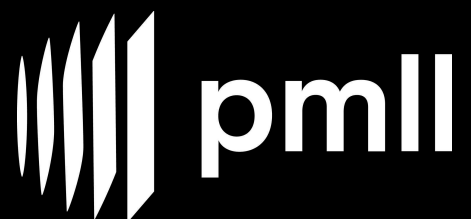




# FEPML

**Further Education  
Printed Music Licence**

**User Guidelines**



# Contents

Introduction to the Licence .....	03
Quick Start Guide .....	04
Responsibilities of PMLL and Further Education Colleges .....	05
General Licence Information .....	06
Arrangements Under the FEPML .....	08
Data Collection and Reporting .....	11
Glossary .....	13

# Introduction to the Licence

PMLL was set up in 2013 to license the photocopying and arranging of sheet music within the school education sector. The SPML (Schools Printed Music Licence) allows teachers at both primary and secondary level to photocopy sheet music without gaining individual publisher permission.

PMLL has over 130 music publisher members.

There is currently no licence that exists for colleges allowing the photocopying and arranging of sheet music. If staff at a Further Education or Sixth Form College wish to make copies or arrangements of sheet music they must obtain direct permission from all the publishers in the song.

The FEPML (Further Education Printed Music Licence) was introduced in order to ensure that Further Education and Sixth Form colleges are able to legally copy and arrange sheet music and makes sure that music publishers whose works are being used are fairly remunerated. Rather than having to gain individual permissions, staff and students can reproduce and arrange (as per the terms and conditions of the licence) without fear of breaching copyright. Full terms and conditions of the licence are published on the PMLL website.

*These User Guidelines have been produced by PMLL to provide a straightforward guide that both staff and students can use.*

# Quick Start Guide

## **What can I copy?**

All sheet music represented by the publishers listed on the PMLL website (under the FE section) can be copied unless it is on the excluded works list.

## **Who can I make copies for?**

Registered students and staff on courses including a musical element, which your college has chosen to opt into the licence.

## **Who can make copies under the licence?**

Staff can make copies of music for students who are included within the licence.

## **How much can I copy under the licence?**

There is a restriction around the copying of Anthologies and workbooks, only;

- 10% (by number of items) of the individual pieces of music in a Musical Anthology or multi-movement vocal score.
- No more than 10% (by number of pages) of any workbook.

## **Can I make arrangements?**

Yes, as long as they are made by staff or registered students solely for pedagogic purposes, including for use in assessments.

## **How much does the licence cost?**

The cost of the licence is £10 per student. The licence is applicable to any student studying on a course that involves music.

## **Which students are covered by the licence?**

We will request that the college reports the number of students that will be covered by the licence. The licence will generally only apply for course where students are copying and arranging music.

# Responsibilities of PMLL and Further Education Colleges

## PMLL

PMLL has commitments to its members, who are music publishers, and must obtain mandates from its membership in order to operate this licensing scheme.

- As part of the licence terms, PMLL will collect data on the works that have been copied and arranged under the terms of the licence in order to inform royalty distributions.
- Information regarding the licence and tariff are published on the PMLL website.
- We will respond to queries raised regarding the licence and will use to these to create and maintain an FAQ document.
- We will be professional, courteous, consistent, and knowledgeable in all our dealings with colleges.

## Further Education Colleges

Colleges that have obtained a licence undertake to do the following all of which are set out in our terms and conditions:

- Pay the licence fees on time.
- Ensure data is reported to PMLL in an accurate and timely manner when required.

Colleges should appoint a member of staff who is responsible for the management of the licence alongside ensuring that data is reported on what has been copied and arranged under the licence.



# General Licence Information

## 1. Why would my college need a licence?

If staff at the college want to make copies or arrangements of sheet music, they can only legally do so if they obtain permission directly from a publisher or have an appropriate licence.

## 2. Who should take out the licence?

The licence applies to students studying on a course or module offered by the college that includes a music element. These can be courses ranging from A-Level Music to a performing Arts Course.

## 3. What can you do under the licence?

Staff can make photocopies of printed music publications (as long as an original copy of the music is owned by the Colleges) to use as part of the course they are studying. Copies of music can also be scanned uploaded to a secure network for their use.

Arrangements of works can be made by both staff and students under the terms and conditions stated which is discussed below.

## 4. Who can make copies under the licence?

Copies of music can be made by staff at the college.

In order to make a copy under the licence, an original printed music publication must be owned.

The licence does not permit the copying of printed music publications that have been obtained on hire from a publisher or borrowed from another library.

## 5. Who can use copies made under the licence?

Staff can make copies of printed music publications for students studying on relevant courses. Students can make their own arrangements of sheet music for use as part of a relevant course. They can also be used within a group that includes students who are not registered on a relevant course, as long as the group's purpose is directly connected with the relevant Course

Any student not taking a relevant course within this group cannot be supplied with licensed copies.

Copies cannot be made for the private purposes of Staff members.

## **6. How can copies be made under the licence?**

Copies can be made either in:

- (a) physical format; or
- (b) by scanning and storing/disseminating on a secure network.

## **7. How do I know what I can copy?**

PMLL has produced a list of mandating publishers on its website [www.pml.org.uk](http://www.pml.org.uk). Works owned by those publishers can be copied and arranged under the terms of the licence.

## **8. Are there works owned by publishers that I cannot copy?**

PMLL publishes an exclusion list on its website [www.pml.org.uk](http://www.pml.org.uk). Any publisher or specific works displayed on this list cannot be copied under the licence.

## **9. Do I need to report copies made under the licence?**

Yes. All copies of music (whether digital or physical) must be reported to PMLL.

This includes arrangements made under the licence, which should also be reported. The information received by PMLL on the works copied and arranged under the licence forms the basis of PMLL distribution policy. PMLL does not make a profit and monies received through licences are distributed to the publishers and onwards to writers and composers whose works are used under this licence.

This topic is discussed in detail under Data Collection and Reporting (page 12)

## **10. What happens if the licence is cancelled?**

If the decision is taken by the college to cancel the licence, all licensed copies (physical and digital) and arrangements made under the licence must be destroyed. No further copying or arrangements of musical works can be made unless direct permission is given by the publisher.

## Making Digital Copies

### 11. How can digital copies be stored and made available to staff and students?

The licence allows the making of digital copies of sheet music. It is essential that these are stored and shared in a secure way.

Staff can upload digital copies onto a secure network or Virtual Learning Environment that is password protected and for registered students and staff who are on the relevant courses to which the licence applies.

Digital copies (as well as physical copies) must have a copyright notice visible on the copy:

*“Copy made on (date) only for use in connection with (name of course) under the Further Education Printed Music Licence held by (name of Further Education Institution)”*

Digital copies should be reported in the same way as physical copies. Copies made during the term should be reported to PMLL.

## Information on Arrangements

### 12. What is the definition of an arrangement?

For the purposes of this licence, an arrangement is defined as a re-configuration of a Musical Work that adds or alters aspects such as lyrics, harmony, rhythm, texture and instrumentation, including transcription (which means the direct apportioning of a Musical Work for a different combination of instrument or instruments (including voice) than originally intended by the composer, and/or translation of the lyrics to a Musical Work).

### 13. Who can make arrangements?

Arrangements can be made by staff members and students solely for pedagogic purposes or otherwise in the course of their studies as part of a relevant course.



#### 14. What can be arranged?

Any work that is owned by a publisher who has mandated their rights to the licence can be arranged, unless the publisher or work appears on the Excluded List. Please see the PMLL website for a full list of publishers taking part in this trial and a list of any publisher or works that have been specifically excluded.

#### 15. What form can the arrangement take?

Music can be arranged either in paper or digital form.

#### 16. Do I need to credit an arrangement made under the licence?

Where reasonably possible each arrangement should include the following credit, prominently at the top of the first page:

- Title of the Musical Work
- Name of the Composer
- Name of the arranger

The following should appear at the foot of the first page:

- Copyright Credit from source of publication
- The following notice: *“this arrangement was made on (date) under the Further Education Printed Music Licence held by (Name of Further Education College) and is subject strictly to the terms and conditions of that agreement, including its use solely in connection with (name of course). All copyright is reserved by the publisher”*

#### 17. Are there any specific conditions for arrangements?

Arrangements of works must respect the composer/author/editor’s moral rights. No other use may be made of arrangements, by the arranger or anyone else, including (but not limited to):

- Public performance
- Audio recording
- Broadcasting; or
- In any other way making available.

### **18. Who owns the arrangement?**

Ownership of an arrangement is a matter of copyright law in each individual case; nothing in the licence provides for Staff members or Students to claim copyright ownership in arrangements made under the agreement.

### **19. Do I need to report arrangements?**

Yes. These should be reported to PMLL in the same way as copies of sheet music. We still need the essential fields (listed below) reported so that we can ensure we pay the correct publisher.

If, for example, a teacher makes a copy of a work and makes it available to 50 students to arrange, we would not expect each student to report their arrangement; rather we would expect the teacher to report that the work had been shared with 50 students and that 50 arrangements would also be made.

# Data Collection and Reporting

PMLL has over 130 members. These are all music publishers representing a wide range of repertoire and many different genres of music. We represent the major publishers, print publishers and indie publishers with catalogues ranging from jazz and classical to pop and grime. In order to be able to operate a licensing scheme, PMLL needs its members to mandate their rights for inclusion within this licence.

Monies that PMLL receives from all licensing schemes that it operates (apart from costs needed to run the business) are distributed back to members. As part of the discussions with the PMLL Board regarding the proposed trial licence, it was agreed that distribution of monies for the FEPML would be based solely on data.

It is essential that we can pay the people whose works have been used under the FEPML. The only way we are able to do this is for you to report what works have been copied and arranged under the licence. Without this information, the money will not go to those composers and writers whose works are being used. We want to ensure that this licence allows those writers, composers, and publishers to be able to earn a living from their music.

## **We would like institutions to report data for all the following fields:**

1. Name of Publication/Title
2. Print Publisher
3. ISBN/ISMN/Order Number
4. \*Pages from – to
5. Name of Work (Title of piece)
6. Music Publisher (Copyright line on piece)
7. Composer/Writer
8. Number of Copies made/shared

## **However, we can accept data submissions using only the 4 fields:**

Name of Publication Title  
Print Publisher  
Title of Work  
Composer/Writer

### **1. Name of Publication/Title**

This is the title of the book that the work you want to use is in. For example, “John Rutter, London Town, a Choral Celebration.”

### **2. Print Publisher**

This is the publisher of the book, which will be present on one or more of the front cover, back cover, title page or spine. For example, using the title above: the book is published by Oxford University Press. They are classed as the ‘print’ publisher of the book.

### **3. ISBN/ISMN/Order Number**

This is the number printed on the book, usually on the back cover of the publication under the barcode. The ISBN number would usually look like: “ISBN: 9780193528383”.

#### 4. **Pages from – to**

The page numbers will be on the bottom of the page. We need the page numbers that the work being copied or arranged is on.

#### 5. **Name of Work/Title of Piece**

This is the title of the work or piece of music (within the publication) that is being copied or arranged. If the publication only comprises one work, repeat the information here.

#### 6. **Music Publisher (Copyright line on title of piece)**

Within music publishing, there is the publisher who prints the book, for example Oxford University Press or Faber (typical examples of print publishers). There is also the publisher(s) who owns the rights in the song/work that is published in the book. These can be the same; for example, many Faber books feature songs that are owned by Faber. In this example, the print publisher would be Faber and the music publisher would be Faber.

However, often print publishers put songs that are owned by a different music publisher within their books, meaning that the print publisher and music publisher are different. For example, Faber may print a book but the songs within that book could be owned by Warner Chappell, meaning that the print publisher is Faber and the music publisher is Warner Chappell.

Usually the song or work within the book has a copyright notice at the bottom listing the 'music' publisher.

#### 7. **Composer / Writer**

The information on this is usually listed on the top right of the song/work.

#### 8. **Number of Copies**

We need to know the number of students that have access to either the physical copies or digital copies via a VLE or secure network.

## **How do I submit data?**

Data submitted to PMLL can be done in a number of ways:

- (a) Licensees can report data via the PMLL portal [hub.pml.org.uk](http://hub.pml.org.uk). This has a simple submission form and there is an option to bulk upload spreadsheets of data.
- (b) We can supply a spreadsheet that the licence coordinator can complete with the necessary information and email back to PMLL at the end of the licence year;

Colleges are free to use any combination of these methods concurrently.

# Concise Glossary of Terms

*Full glossary available in licence document*

<p><b>Arrangement</b></p>	<p>A Licensed Copy which is a re-configuration of a Musical Work made by a Staff Member, by Students under direction of a Staff Member, or by Students otherwise in the course of their studies as part of a Music Course, that adds or alters aspects such as lyrics, harmony, rhythm, texture and instrumentation, including transcription (which means the direct apportioning of a Musical Work for a different combination of instrument or instruments (including voice) than originally intended by the composer, and/or translation of the lyrics to a Musical Work).</p>
<p><b>Digital Copy</b></p>	<p>An electronic copy, (a) made by scanning from print or copying from a digital source, entry into music notation software or by any other digital means, in each case from a Printed Music Publication, or (b) which is an Arrangement made in electronic format, or (c) an electronic copy of a handwritten Arrangement.</p>
<p><b>Excluded Printed Music Publications</b></p>	<p>Any Printed Music Publication listed as being excluded from this Agreement as shown on PMLL's website.</p>
<p><b>Licensed Copy</b></p>	<p>A Digital Copy or a Paper Copy, as appropriate, in either single or multiple format.</p>
<p><b>Licensee</b></p>	<p>The Further Education Institution set out on page 1 above in respect of which the Licence Fee has been paid.</p>

<p><b>Moral Rights</b></p>	<p>Any and all rights conferred on a writer or author by virtue of Chapter IV of Part 1 of the Copyright Designs and Patents Act 1988 (as amended) and any other moral or like rights arising by virtue of any applicable statute, regulation, rule of law or otherwise in any part of the world.</p>
<p><b>Music Course</b></p>	<p>A Further Education course or module offered by the Licensee which: (a) requires the rights licensed in clause 2 below; (b) includes a music element; and (c) comprises a programme of study leading to a relevant Further Education qualification.</p>
<p><b>Musical Anthology</b></p>	<p>A Printed Music Publication that is a collection of Musical Works.</p>
<p><b>Musical Work</b></p>	<p>A musical work that appears within a Printed Music Publication, and which is defined by the Copyright Designs and Patents Act 1988 (as amended) as a musical work, together with any words or lyrics accompanying such musical work (if applicable).</p>
<p><b>Paper Copy</b></p>	<p>A paper copy, (a) made by photocopying from a Printed Music Publication, (b) made by printing out from a Digital Copy, (c) which is a handwritten Arrangement, or (d) which is a photocopy of a handwritten Arrangement.</p>



<p><b>Printed Music Publications</b></p>	<p>Published editions being graphic representations of Musical Works, printed either on paper or in digital format, including musical scores and/or parts, diagrammatic representations, tablature and other ways of representing musical sound and any editorial notes, historical notes or commentaries or other text included in the said published editions. For the avoidance of doubt this does not include Excluded Printed Music Publications or sound recordings.</p>
<p><b>Secure Network</b></p>	<p>A network (whether a standalone network or a virtual network within the Internet) which is only accessible to those Students and Staff Members who are approved by the Licensee for access to the Secure Network, whose identity is authenticated at the time of login (and periodically thereafter) in a manner consistent with current best practice, and whose conduct is subject to regulation by the Licensee (including, where applicable, Virtual Learning Environments).</p>
<p><b>Source Copy</b></p>	<p>The Printed Music Publication from which Licensed Copies are made.</p>
<p><b>Staff Members</b></p>	<p>Staff teaching on, or otherwise connected with (for example, library staff) Music Courses.</p>
<p><b>Students</b></p>	<p>Further Education students registered on at least one Music Course.</p>
<p><b>VLE (Virtual Learning Environment)</b></p>	<p>A web-based platform for the digital aspects of courses of study within an educational institution which presents resources, activities and interactions within a course structure and provide for the different stages of assessment.</p>
<p><b>Workbook</b></p>	<p>A Printed Music Publication which consists mainly of Musical Works and extracts therefrom, with accompanying exercises and/or tests designed for educational purposes.</p>

