ITP MUSIC LICENCE
INFORMATION FOR ITP STAFF

The Licence does not cover...
The rights granted under this Licence are for Educational Purposes only. The Licence does not include the right to:

- Copy and make available any print music work.
- Copy or access in any way infringing (e.g. pirated) copies of music or sound or music video recordings.
- Perform Grand Right Works in their entirety. “Grand Right Works” are productions where music has been specifically composed for a theatrical work (e.g. Cats or West Side Story).
- Make Video recordings of Grand Right Works (including excerpts), and ballets.
- Perform or use music at an event where the ITP's premises have been hired to a third party (including a student), other than for Educational Purposes of the ITP. Note: a separate public performance licence is required in this case. Please refer to recordedmusic.co.nz and apra.co.nz for more information.
- Use musical works in a Dramatic Context in part or whole. “Dramatic Context” means the use of a work in conjunction with acting, costumes, scenic accessories and scripted dialogue or other dramatic effects.
- Perform any Choral Work of more than 20 minutes duration in its entirety. A “Choral Work” means a musical work written to be sung by a choir or group of singers, with or without any instrumental accompaniment.
- To perform music as to burlesque or parody, or use new or substituted lyrics.

Licence Reporting
Gathering data on how music is being used within ITPs is an important factor in distributing licence fees fairly. APRA|AMCOS and Recorded Music NZ will agree with ITPs who supply music performance programmes the processes by which reporting will be undertaken each year. Information collected provides details of music use in these organisations. This information is used to distribute the licence fees to the appropriate rights' owners.
Music can be a valuable teaching resource. To enable staff to use copyright music for educational purposes, the ITP has negotiated a licence with organisations that control the use of this music. Copyright fees provide creators with a means to earn income from their work.

ABOUT THE ORGANISATIONS

APRA|AMCOS (Australasian Performing Right Association) is a non-profit organisation representing music writers and publishers. It collects and distributes licence fees for the public performance, communication and reproduction of its members’ musical works.

RECORDED MUSIC (previously known as PPNZ Music Licensing) is a non-profit organisation representing international and local record labels and recording artists. It collects and distributes licence fees for the public performance, communication and reproduction of its members’ sound recordings.

ABOUT COPYRIGHT

Copyright seeks to provide a balance between the rights of those who own creative works (rights’ owners) and the public who want to use these works.

With limited exceptions, the Copyright Act requires that whenever music is performed in public, communicated or reproduced, the rights’ owners must give their permission.

In New Zealand, these rights are administered by two organisations - APRA|AMCOS and Recorded Music NZ. The ITP Music Licence provides the blanket permission required to use the repertoire of music controlled by APRA|AMCOS and Recorded Music NZ.

This brochure contains important guidelines regarding compliance with the ITP Music Licence. Please keep it available for future reference.

ITP MUSIC LICENCE

The Institutes of Technology & Polytechnics (ITP) Music Licence allows ITP staff and students to use music in the following ways:

1. PERFORM MUSIC IN PUBLIC FOR EDUCATIONAL PURPOSES.

Performing music is playing it publicly within the ITP. This public performance is covered by the ITP Music Licence provided the performance is for Educational Purposes.

“Educational Purposes” means for the purposes of learning, teaching and research of the ITP and matters arising from those activities and operations.

These activities can include:
- Using music in lectures and tutorials;
- Playing music at ITP events, as long as there is no charge for entry;
- Making archival records involving music; or
- Using music for other related teaching and administration activities, including but not limited to playing music on the ITP’s telephone on hold service.

2. COMMUNICATE MUSIC FOR EDUCATIONAL PURPOSES.

Communicating music involves making music available or transmitting it via any technology platform (including secure intranets, learning management systems such as Moodle, and mobile networks) for Educational Purposes.

3. COPY OR REPRODUCE MUSIC FOR EDUCATIONAL PURPOSES.

Copying or reproducing music means making copies of any music or sound and music video recordings for Educational Purposes. These activities can include but are not restricted to:
- Making copies of a video of an ITP event that has music in it and communicating it for Educational Purposes, for archival reasons or for private use;
- Reproducing or combining music with video or digital recordings for Educational Purposes;
- Allowing students and staff access via an ITP intranet to copies of any of the above material, or provide students, staff or their immediate families with physical copies of the above material, provided the following copyright warning is included:

   Copyright Warning
   “These materials may be used only for Educational Purposes. They include extracts of copyright works copied under copyright licences. You may not copy or distribute any part of this material to any other person. Where the material is provided to you in electronic format you may download or print from it for your own use. You may not download or make a further copy for any other purpose. Failure to comply with the terms of this warning may expose you to legal action for copyright infringement and/or disciplinary action by [insert name of ITP].”

APRA|AMCOS and Recorded Music NZ currently represent the interests of the rights’ owners of the majority of the world’s music and recordings of that music. This licence applies to that entire repertoire. For details of copyright ownership please contact your ITP’s copyright officer or info@recordedmusic.co.nz and licencenz@apra.co.nz for any further information.