



**SUPPORTING &
CHAMPIONING
VOLUNTARY MUSIC**

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Information

Sheet No. 05

Hiring music from publishers

Preface

These guidelines endeavour to address all the issues that arise on a daily basis when hiring music. Making Music has been working with music publishers and their representative body, the Music Publishers Association (MPA), to ensure that music is accessible to those wishing to perform it and that they receive the best possible service in doing so. Making Music members are encouraged to read these guidelines so as to help avoid unwelcome problems that might spoil their performance and enjoyment of the music itself.

The successful hire of music depends upon full cooperation between Making Music members and music publishers. Cultivating a good relationship with hire librarians can reap rewards. These guidelines have the support of the MPA and the International Association of Music Libraries (UK & Ireland Branch) and, as such, reflect the already excellent level of cooperation between music publishers and voluntary musicians that has developed over many years.

Whether you need choral scores or a set of orchestral parts, the procedures outlined below will help to ensure that you receive what you want, when you want it. These guidelines have been developed to help avoid misunderstandings, delays and errors on the part of users and publishers alike.

Ordering Materials

The task of hiring music can be daunting, whether you're trying to find out who publishes a specific title, which agent is responsible for which publisher's catalogue in your territory, or if you want to get a status update on an order you've already placed. Many MPA member companies issue their catalogues electronically and make them available via their websites. Reference to catalogues will simplify your ordering, reduce the possibility of error and assist the publisher in fulfilling your order.

Publishers have recognised the need to streamline and simplify the process of hiring music for voluntary musicians and so have worked with a specialist music software consultant to launch Zinfonia (www.zinfonia.com) – a website that combines information direct from the catalogues and databases of many of the world's largest classical music publishers, including Boosey & Hawkes, Music Sales (including Chester Music and Novello), Oxford University Press, Universal Music Publishers Classical and Edition Peters. This information is available for free to registered users.

After completing the free registration process, Zinfonia users can:

- Quickly and easily locate information for thousands of composers and works, regardless of the original publisher.
- Find and communicate with their local distributor to ask questions and place orders.
- View all orders in one place and receive automatic order status updates direct from publishers via Zinfonia Connect.
- Use the 'My Catalogue' section to keep the results of previous searches together in one place.

The other main alternative to Zinfonia is to email the publisher with your order. Some publishers also still accept letters and faxes. It's advisable to get a quote in writing from the publisher prior to placing your order. Orders, which should be placed by the person or organisation responsible for payment, will need to specify the following information:

- Composer & title (including edition or version)
- Invoice address and phone number
- Delivery address and phone number
- Materials required, i.e. number of scores, string parts, vocal scores
- Date for delivery and duration of hire
- Number, date(s) and venue(s) of performance(s)
- Name and description of performing body or bodies
- Name of conductor and soloist(s).

Make sure you tell the publisher that you are a Making Music member in order to ensure you are charged the correct tariff.

Help the publisher get your music to you on time by placing your order as early as possible and ideally no later than one month in advance of your requested delivery date. Some publishers may be able to supply materials at shorter notice, but additional fees may be charged.

Permission to Perform or Record

Publishers' hire agreements relate to the hire of physical performance materials only for the hire purposes specified therein, and they do not confer any permissions to record or perform the music embodied in the printed parts. Music is protected by copyright in accordance with the Copyright, Designs and Patents Act 1988. Generally speaking, a musical work is in copyright during the life of the composer and for 70 years afterwards. It is unlawful to perform, broadcast, record or copy by any means music that is protected by copyright without the specific authorisation of the copyright owner.

The publisher will be able to advise on the copyright status of a musical work supplied on hire. Users should be aware that even if a work appears to be out of copyright, the specific edition or typographical layout may still be in copyright.

Prior permission to perform music in public must be obtained from PRS for Music by the venue proprietor or concert promoter, unless one or the other already holds a PRS for Music annual licence covering concerts and recitals. Before performing in any public place (including churches), hirers of music must check that the venue concerned is in possession of a valid licence direct from PRS for Music or, when appropriate:

- through Making Music
- by way of the PRS Church Licence through Christian Copyright Licensing (Europe) Ltd
- or, for schools and colleges, through the Centre for Education Management.

If you are unsure, please contact PRS for Music on 0845 300 60 33 or email live.licence@prs.co.uk.

Permission to perform **dramatico-musical works** (operas, operettas, musical plays, ballets, etc.) must be obtained from the publisher or stage rights owner, since PRS for Music does not generally control such 'grand right' performances. Advice should be sought directly from the publisher in respect of permissions for concert performances of dramatic works (whether complete or in part). In all cases, a performing fee (plus VAT) will be payable direct to the publisher in addition to the fee for the hire of materials.

The hirer is responsible for providing the venue or concert promoter with a programme containing full details of each performance of non-dramatic works (and any encores) so that these can be returned to PRS for Music. This information must include the title, composer, publisher and the arranger/editor (where applicable) of the work(s) performed, as well as the venue, performance date and name of the venue or concert promoter. Details of performances in churches, unless part of divine worship, must be similarly provided.

A licence is needed from PRS for Music to make any kind of sound recording, whether it is audio only or audio-visual (e.g. CDs, DVDs or videos), and whether it is commercial or just for members of the orchestra or audience. Permission must additionally be sought from the publisher to use hire materials for recordings, for which an extra charge will be made.

Arrangements, adaptations and parodies

If you want to make any changes to the way copyright music is performed you must contact the publisher immediately as no alterations, arrangements, adaptations or parodies may be made without the publisher's prior permission. This includes re-orchestration and cuts in performance.

Photocopying and Graphic Reproduction

The MPA has agreed with its members that, in certain situations, copyright exceptions are permitted for the benefit of amateur and other performers, in addition to those already contained in the Copyright, Designs and Patents Act 1988. These can be found on the MPA website: www.mpaonline.org.uk/content/code-fair-practice.

Please remember that if you want to include any musical extracts or reprint the words from a piece of music in a concert programme, permission must be sought from the publisher. In many instances publishers can supply biographies, photos and programme notes for concerts and will advise you if there are any associated costs.

Importation

Making Music members are reminded that caution needs to be taken when obtaining orchestral materials from abroad as material legally available overseas may infringe current UK copyright law if imported. Seek advice from the relevant UK publisher before importation.

Hire Fees

Hire fees for amateur rehearsal and performance are typically based on: the type and size of the performing body or bodies, the duration of the work (or extract), the period for which the materials are required and the number of performances. Further supplements and discounts may apply according to: the number of individual parts required, the copyright status of the work, and whether the materials are required for rehearsal/readings only.

Special fees may apply for territorial premiere performances, broadcasts or recordings. Most publishers are happy to provide copies of their current hire tariffs, or alternatively supply a quote for a specific hire period, upon request.

Publishers have individual terms for vocal materials in cases where they are made available for hire.

Please be aware that publishers have individual credit and payment terms and may require full settlement in advance of dispatch.

Scores on approval/Perusal scores

Publishers will be happy to supply full scores on loan for perusal for the purposes of programme planning, and some even offer online scores as a free alternative to receiving hard copies in the post. There may be a small charge for this to cover the administration costs.

Dispatch and receipt of hire materials

Publishers will endeavour to ensure your order arrives on or by the date requested. The materials should be checked against the delivery note upon receipt, and any deficiencies should be notified immediately to the publisher. Delivery charges will usually be levied in addition to the hire fee (and VAT may be payable on this charge).

Return of hire materials

The person who signed the hire agreement is responsible for the return of materials as supplied and the publisher will only be able to talk to that person regarding the return of the materials. To avoid damage in transit, pack materials securely and return them by trackable means or as agreed with the publisher – for example some publishers now offer a collection service to customers. Remember to include your details in the package so the publisher can identify who the parcel is from and also include three copies of the concert programme(s). You will be charged for any late or lost material, so please do return music promptly.

Provided the materials are returned in good time, most publishers will allow extra time for the recovery of odd parts that may be missing before invoicing for their full replacement costs.

Condition of hire materials

Publishers will always endeavour to supply the best materials available from their stock at the time of order/reservation, but if you have any concerns about the condition of hire materials, tell the publisher as soon as possible to see if there's anything that can be done. The hirer is responsible for ensuring that the materials are returned complete and in the same condition as they were received. Any missing or defaced materials could incur a charge at full replacement value.

This information sheet can be made available in large print and other formats on request. Please telephone 020 7422 8280.

We hope you find this Making Music document useful - it is intended to give a reasonable summary of the position at the time of writing. If you are aware of any changes to the situation described or have suggestions for further information to be included please contact the Membership Services Team at Making Music 020 7422 8280 or info@makingmusic.org.uk. Please note that no responsibility for loss occasioned to any person or group acting or refraining from action as a result of any of the contents of this information sheet can be accepted by any of the authors or by Making Music, the National Federation of Music Societies.

Members of Making Music can download this and other information sheets from our website, www.makingmusic.org.uk, where the latest version will always be available.

Created by Making Music

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