



COPYRIGHT LAW  
REVIEW COMMITTEE

REPORT:

USE OF COPYRIGHT MATERIAL  
BY CHURCHES

Copyright Law Review Committee

To : The Hon. Lionel Bowen,  
Attorney-General of Australia

Report by Committee on reference -

whether the Copyright Act 1968 should be amended to make specific provision for church use of copyright material.

Introduction

Apart from a limited exception related to the playing of sound recordings (section 106), the Copyright Act contains no specific provisions permitting the use of copyright material by churches. Thus, when using copyright material, churches must either obtain permission from the copyright owner or come within one of the general exemptions contained in the Act.

As a result of amendments made in 1980, relating in the main to photocopying in educational institutions, considerable publicity was given to the Act. It seems that at that stage, many religious organizations realised that some of their practices in relation to services of worship and Christian education could well involve infringements of copyright.

The then Attorney-General and his Department received numerous representations from the churches seeking protection from what was perceived as a new vulnerability to action for copyright infringement.

As a result of these representations, departmental officers consulted the Australian Copyright Council (ACC) and the

Australasian Performing Right Association (APRA) with a view to obtaining the opinions of copyright owner interests. The concept of special amendments to the Act in favour of churches was opposed by these interests.

On 31 August 1983, the then Attorney-General, Senator Evans, referred this matter to the Committee for examination and report, after Church interests had indicated that they still wished to see the Act changed.

#### Course of Enquiry

On 17 October 1983, the Committee appointed a sub-committee to hold informal discussions with representatives of the Church and copyright owner interests in order to identify problem areas and to obtain the views of those interests about possible solutions.

The sub-committee confined its discussions with Church interests to representatives of the various major Christian denominations for two reasons -

- (a) All representations on the issue originated from these denominations; and
- (b) informal telephone discussions with senior representatives of the major non-Christian Religions in Australia indicated that this reference was of little interest to them.

During November 1983 and February 1984, representatives of 26 Church and copyright owner interests held discussions with the sub-committee. A list of those representatives appears as Schedule 1. Written submissions were also received from a number of interests. A list of these interests appears as Schedule 2.

Based on these interviews, the sub-committee prepared a Discussion Paper outlining the problems and viewpoints put to it by the various interests, and commenting tentatively thereupon. This paper was made publicly available on 12 July 1984 and distributed to all groups who had made submissions to the Committee, the secular and religious media, overseas government agencies including UNESCO and WIPO, and to any member of the public requesting a copy. In all, some 500 copies of the paper were dispatched. Further submissions on the paper's contents were received and examined. A list of those who made post-Discussion Paper submissions appears as Schedule 3.

### General Comments

The modern view of the copyright system is that its fundamental purpose is to strike a balance between two public interests - the rights of the copyright owner on the one hand and the community's need for access to copyright material on the other. In endeavoring to determine whether the balance currently struck in the Copyright Act in regard to Church use of copyright material is reasonable, clearly the Church's role in the community is a factor of some significance.

There was little suggestion from the Church interests that they should be entitled to special treatment under the Copyright Act merely because they represented the Church. There was almost a complete lack of argument to the effect that because of the Church's special and significant place in the community, it should be afforded any kind of blanket exemption under the Copyright Act. Indeed, the arguments of Church interests in relation to specific areas of difficulty tended by and large to propound a case for access to copyright material on reasonable terms rather than exemption from liability.

The areas of concern to Church interests and copyright owners, or what might be regarded as "the issues", were identified in the Committee's Discussion Paper. While no new issues emerged

after distribution of that Paper, it did seem to the Committee that far greater attention was focussed on the subject of performances of works in services of worship in the post-Discussion Paper submissions, than in those made earlier. This may well have been because the Discussion Paper itself raised the issue, in the minds of many people, for the first time.

### Summary of Recommendations

A majority of the Committee recommends -

- (a) that no change be made to the Copyright Act;
- (b) that Church and copyright owner interests establish suitable mechanisms and procedures for the granting and obtaining of clearances to use copyright material.

A minority of the Committee recommends that the Copyright Act be amended to provide that the performance of a musical, literary or dramatic work during and for the purpose of a service of religious worship be deemed not to constitute a performance in public of the work. Neither the Committee as a whole, nor any section of it, makes any recommendation for any other legislative change.

### The Issues and the Committee's Views

The Committee has reached the view that there is no justification for a general exemption for Churches under the Copyright Act. The uses of copyright works by Churches and their organisations are, as would be expected, usual in the sense that the general community use copyright works in similar ways when reproducing and publicly performing works. The distinguishing feature of the use of copyright material by Churches is of course the distinctive nature of the activities in which the copyright works are utilised.

The Committee identified three main kinds of usage of copyright material which give rise to concern amongst the interested parties:

- (a) the copying, by reprographic means, of miscellaneous copyright works on to materials for "special occasion" or "one-off" use;
- (b) the reproduction of the words of hymns and other religious songs on to transparencies suitable for overhead projection in order to facilitate congregational singing; and
- (c) the actual performance of hymns and other musical works of a religious nature during services of worship.

A. Copying for "Special Occasion" Use

Examples of this kind of activity would be the reproduction of poems or hymns in orders of service for weddings or funerals, and the reproduction of poems, songs or journal articles in congregational newsletters. Indeed, the reproduction of materials in orders of service for normal Sunday services would also fall into this category.

The Committee firstly considered whether the "fair dealing" concept embodied in sections 40 and 42 of the Copyright Act should be extended to apply to this area of activity. The Committee has concluded that it should not, for the following reasons:

- (a) if extended to the kinds of multiple copying which would commonly be involved, the application of the fair dealing concept would in effect amount to a blanket reproduction exemption for the Church - something for which no case has been put to the Committee;

- (b) many, if not most, of the works which would be sought to be reproduced in this context would be works created and published by authors and publishers for the express purpose of being used in a religious context. It would not only be unfair to those authors and publishers to deprive them of the primary market for their works, but also potentially counter-productive for the Churches in that it would obviously amount to a disincentive for the authors and publishers of such works, thereby potentially curtailing output. It was suggested to the Committee that many authors of religious works approved of, and indeed wanted, their works to be used in this way. To this the Committee responds that it is within the power of copyright owners to waive their rights and those who wish to do so will no doubt arrange to so indicate in publications of their works.

The Committee next considered whether some form of statutory licence should be enacted in relation to copying of this kind. In the Committee's view there would be serious problems defining terms associated with any such enactment. For example, it would be extremely difficult to identify with sufficient clarity the factors which would determine whether or not a particular function or occasion for which copies were sought to be made was of such a kind as to attract the benefits of the licence. Similarly, given that many of the works being copied would be musical works, the same kinds of as yet unresolved problems in defining the portions of musical works which could be copied, as have been experienced under the educational photocopying provisions of the Act, would need to be addressed.

Moreover, the Committee sees great problems in effective enforcement of any such statutory licence. For example, it would be almost impossible to enforce conditions such as destruction of the copies within a reasonable period of time.

Finally, and most importantly, the churches do not claim to be in a specially privileged position in relation to copyright owners. While it was clear from some submissions that difficulties obtaining permission to reproduce copyright material are sometimes a source of frustration for the churches, it must be recognized that there are all sorts of worthy groups and societies throughout the community which must experience similar problems. To confer a statutory licence upon the churches would open the door to such other groups to claim similar privileges.

For the above reasons the Committee does not recommend any change to the law in relation to this kind of activity.

#### B. Reproduction on to Transparencies

The reproduction of the words of hymns and other religious songs on to clear plastic film (either typed, photocopied or handwritten) for projection on to a screen appears to be an increasingly widespread practice among Churches, particularly those of the Pentecostal or Charismatic kind.

The Committee was informed that the practice of overhead projection is popular because:

- . it is a more convenient and less costly way of providing a copy of the words (and in some cases the music) of a hymn or song to each member of the congregation than purchasing hymn or song books;
- . the wide variety of hymns and songs sought to be used by many congregations makes it difficult for Churches to satisfy the "demands" of parishioners because it is unusual to find the required works within the covers of a single book: the projection of songs on to a screen permits flexibility and variety;
- . a more communal atmosphere seems to be created.

The Committee understands that there are two commercially produced packages of religious songs on transparencies (each containing about 300 works, and each selling for about \$160.00) and that there are a number of publishers manufacturing single works on transparency.

Some criticism might perhaps be levelled at the publishing industry for having been slow to respond to market demand in this area but, on the other hand, it is true to say that the widespread use of transparencies has been a rapid and recent trend.

For the same reasons as those outlined above in relation to copying for "special occasion" use, the Committee does not consider that any exemption - either unqualified or based on fair dealing - should be created in connection with this kind of copying. Nor, in the majority's view, should any statutory licence be created. In that regard, the majority's reasoning is as follows:

- (a) no pressing need for access to works or unreasonable refusal to withhold access to works has been demonstrated to the Committee;
  - (b) it should "not, in the Committee's view, be a function of the copyright law to determine the method by which or the form in which publishers or other producers of copyright material make available that material to the public. Rather, such matters should be dictated by market considerations, and the Committee has little doubt that if there is a legitimate demand for works on transparency, that demand will in due course be filled, either by commercial production in that form or pursuant to licensing arrangements entered into by copyright owners;
  - (c) convenience of form is not, on its own, a valid or sufficient reason, in the Committee's view, to dilute the exclusivity of the copyright owner's right of reproduction;
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(d) again, a majority of the Committee feel that in the absence of a pressing and widespread need or demand, the creation of a statutory licence might well amount to an over-elaborate response. The Committee's primary view is that the parties should be encouraged to work out better licensing mechanisms and procedures on a voluntary basis.

One member of the Committee is of the view that, given the suitability of transparencies for the purposes as described by the Church representatives and given that such transparencies are produced from a wide variety of sources, there may be a case for the creation of a statutory licence, subject to the payment of royalties, in cases where a work is found to be unavailable in the required form after reasonable enquiry. The member feels, however, that further time - perhaps a Year - should be allowed to see how the situation develops, both as regards the demand for use of transparencies and the copyright owners' responsiveness to demand either through the marketing of transparencies or their preparedness to issue licences upon reasonable terms.

#### c. Performances of Works in Services of Worship

In its Discussion Paper the Committee expressed the view that the performance of a copyright musical work in the course of a service of religious worship is probably a "performance in public" of the work within the meaning of section 31 of the Act. Although the question is not free from doubt, the Committee adheres to its original view.

No issue aroused more concern - and, at times, emotion - than the issue of performance. There is no doubt that many of those who represent the Church feel that there is something inherently wrong in the idea that a hymn or other religious song cannot be sung or played in Church without the permission of the copyright owner.

The argument in favour of an exception for performances occurring in services of worship was frequently put in no more specific a way than as phrased above. It was also, however, argued that:

- (a) works of a religious nature by and large come into existence for the very purpose of being performed in services of worship and that in such circumstances it is wrong for permission and payment to be required;
- (b) similar exemptions characterize the copyright laws of many other countries;
- (c) performances of religious songs - particularly in the Charismatic and Pentecostal Churches - enhance the popularity of such songs and benefit the composers and publishers concerned through increased demand for publications and records;
- (d) APRA grants complimentary licences for performances in services of worship anyway; and
- (e) if any royalty payment system were introduced, it would be unlikely that the actual composers and publishers of the songs performed would be paid.

A majority of the Committee is, however, of the view that because no case for special treatment for the churches has been made out, there is no warrant for legislative intervention to create an exemption from liability in relation to the right of public performance.

The public performance right is, under section 31 of the Copyright Act, only one of several exclusive rights conferred upon the copyright owner (the others being publication, reproduction in a material form, broadcasting, diffusion, adaptation and the doing of any of the foregoing acts in relation to an adaptation) and has traditionally been an

integral part of the author's copyright. It would be wrong, in principle, in the majority's view, to effectively exclude it as a right under an author's control in relation to a sector of the community which has not made out a case for special treatment.

The majority is furthermore of the view that it cannot be said in relation to this area of activity that the Church is confronted with practical problems. Indeed, it is perhaps the only area of activity involving the use of copyright material where there are not practical problems. A blanket licence is available from APRA upon request. APRA does not currently charge a fee for performances in services of worship but does charge an overall fee of about \$30 per year if performances occur at related public functions such as fetes and socials. A majority of the Committee does not believe that music copyright owners should lose their performance right in this area merely because they have to date waived the right to payment. Moreover, the Committee majority notes that churches, like other members of the community, may avail themselves of the right granted under Section 157 of the Copyright Act to apply to the Copyright Tribunal in the event of unreasonable refusal to grant a performance licence or the imposition of unreasonable terms or conditions.

It has been acknowledged by APRA that its repertoire of religious musical works is not as comprehensive as in other areas. This is presumably because:

- (a). it is in many instances impossible to identify the author of a work, particularly in the Charismatic and Pentecostal areas where there is a strong folk music-like tradition of on-going change to popular works; and
- (b) some composers do not wish to obtain royalty payments in respect of their works. It might also partly be because to date there have been no royalties payable in respect of the public usage of their works.

Nevertheless, the Committee has not had put before it any instance of a demand being made upon a Church by an individual in respect of alleged unauthorized performance occurring during a service of worship.

The Committee notes that a number of countries have various types of exemptions or statutory licences concerned with the performance of copyright material during services of religious worship. These countries include the United States of America, Canada, Austria, Denmark, the Netherlands, the Philippines, Finland, Norway, Sweden and Iceland. No such exemption exists in a number of other countries, including the United Kingdom and New Zealand. (A summary of the relevant provisions appears as schedule 4.) The majority is not, however, of the view that a similar exemption should be created under Australian law merely because a number of other countries have enacted such a provision on public policy grounds.

A minority of the Committee believes that the Act should be amended on public policy grounds to exempt from liability performances of copyright works occurring during and for the purposes of services of religious worship. The minority discerned a not insubstantial amount of public concern in relation to the Committee's suggestion that singing in a service of worship 'may constitute a public performance of a work for the purposes of the Act. There appeared to be disbelief and disquiet at the notion that a public act of worship might involve a breach of the law. In such circumstances the minority considered it appropriate that the Act be amended so as to prevent any conflict between public perceptions and sensitivities and a literal application of the Act, particularly when it is considered that APRA does not impose any charge for the performance of works used in services of worship. The minority thought that this approach was the probable explanation of why so many countries have enacted legislation to exclude public performance of works in churches from the operation of their copyright laws. On balance the minority prefers the arguments in favour of an exemption noted in paras. (a) to (e) on p.10.

The majority of the Committee is of the view that, if APRA is to collect royalties in respect of performances in services of worship, those royalties should be received by the writers and publishers of the hymns and religious music so performed rather than be pooled with royalties from other sources and distributed to the writers and publishers of popular music.

#### D. Other Issues

The Committee considered various other issues in relation to the reference. These include:

- (a) whether Sunday Schools should be treated as educational institutions for the purposes of the photocopying provisions of the Copyright Act;
- (b) whether agents should be declared under the Act as sole agents from whom comprehensive licences for photocopying and performance rights could be obtained by Churches;
- (c) whether the publication and sale of religious materials should be taken to imply a licence to perform or otherwise copy such materials for use within a religious institution.

In no instance did the Committee consider that a case for change had been made out.

#### E. The Need for Better Communication and Organization

The Committee is strongly of the view that many of the problems which confront the churches could be solved to a large degree if there were:

- (a) a better understanding on the part of those involved in the Church of the rights of copyright owners and on the part of copyright owners of the problems confronting the Church;

- (b) a closer dialogue between Church interests on the one hand and copyright owners on the other, hopefully leading to:
  
- (c) more streamlined procedures and mechanisms for granting and obtaining clearances. In this regard there is an obvious need for the Churches to exhibit a more centralised approach to obtaining clearances and to forward-plan copyright needs. Insofar as the copyright owners are concerned, there is in the Committee's view a clear need for those in the field of music to organize themselves so that blanket licences for graphic copying (including copying on to transparencies) can be facilitated,

With the matters mentioned in paragraph (c) in mind the Committee urges that interested parties meet to discuss the feasibility of action along the lines outlined above.

The Committee notes that as a result of the reference to the Committee and the consequent investigations and enquiries, there has been an increase in public awareness of the need for copyright permissions in cases of copying of religious material. The Committee notes that the representatives of Churches report an increasing number of enquiries from parishes concerning copyright protection.


There is a clear need for information on copyright to be available to Churches and for the education process to be pursued. The Attorney-General's Department has issued a leaflet entitled "Copyright Law in Australia", available on request from the Attorney-General's Department, Canberra, ACT, 2600. The Committee notes the very useful and welcome steps taken by Churches themselves to play a role in the education process. In particular, its attention has been drawn to the publication of a booklet entitled "Copyright for Churches" by

the Presbytery of Canberra of the Uniting Church in Australia. This publication is specifically designed to answer copyright enquiries from Churches.

The Committee expresses the hope that Churches and copyright owners will continue the process of education and discussion in this field.

Dated the nineteenth day of November 1985

For the Committee

A handwritten signature in black ink, appearing to read 'I.F. Sheppard', written over a horizontal dotted line.

Mr. Justice I.F. Sheppard  
Chairman.

SCHEDULE 1

REPRESENTATIVES OF ORGANIZATIONS  
WITH WHOM DISCUSSIONS WERE HELD

<u>ORGANIZATION</u>	<u>REPRESENTATIVE</u>
Anglican Church	Canon L. Bartlett
Apostolic Church	Pastor Chaloner
Assemblies of God	Pastor T. King Pastor H. Leesment Mr G. Corney
Australian Book Publishers Association	Mr N. Hudson
Australian Music Publishers Association Ltd	Mr J. Turner
Australian Record Industry Association	Mr S. Silver
Australian Religious Film Society	Mr E. Giddy
Baptist Union	Mr G. Tyler
Bible Society	Mr R. Paul
Bookhouse Australia	Mr J. Blair
Christian Revival Crusade	Pastor D. Logan
Churches of Christ	Mr P. Caspersen
Church Missionary Society	Mr H. Whitehouse
Dove Communications	Mr G. Eastman
Genesis Music	Reverend R. Goodfellow
Joint Board of Christian Education	Deaconess M. Parry
Lutheran Publishing House	Reverend E. Leske
Paul Sarks and Son	Mr P. Sarks
Roman Catholic Church	Mr R. D'Apice
Scripture Union	Mr J. Tigwell
Seventh Day Adventists	Pastor J. Silver Pastor R. Kranz
Spotlight Music (C.M.C.)	Ms L. O'Neill

ORGANIZATION

St. Pauls Book and Media  
Centre

Uniting Church

William Collins and Son  
(Liturgical Division)

Word Music

REPRESENTATIVE

Srs. Emanuel and Linda

Reverend O. Roberts

Ms M. Bouffler  
Mr A. Rein

Mr S. Moulton

SCHEDULE 2

ORGANIZATIONS FROM WHOM SUBMISSIONS WERE RECEIVED  
PRIOR TO THE PUBLICATION OF THE COMMITTEE'S DISCUSSION PAPER

Albion Baptist Church  
Anglican Church Diocese of Sydney  
Anglican Church Media Association  
Anglican Church of Australia, The General Synod  
Anzea Bookhouse Limited  
Australian Book Publishers Association  
Australian Churches Media Association  
Australian Episcopal Conference of the Roman Catholic Church  
The Bible Society in Australia  
Christian Marketing Pty Limited  
Collins Liturgical Australia  
Dove Communications  
Hervey Bay Baptist Church  
Joint Board of Christian Education  
Lutheran Publishing House  
National Liturgical Commission  
Pilgrim International Limited  
The Presbyterian Church of Queensland  
Resource Christian Music  
The Salvation Army  
Scripture Union  
South Brisbane Baptist Fellowship  
South Toowoomba Baptist Church  
Spotlight Music Pty Limited  
Uniting Church in Australia, Presbytery of Canberra.

SCHEDULE 3

ORGANIZATIONS AND INDIVIDUALS FROM WHOM SUBMISSIONS WERE  
RECEIVED AFTER THE PUBLICATION OF THE COMMITTEE'S  
DISCUSSION PAPER

Anglican Church, Diocese of Adelaide  
Ashburton Baptist Church  
Assemblies of God in Australia, Queensland Conference  
Australian Book Publishers Association  
Australian Episcopal Conference of the Roman Catholic Church  
Australasian Performing Rights Association  
Reverend Kingsley Bond, Lake Grace, Western Australia  
Central Coast Christian Life Centre  
Christian Women's Conventions International (Aust.)  
Churchill Baptist Church, Queensland  
Diocesan Director of the Sacred Music, Bendigo, Victoria  
Dove Communications  
E.N. Dwyer (Australia) Proprietary Limited  
Ministry of Culture, France  
Ministry of Justice, Federal Republic of Germany  
Joint Board of Christian Education  
Pastor Hubert Krenske, Toowoomba, Queensland  
Music Publishers' Association Limited, London  
Father Roderick O'Brien, Parish of Mary, Help of Christians  
Peoples' Church of Bundaberg  
Sound Words, Tape Ministry Queensland  
St. Michael's Vaucluse, New South Wales  
36 Media Limited, Melbourne, Victoria  
Ulverstone Ministers Fraternal  
U. N. E. S.C.O.  
United States Copyright Office, the Library of Congress,  
United States of America

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Uniting Church in Australia, Fassifern Parish

Uniting Church in Australia, Presbytery of Canberra

Uniting Church in Australia, Queensland Synod

Uniting Church in Australia, Synod of Victoria

Uniting Church in Australia, Synod of Western Australia

World Intellectual Property Organization

SCHEDULE 4

EXAMPLES OF FOREIGN LEGISLATION

<u>Country</u>	<u>Act/Provision</u>
<u>AUSTRIA</u>	<p><u>Copyright Statute Section 53(1)2</u></p> <p>"The public performance of a published musical work shall be permitted:</p> <p>(2) When the work is performed at an ecclesiastical or civil ceremony or at a military event and the members of the audience are admitted without charge;"</p>
<u>CANADA</u>	<p><u>Copyright Statute Section 17(3)</u></p> <p>"No church, college or school and no religious, charitable or fraternal organisation shall be held liable to pay any compensation to the owner of any musical work or to any person claiming through him by reason of the public performance of any musical work in furtherance of a religious, educational or charitable object. "</p>
<u>DENMARK</u>	<p><u>copyright Statute Sections 16 and 20</u></p> <p><u>S.16.</u> "Minor parts of literary or musical works, or short works of this nature, may be reproduced in a composite work consisting of works of a large number of authors compiled for use in divine services or education, when five years have elapsed from the year of their publication. Artistic works, and the works mentioned in the second paragraph of section 1, may also be reproduced in connection with the text when five years have passed from the year of their dissemination. Works created for use in education may not be reproduced without the consent of the author in a composite work compiled for teaching purposes.</p> <p>The author shall be entitled to remuneration. "</p> <p><u>S.20.</u> "A published work, other than dramatic or cinematographic works, may be publicly performed in the following instances:</p> <ol style="list-style-type: none"><li>a. at divine services;</li><li>b. for educational purposes;</li></ol>

Country

Act/Provision

- c. when the audience or spectators pay no admission charge and when the performance of works like those specified herein are not the main feature of an event conducted for other than commercial purposes;
- d. on occasions at which the performer of the work or, if there are several, all the performers, receive no payment for their services and the performance is conducted in aid of charity, for popular education or for other purposes for the common good."

ICELAND

Copyright Statute Article 21

Article 21(4). A published literary or musical work, which is not a dramatic work, may be publicly performed in the following instances:

At divine services and other official church functions. The author shall be entitled to remuneration under the provision of this paragraph in accordance with rules laid down by the Minister of Education.

NETHERLANDS

copyright Statute Section 17c

"It shall not be deemed to be an infringement of the copyright in a literary or artistic work when such work is performed vocally by a religious community and is provided with instrumental accompaniment in the course of a service. "

NORWAY

Copyright Statute Article 18

Article 18. A published work may be performed publicly in religious services and in education.

A published work may be performed publicly also if:

- (a) the audience can attend the performance free of charge and the performance is not arranged for purposes of gain, or
- (b) the performance takes place during gatherings of singers or musicians, youth meetings or other popular gatherings, which are not arranged for purposes of gain.

The provision in the second paragraph of this section shall not apply to dramatic or cinematographic works. The provision in the first paragraph of this section relating to performance in education, shall not apply to cinematographic works created especially for such performance.

<u>Country</u>	<u>Act/Provision</u>
<u>PHILIPPINES</u>	<p><u>copyright Statute Section 10</u></p> <p>"When a work has been lawfully made accessible to the public, the author shall not be entitled to prohibit:</p> <ol style="list-style-type: none"> <li>1. Its recitation or performance (a) if done privately and free of charge; or (b) if made for a strictly charitable or religious institution or society." </li> </ol>
<u>SWEDEN</u>	<p><u>copyright Statute Article 20</u></p> <p>Article 20. A published work may be publicly performed at divine services and in connection with education.</p> <p>A published work may also be publicly performed in cases where the performance is not the main feature of an event, provided that no admission fee is charged and the event is not conducted for profit. It may also be publicly performed in connection with educational extension programmed and for charitable or other purposes for the common good, provided the performer or, if there are several, all the performers receive no payment for their performance.</p> <p>This section shall not apply to dramatic or cinematographic works.</p> <p>NOTE : The Copyright Statute of Finland contains a near identical provision to that of Sweden.</p>
<u>UNITED STATES</u>	<p><u>Copyright Statute Section 110</u></p> <p>Limitations on exclusive rights: Exemption of certain performances and displays.</p> <p>"Notwithstanding the provisions of section 106, the following are not infringements of copyright:</p> <p>...</p> <ol style="list-style-type: none"> <li>(3) performance of a non-dramatic literary or musical work or of a dramatico - musical work of a religious nature, or display of a work, in the course of services at a place of worship or other religious assembly. "</li> </ol>