

HERITAGE QUAY MUSIC COLLECTIONS

MUSIC COPYRIGHT AND PERFORMANCE



If you would like to perform a musical work that is held within the Heritage Quay Collections (e.g. British Music Collection, Huddersfield Contemporary Music Collection...etc.) then there are two issues that you need to consider:

1. How to acquire the permission to perform the work
2. How to acquire a copy/copies of the score in order to perform the work

KEY FACTS:

- All musical works are protected under copyright legislation as soon as they are created
- Copyright protection in musical works usually lasts for the lifetime of the author plus 70 years
- More than one copyright often exists within a single musical work. For example, within a single musical score there may be separate copyrights in the music, the words, the artwork and the printed version (typography) of the score. Typographical copyright lasts for 20 years.
- All copyrights are owned by a person or organisation until they expire and this gives the owner the exclusive right to (among other things) perform or copy a musical work. Copyright owners also have the exclusive right to approve others to perform or copy the work.

ACQUIRING PERMISSION TO PERFORM

1. If copyright protection has expired in the musical work you are interested in (e.g. it's over 70 years since the composer died) then you do not need permission to perform the work
2. If the music is still protected under copyright then the first port of call to seek approval to perform the work is PRS for Music (www.prsformusic.com). The PRS for Music is the leading music copyright administration society that acts on the behalf of composers. Please note that you still need to seek approval to perform the work regardless of whether you are receiving money for the performance.
3. If the composer/music you are interested in is not covered by PRS for Music, then the next step is to try contact the composer and/or publisher of the music direct. Nearly all active publishers and composers have websites or some form of online presence where they can be contacted.

ACQUIRING FULL COPIES OF SCORES FOR PERFORMANCE

1. If all copyright protection has expired in the musical work you are interested in (e.g. it's over 70 years since the composer died and physical the score is over 20 years old) then no permissions are required to produce a copy of the work held within Heritage Quay (subject to [fees and charges](#))
2. For works still protected under copyright legislation, Heritage Quay can only provide a researcher with a copy of up to 10% of a musical score for private research purposes only (this does not include performance).
3. To acquire a full copy of a score for performance purposes you will either need to seek permission from all relevant copyright owners (see guidance above of who to contact) for a copy to be produced from the item held within Heritage Quay (evidence of permission will be required), or you will need to acquire a copy from another source (see below).



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4. Further sources to acquire music scores:

- The music inter-library loans system at your local library may be able to locate and lend the work you are interested in. This service is usually administered through your Central Library; further information about where music requests are handled can usually be found on the public library website for each council/district.
- Some universities/colleges also have a public access scheme for local members of the public. Although each institution has its own scheme so you would need to check the terms and conditions of the scheme at each institution before joining as an external member.
- Private music lending libraries

ACQUIRING INDIVIDUAL PARTS FROM SCORES

If you would like to obtain parts from a score within the Heritage Quay collections then please follow these steps.

1. If the score is published then please contact the publisher in the first instance to obtain the parts from them
2. If the score is published but the publisher has gone out of business or cannot supply parts then please contact your local Central Library to see if the parts can be obtained through the inter-library music loans scheme. Failing this, please contact a private music lending library to source the parts.
3. If the score is unpublished and the composer did not create parts then you will need to acquire permission from the composer (or their estate) to create the parts yourself in the Heritage Quay searchroom under the following conditions:
 - You must provide evidence that you have the permission of the composer to create the parts **unless** the score and music are both out of copyright
 - You will provide Heritage Quay with a copy of the parts that you create, though you will retain the typographical arrangement copyright in these parts
 - You will provide Heritage Quay with your contact details and keep us informed of any changes to these details for up to 25 years (the length of time that copyright in typographical arrangement lasts) so that the service can contact you if another researcher want to use the parts in the future.

Please note this factsheet is designed to assist Heritage Quay researchers with the complex subject of copyright in music archives. The above information does not constitute legal advice and does not cover all eventualities. Please contact the Heritage Quay team (archives@hud.ac.uk) if you have any further questions about copyright and the Heritage Quay music collections.