



## PTG BOARD POLICY 4-7

---

### **POLICY TITLE: Copyright of Plays**

---

#### **POLICY STATEMENT**

The Peterborough Theatre Guild shall comply with Canadian copyright law. The Guild must receive permission to perform plays, must purchase scripts and must pay required royalties to the author. Failure to abide by this policy may result in fines, withdrawal of permission privileges and legal action to the Theatre Guild.

#### Applicable Legislation

Access© (formerly known as CANCOPY) represents Canadian creators and publishers to ensure easy and legal access to permission to photocopy for users and compensation for the copyright holders.

SOCAN The Society of Composers, Authors and Music Publishers of Canada, otherwise known as SOCAN administers Performing Rights through licences and tariffs, a listing of which is available by contacting SOCAN. SOCAN licenses give you the freedom to play any music you want in your business, legally, ethically, and easily. According to the Copyright Act, any public performance of copyright-protected musical works requires a license. When a song is played in public, music creators (not just the performers) are entitled to be compensated – it supports their livelihood. SOCAN operates in accordance with tariffs certified by the Copyright Board of Canada. A SOCAN license grants the recipient permission to use music in a specific way. Businesses may need more than one license, depending on how they use music (i.e. one for background music, one for music on hold, etc.).

#### Policy Statement

In the case of a play or original dramatic, literary, or musical work, copyright is a form of intellectual property that is protected. Authors have the right to be compensated for the labour they put into writing that work. It also protects the author's integrity by ensuring that their work is not misinterpreted or used to convey an impression that the author never intended.

#### **POLICY**

1. The Peterborough Theatre Guild must receive permission in writing from the publisher, playwright, or agent to perform plays. This is done through the Play Selection Committee and PSC Chair will apply for the rights to produce the production. The Chair or President of the PTG Board, as authorized signing officers, shall execute the associated contracts for rights and royalties. Royalties must be paid to the author or agent. The Finance Manager shall order scripts and ensure payment of royalties and scripts. All shall be confirmed prior to any advertising taking place.
2. Scripts must be purchased, not photocopied or borrowed. It is unlawful to reproduce a copyrighted work, such as photocopying scripts for rehearsal instead of purchasing scripts from the playwright or agent.
3. Annual SOCAN license encompasses the use of music in preshow, intermission and post show (Tariff 15A). Other music played within the production shall be licensed on an individual basis (see

Tariff Schedule). The Production Manager is responsible for applying for the license and arranging for payment of tariffs through the Finance Manager and shall report to the President to confirm the rights.

4. Any change or addition to the literal text of a play without authorization from the publisher, playwright, or agent is an infringement of copyright law. Written permission must be presented to the Board for approval, through a formal resolution recorded in the minutes and shall be acquired prior to the first performance of the production..

5. Failure to comply with this policy results in a direct violation of copyright law or publisher's contract and shall require that the Board take appropriate action to comply with legislation.

#### **MONITORING:**

The Production Manager for each PTG play is responsible to ensure that a sufficient number of scripts are available for cast and crew.

The Finance Manager will ensure the annual SOCAN tariffs are paid.

The contract with SOCAN shall be executed by an authorized signing officer of the Board of Directors.

The Production Manager of each show will report to the Production Manager Chair of the Production Executive to ensure compliance with this policy.

The Director of the Production and the Production Manager will sign an agreement form stating that they have reviewed and agree to comply with the policy and related legislation.

The Play Selection Chair will report to the Executive President immediately when rights are confirmed to perform each production; and subsequently the associated contract(s) shall be executed by the authorized signing authority of the Board of Directors.

---

Policy Date: Approved by the Board of Directors May 22, 2014

Review Date: May 2017

Related Policies: 4-6 Recording Performances; 7-6\_- Play Selection Committee Policy

Related Documents: Canadian Copyright Act, 1924; SOCAN , Copyright Agreement Form