



The Religious Service Exemption Explained



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The Religious Service Exemption in the US copyright law is vital for churches. But church leaders are often confused and find it hard to understand what the exemption covers and what it doesn't include. We get it. We're here today to help explain the Exemption and aim to clear up any confusion.

What is the Religious Service Exemption (RSE)?

The Religious Service Exemption is found in [Section 110\(3\)](#) of the Copyright Law. Generally, a copyright owner has the exclusive right to a public performance of their work. This exemption allows for the following:

"...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" shall not constitute infringement of copyright."

It's also important to remember that the RSE only covers two basic types of copyrights (there are eight types of copyrights).

1. Non-Dramatic Literary
2. Music – Religious and Secular (including dramatic musical works of a religious nature)

And it only covers two exclusive rights (out of six) of the copyright owner:

1. Public Performance
2. Public Display

So, what exactly does the RSE cover?

Public Performance

The religious service exemption applies to any type of music played in the service. If services are being conducted at a religious service gathering, the exemption applies even if they are held in "non-religious" venues such as an auditorium, stadium, or theater. The exemption allows the church to play or perform any type of music without the risk of penalty, whether live performance or pre-recorded music.

The only exception is what would be considered a "dramatico-musical" work of a non-religious nature, like secular operas or plays, which would need separate licensing.

Public Display

Copyright issues can arise when churches *reproduce* song lyrics or record their services. Reproduction and recording are exclusive rights that are not exempt. While display is exempt in the RSE, when someone first entered those lyrics into a computer or wrote them down on a transparency, that is an act of reproduction that is not exempt.

We know what you're probably thinking. What does that mean to my church?

The RSE only applies to actual religious services. So, the music played in the context of your church service is exempt from copyright responsibilities. Outside of religious services, though, the exemption doesn't apply. Outside of the worship service, a church has the same requirements as any business. This means for social events, fundraisers, children's music, vacation Bible school, concerts, and more - you must have the proper licensing in place.

Secondly, if you reproduce or store the lyrics for future display a reproduction license is required.

Does the RSE cover streaming of our services?

The exemption does not extend to the retransmission or streaming of a service. It only covers copyrighted works used in the context of a live, on-site worship service. If a church service is live streamed, the church will require an internet performance license (or internet streaming license) if performing copyrighted songs.

Any retransmission or playback of the service is not a part of this exemption. Video uploads and any type of streaming, including social media, are not covered in the exemption. If the service is broadcast on TV or radio, those stations will need to have performance licenses.

So, what activities are NOT covered under the exemption?

The RSE doesn't cover music being performed or played outside a religious service for activities such as:

- Concerts
- Youth & Children's Programs
- Social events
- Fundraisers
- Exercise classes
- On-hold music
- Summer camps & VBS
- Conferences & Seminars
- Retreats
- On-site coffee shops
- Background music in the lobby/common area

The exemption also doesn't apply to the copying (reproducing) of religious music since copying is not a performance or a display right. It also does not apply to recording music played or performed during the service, because recording or "reproducing" music is not a performance or display.

Utilizing video outside of the church service is also not covered under the RSE. Performance licensing is required if you want to show them in your services or anywhere in your church facilities.

What can we do to ensure our church is legally using music?

Blanket licenses are your best solution. These licenses are simple and affordable, giving your church freedom, flexibility, and peace of mind so that you can focus on ministering to your congregation.

Christian Copyright Solutions (CCS)

CCS covers more than 28 million Christian and secular songs of all genres across the catalogs of the ASCAP, BMI, and SESAC. We offer two performance licenses to cover both onsite and online.

- The [PERFORMmusic Facilities License](#) provides churches and ministries with a license for the performance of any live and prerecorded music in their facilities, including satellite campuses.
- The [WORSHIPcast Streaming License](#) allows churches and ministries to webcast or stream any copyrighted music on their church-owned websites.

Christian Copyright Licensing International (CCLI)

The [CCLI Church Copyright License®](#) provides simple, legal coverage for the typical activities that assist congregational singing including projecting and printing lyrics and making custom arrangements and translations.

Available as an add-on to the CCLI Church Copyright License, the [Streaming and Streaming Plus Licenses](#) extend your authorization to enable the webcasting of your entire service. The safe streaming of master recordings and multitracks is now included with the Streaming Plus License.

Both CCS and CCLI exist to serve the church, and each offers licensing to cover a unique set of music rights that churches need to legally cover their services and ministry activities. So, it's not a case of choosing one license over another. Depending on your activities you may require a combination of the licenses.

Learn more about our licenses!

CCS provides blanket licenses that meet most church performance copyright needs. For more details or information about products and services that we offer contact:

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