## **Catholic Radio Association**

## **Music Licensing Guide / Fact Sheet**

March 23, 2024

- 1. All radio broadcasters are morally obligated and **legally required** to compensate copyright owners of the lyrics and notes of **musical compositions** (the musical works) that they broadcast. Musical compositions include **incidental music** (bumpers, backgrounds, intros, outros, etc) as well as **feature music** (music that is the principal focus of audience attention).
- 2. Most Catholic radio network programming includes musical compositions including EWTN network programming and Relevant Radio network programming. Catholic radio stations that broadcast network programming are responsible for obtaining the required musical composition licenses as the network program providers (EWTN, Ave Maria Radio, Catholic Answers, etc) do not directly broadcast music.
- 3. Most musical composition copyright owners are represented by **music rights organizations** including ASCAP, BMI, SESAC, GMR & UPM, each of which have music licensing options for their individual music repositories.
- 4. Stations that broadcast **other programming**, in addition to network programming, should consider the incidental music and feature music of such broadcasts and obtain the appropriate music composition licenses.
  - A music composition license is **not required** for broadcasting music that is:
  - a) public domain (however music that has been re-composed / re-arranged / re-mixed and is sufficiently original, may require a license).
  - b) **royalty-free** with permission to broadcast (however this music may include restrictions, and require reporting and attribution).
  - c) **directly licensed** with permission to broadcast from the music composition/arrangement copyright owner. This may include music by a local musician that has sufficiently re-composed or re-arranged copyrighted music.
  - d) from a purchased **music CD** with broadcast permission (music CD's do not typically include such permission.)
  - e) fair use music (several complex factors determine if certain music is fair use)
- 5. Radio broadcasters that have a **unique stream/webcast** of their station's broadcasts are morally obligated and legally required to compensate the copyright owner of the **musical performances** (sound recordings) as well as the copyright owner of the **musical compositions** (musical works). US Copyright Law has designated Sound Exchange as the organization that licenses and pays collected royalties to the copyright owner of streamed music performances (sound recordings). Radio broadcasters, without a unique stream (ie providing only a link to a network stream) are **not required** to obtain a music performance (sound recording) license.
- 6. The Catholic Radio Association (CRA) **offers expert assistance** with determining which music licenses would be appropriate for your station's broadcasting and streaming. CRA members are eligible to participate in the CRA group administration music license programs with the music licensing organizations and containing **reduced licensing fees**. For more information or a consultation, contact CRA at 864-438-4801 or email office@catholicradioassociation.org

This Guide is a simplified summary of some of the variations and complexities in music licensing for Catholic radio broadcasters and webcasters, and is not all inclusive nor to be considered as providing legal advice. Consultation with your attorney is recommended for your particular stations legal requirements.