

Guide from Samuel French Ltd about Play / Musical Licences

Licensing a play to perform can seem intimidating when you don't know the ropes, but it's actually a fairly simple process, and Samuel French and other licensing agents strive to make it as painless as possible. The guide below is by Samuel French and should answer some of your questions, and take you through the process of applying for a license.

Q Why is a licence required to perform a play?

Plays are covered by copyright law from the moment they're written, which means that - for a certain period of time - if you want to perform them publicly you need to seek the author's permission and pay them to stage their work.

Licensing fees are an essential part of many authors' incomes, and obtaining a license both supports their work and ensures you have all the permissions you need to perform copyright protected plays.

When your application to perform a play is successful, you'll be granted a licence document as proof of your entitlement. Theatres will ask to see this agreement before accepting your production.

Q Do I need a licence to perform a play or musical?

This depends on the answers to a couple of questions...

- 1. Is the show you want to do protected by copyright?**
- 2. How are you planning to perform it?**

How do I know if a play I want to perform is in copyright?

Plays are automatically covered by copyright law from the moment they're written, which means that - for a certain period of time - **if you want to perform them publicly you need to seek the author's permission** and pay them to stage their work.

Copyright law is a complex beast. The precise rules over how long a play

is protected by copyright law vary from country to country. Here's a quick guide to the situation in the UK and EU.

Likely to be out of copyright

Plays written by authors who died more than 70 years ago

Likely to be covered by copyright protection

Plays written by authors who died less than 70 years ago
Modern translations or adaptations of older works, which are considered new works and the copyright is owned by the translator or adapter, even if the original author died more than 70 years ago

By a special dispensation in the law, JM Barrie's *Peter Pan* is still entitled to collect licensing fees, despite the fact that Barrie died more than 70 years ago

This means that **plays by Shakespeare and many other pre-twentieth century plays can be performed freely** without obtaining a licence, for example, but most plays from the twentieth century onwards are still protected. If you're in any doubt about whether a play is protected by copyright, it's always best to check with us.

The rights to perform plays that are in copyright are held by the author, and you must seek their permission and obtain a licence to perform their work. Here the plot thickens slightly because authors usually pass the responsibility of granting rights on to third parties to administer on their behalf. They may nominate their agents, their publishers or play leasing agents like Samuel French. The best way to find out who administers the rights to a play you're interested in is to look on the copyright page of the book, where this information is usually listed.

You can find the plays Samuel French licenses on their web site. If it's not listed, please [contact Samuel French](#) and they will be happy to help you find out who does license it.

Do I need a licence for the type of performance I'm doing?

If you're doing a public performance of a copyright protected play, you need a licence. Put simply, unless you're doing a show in your own home for friends and family, or in a school as part of the usual teaching day, with no other invited guests, your show will be considered 'public'.

There's a common misconception that you don't need a licence if you're not charging for tickets. This isn't the case. *All* public shows require a licence, regardless of whether or not you're charging

Q Do I need a licence for a charity performance?

Yes, even if some or all of the profits from a performance are going to charity, the performance will count as 'public' and you need to get a licence as normal. As licensing fees are such an important part of authors' incomes, we're not able to make exceptions for charity performances.

Q How far in advance should I apply for a licence?

You should apply for a licence as early as possible, and before you make any financial or other commitments to perform the piece. There may be restrictions on a title which could mean we're not able to give permission to perform it, so it's always best to check with us as part of your selection process.

You don't have to pay for your licence straight away when you apply, but it needs to be paid for before any advertising, announcement, auditions or rehearsals have taken place.

Q How do I find out where to obtain a licence for the play I want to perform?

Here, the plot thickens a little. Depending on the play, rights to perform may be granted by the author, their agent or a performance rights agent like Samuel French. Information on who you need to apply to for a licence is usually listed on the copyright page of any printed text.

You can search our website (using the search box in the top right hand corner) to find all the plays we currently license. Any play that we hold the rights to will have a 'Request licence' button on its product page.

Q Why are some plays not available to perform?

Though we strive to make as many of the plays in our catalogue available for performance as possible, the availability of certain plays can be restricted for a number of reasons outside of our control. These might include...

- New plays often aren't released for amateur performance until any professional runs and subsequent tours are finished
 - Producers of professional productions may require restrictions on amateur availability in certain areas and for certain times, to avoid amateur productions clashing with professional ones
 - In certain areas, all production requests must be checked with the author and their agents. For example, major play requests are always checked in London and Edinburgh, due to the possibility of West End or Edinburgh Festival productions
 - Authors can decide to restrict the availability of their plays at any time and for any reason
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- Our website will give some indication of whether or not the play is currently available for licensing, making it clear if a title is not available at all, but for questions about a particular area it's best to contact our licensing team.

Q How much does it cost to licence a play or musical?

Licensing fees vary from show to show, so it's best to check the play's detail page on our website. This will list the minimum fee payable per performance for this show, but as the precise fee depends on various factors including venue size, the fee for your licence may be higher than this minimum fee. The precise fee will be calculated during your application process.

Q Can I film a performance of my show?

It's forbidden to make video recordings for any purpose without prior permission from the appropriate agent. These rights may require an additional licence and an extra fee.

Samuel French may not hold filming rights - and in some cases it may not be possible to obtain them at all.

The best thing to do, if you're interested in filming your show, is to contact us, and we'll let you know what the situation is.

Copying scripts

Why do we have to buy copies of the playscripts for stage management and each member of the cast?

Copyright exists in all published works to protect the author's work and to ensure a livelihood for the author. Reproducing a copyrighted work by any means without prior permission is illegal and results in a loss of livelihood for the author.

May I make an enlarged photocopy of the play for the stage manager?

Providing that it is a Samuel French Ltd publication and that a copy of the play has been purchased by or for the stage manager you may make an enlarged copy for stage management purposes. You must not use the copy for any other purpose and the enlarged copy should be destroyed after the play has finished unless you make further reference to Samuel French Ltd. We regret we cannot give permission for playscripts published by other publishers.

The play is out of print so it must be OK for me to make copies of it?

No, not without permission. Although a play may be out of print in a particular edition it doesn't mean the work is out of copyright. In the UK and the European Union copyright exists until the end of the 70th year after the death of the author (and in the case of co-authors the end of the 70th year after the death of the last remaining author). In addition there is typographical copyright which exists for 25 years from the end of the year in which the edition was published. We are happy to advise on Samuel French London publications. In many cases we can bring titles back into print to order multiple copies. For orders under five (5) a downloadable perusal script will be available on the website for £25.00. Please contact our Customer Services Department on

customerservices@samuelfrench.co.uk or 0207 255 4311 for more information.

Although the play is out of print I've managed to get a library copy and we want to perform it. Can we make additional copies?

Please contact us as it is necessary to obtain written permission. In the vast majority of cases the play will still be in copyright and so a performing fee is still payable. In many cases we can bring titles back into print to order multiple copies. Please contact our Customer Services Department on customerservices@samuelfrench.co.uk or 0207 255 4311 for more information.

One of the actors in our group is partially sighted. May we make an enlarged copy of the playscript?

Providing that it is a Samuel French London publication and that an original copy of the play has been legally acquired by or for the actor concerned, you may make an enlarged photocopy for rehearsal purposes. You must not use the copy for any other purpose without further reference to Samuel French London. We cannot give permission for playscripts published by other publishers.

Can you provide/can I make a Braille transcription of a Samuel French London playscript/vocal score?

We regret we are unable to supply Braille transcriptions of Samuel French London publications. However, you are quite free to make a Braille transcription of our publications provided that an original copy of the play has been legally acquired by or for the person concerned. The RNIB (Royal National Institute of Blind People) is the leading UK charity offering practical support and information to anyone with a sight problem and it has a transcription service. Telephone: 0845 766 9999 / 020 7388 2525. Website: www.rnib.org.uk

I am a teacher/student and I want to copy a portion of the play for classroom/study/research purposes. Can I photocopy part of the playscript?

It is permissible to copy up to a maximum of four per cent of the total of a published work (for example, if a playscript comprised 40 pages it would be permissible to copy less than 2 pages) but the library of your school or college must be signatories to the [Copyright Licensing Agency](http://www.cla.co.uk). The Copyright Licensing Agency Ltd licenses the photocopying of extracts from books, journals and magazines. Telephone: 020 7400 3100. Email: info@cla.co.uk

There are also some important stipulations regarding the way you promote or publicise your production:

- The title of the play should be given in full, in the form in which it appears in the published playtext.
- The name(s) of the author(s), including any adaptor or translator, should appear in proximity to the title.
- If your licence is for an amateur performance, all publicity, including any poster and theatre programme, should clearly state that it is an 'amateur production by arrangement with *Licensing Agent's Title*.'