



**To: Boards of Management, Principal Teachers and Teaching Staff of
Primary and Post-Primary Schools, Special Schools and Chief Executives
of ETBs.**

**RE: Changes to how payment of copyright licensing scheme
for schools is made**

1. ICLA School Licence

As you will be aware it is mandatory for any educational establishment, including primary and post primary schools, to have a licence in order to copy and reuse content from a variety of copyright-protected works. This licence is obtained from the Irish Copyright Licensing Authority (ICLA).

The ICLA Primary and Post-Primary licences provides blanket permissions to copy and reuse content from

- the full complement of Irish school textbooks
- millions of books (print and digital)
- journals (print and digital)
- magazines (print and digital)
- websites and other legitimate sources available on the internet

As set out by ICLA the licence supports teaching and learning by allowing teachers and other staff to:

- Make print and digital copies from print and digital books, magazines, journals, newspapers and websites.
- Make print and digital copies of text and still images from websites and other legitimate sources available on the internet.
- Copy up to 5% OR one chapter, one article, one short story or poem from an anthology – whichever is greater – for a single course of study.
- Copy and distribute the equivalent amount from a digital/online publication organised in a non-traditional manner.
- Share copies with students and staff by email or via a secure virtual learning environment (VLE) no matter where the student is; students may store copies to view at a future time.
- Use copies with digital whiteboards, VLEs and presentation software programmes



More information, to include a School Licence User Guide and how to make the most of your ICLA School Licence can be accessed on the ICLA website

<https://www.icla.ie/licences/primary-and-post-primary-schools-licences>.

To assist ICLA in distributing the licence fee to authors and publishers, schools will be asked by ICLA to take part in a record-keeping exercise from time to time, no more than once every three years and for no more than one week. Taking part in this record keeping exercise is an obligation under S8 of Statutory Instruments 275 and 276 of 2020 and S15 of the Collective Rights Management Regulations, SI 516/2016.

ICLA will arrange to communicate with the schools as to how best to use the licence and are planning a website outlining all the issues with using copyright materials in schools across the creative industries (audio-visual, music, text and images) in the coming months.

2. Existing arrangements for payment of the copyright licence fee

The existing arrangements for payment of the copyright licensing fees by schools is as follows

- Licencing fee paid annually by post-primary schools
- Licencing fee paid every three years by primary schools

ICLA invoice each school individually with schools processing payment directly to ICLA.

Monies to cover the cost of the licensing fees are provided from the Department to primary and post-primary schools in the Free Education Scheme each year through the capitation grants system.

3. Change to payment of the copyright licensing fee from the 2022/2023 school year

In 2019 the new Copyright and Other Intellectual Property Law Provisions Act 2019 was introduced. In 2020 ICLA introduced new education licences across all sectors to reflect the provisions in the new legislation. These new Education licences see increased costs for all education licences.

The Department of Education has been in negotiations with ICLA in relation to the payment of the new copyright licencing fees for schools. It has been agreed between both parties that from the start of the 2022/2023 school year payment of the copyright licencing fees to ICLA for all recognised primary and post-primary schools in the Free Education Scheme will be made centrally by the Department. The change to how the



licencing fees are paid will not impact the capitation grants paid to schools i.e. there will be no reduction in the monies received by each school school and there will be no impact on Capitation funding in the event of any future increases in the fee.

Evelyn O'Connor

Evelyn O'Connor
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