



**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
Principal Officer
Curriculum & Assessment Policy Unit
1st June 2022



Chuíg: Boird Bhainistíochta, Príomhoidí agus Foireann Teagaisc i mBunscoileanna, Iar-Bhunscoileanna, Scoileanna Speisialta agus Príomhoifigigh Feidhmiúcháin BOO.

MAIDIR LE: Athruithe ar an mbealach a ndéantar íocaíocht i leith na scéime um cheadúnú cóipchirt do scoileanna

1. Ceadúnas Scoile ICLA

Faoi mar is eol duit, tá sé éigeantach go mbeadh ceadúnas ag foras oideachais ar bith, lena n-áirítear bunscoileanna agus iarbhunscoileanna, chun ábhar ó réimse saothar atá faoi chosaint ag cóipcheart a chóipeáil agus a athúsáid. Faightear an ceadúnas sin ó Údarás Ceadúnaithe Cóipchirt na hÉireann (ICLA).

Soláthraíonn ceadúnais ICLA do Bhunscoileanna agus d'Iar-Bhunscoileanna ceadanna iomlána chun ábhar a chóipeáil agus a athúsáid ó

- líon iomlán de théacsleabhair scoile na hÉireann
- na milliúin leabhar (clóite agus digiteach)
- irisí (clóite agus digiteach)
- irisleabhair (clóite agus digiteach)
- suíomhanna gréasáin agus foinsí dlisteanacha eile atá ar fáil ar an idirlíon

Faoi mar atá leagtha síos ag ICLA, tacaíonn an ceadúnas le teagasc agus le foghlaim mar go gceadaíonn sé do mhúinteoirí agus do bhaill foirne eile:

- Cóipeanna clóite agus digiteacha a dhéanamh ó leabhair chlóite agus dhigiteacha, irisleabhair, irisí, nuachtáin agus suíomhanna gréasáin.
- Cóipeanna clóite agus digiteacha a dhéanamh de théacs agus d'íomhánna shocra ó shuíomhanna gréasáin agus ó fhoinsí dlisteanacha eile atá ar fáil ar an idirlíon.
- Suas le 5% NÓ caibidil amháin, alt amháin, gearrscéal nó dán amháin a chóipeáil as díolaim – pé ceann is mó – do chúrsa amháin staidéir.
- Méid comhionann a chóipeáil ó fhoilseachán digiteach/ar líne atá eagraithe ar bhealach neamhthraidisiúnta agus é a dháileadh.
- Cóipeanna a roinnt le scoláirí agus le baill foirne ar ríomhphost nó le timpeallacht fhíorúil foghlama (VLE), beag beann ar an áit a bhfuil an scoláire; féadfaidh scoláirí cóipeanna a stóráil chun féachaint orthu níos déanaí.
- Cóipeanna a úsáid le cláir bhána dhigiteacha, VLEanna agus ríomhchláir bogearraí um chur i láthair a dhéanamh



Is féidir teacht ar thuilleadh eolais, lena n-áirítear Treoir Úsáideora do Cheadúnas Scoile agus conas an leas is fearr a bhaint as do Cheadúnas Scoile ICLA ar shuíomh gréasáin ICLA <https://www.icla.ie/licences/primary-and-post-primary-schools-licences>

Chun cuidiú leis an ICLA an táille cheadúnais a dháileadh ar na húdair agus ar na foilsitheoirí, iarrfaidh an ICLA ar scoileanna páirt a ghlacadh i gcleachtadh chun taifid a choinneáil ó am go ham, tráth nach mó ná uair amháin gach trí bliana agus tráth nach mó ná seachtain amháin. Is dualgas é páirt a ghlacadh sa chleachtadh seo chun taifid a choinneáil faoi A8 d'Ionstraimí Reachtúla 275 agus 276 de 2020 agus A15 de na Rialacháin maidir le Comhbhainistíocht Ceart, AI 516/2016.

Eagróidh an ICLA cumarsáid a dhéanamh leis na scoileanna ar an gcaoi is fearr leis an gceadúnas a úsáid agus tá suíomh gréasáin á phleanáil ina leagfar amach na saincheisteanna uile maidir le hábhair cóipchirt a úsáid i scoileanna ar fud na dtionscal cruthaitheach (closamharc, ceol, téacs agus íomhánna) sna míonna amach romhainn.

2. Socruithe reatha chun an táille don cheadúnas cóipchirt a íoc

Is iad seo a leanas na socruithe reatha atá i bhfeidhm maidir le híocaíocht táillí ceadúnaithe cóipchirt ag scoileanna

- Táille cheadúnaithe á híoc go bliantúil ag iar-bhunscoileanna
- Táille cheadúnaithe á híoc gach trí bliana ag bunscoileanna

Cuireann ICLA sonrasc chuig gach scoil ar leith agus déanann na scoileanna na híocaíochtaí a phróiseáil díreach chuig ICLA.

Soláthraíonn an Roinn airgead do bunscoileanna agus na hiar-bhunscoileanna aitheanta go léir sa Scéim Saoroideachais gach bliain trí chóras na ndéontas caipitíochta chun costas na dtáillí ceadúnaithe a chlúdach.

3. Athrú ar íocaíocht tháille an cheadúnaithe cóipchirt ó scoilbhliain 2022/2023 ar aghaidh

In 2019 tugadh isteach Acht nua, An tAcht um Chóipcheart agus Forálacha Eile maidir le Maoin Intleachtúil, 2019. In 2020 thug ICLA isteach ceadúnais oideachais nua ar fud na n-earnálacha go léir chun na forálacha sa reachtaíocht nua a léiriú. Tá an costas a bhaineann leis na ceadúnais Oideachais nua seo ardaithe maidir le gach ceadúnas oideachais.

Bhí an Roinn Oideachais i mbun idirbheartaíochta le ICLA maidir leis an íocaíocht ar na táillí nua do cheadúnú cóipchirt do scoileanna. Aontaíodh idir an dá pháirtí go ndéanfadh an Roinn táillí an cheadúnaithe cóipchirt do na bunscoileanna agus na hiar-bhunscoileanna aitheanta go léir sa Scéim Saoroideachais a íoc go lárnach le ICLA ó



thús scoilbhliain 2022/2023. Ní bheidh tionchar ag an mbealach a ndéanfar na táillí ceadúnaithe a íoc ar na deontais chaipitíochta a íoctar le scoileanna i.e. ní bheidh aon laghdú ar an airgead a gheobhaidh gach scoil agus ní bheidh aon tionchar aige ar an maoiniú Caipitíochta i gcás go dtiocfaidh ardú ar na táillí amach anseo.

Evelyn O'Connor

Evelyn O'Connor
Príomhoifigeach
An tAonad um Beartas Curaclaim agus Measúnachta
1 Meitheamh 2022