



Libraries and Learning Resources (LLR)

Educational Recording Agency Licence

Established in 1990, [ERA](#) operates a licensing scheme on behalf of its members for educational use of copyright protected material. ERA only serves the UK education sector and thus is unable to license public libraries, commercial training organisations or educational units in museums and galleries.

ERA members are:

- The UK's terrestrial broadcasters – BBC Worldwide, ITV Network Limited, Channel Four, Channel 5 and S4C
- Organisations representing contributors to TV and radio programmes, e.g. Equity, Directors UK Limited, Authors' Licensing and Collecting Society, Musicians' Union.

The licence is issued under Section 35 of the Copyright Designs and Patents Act 1988 and authorises two non-commercial educational activities:

- Recording from broadcasts made in the UK of the works and performances owned or represented by ERA members
- Electronic communication of licensed recordings within an educational establishment.

If you would like a broadcast recording please contact either contact your liaison librarian or fill in the [Requests for off-air recording form](#) on the LLR website.

What the licence covers/allows:

- Any member of staff may make recordings.
- Recordings may be made directly onto video or audio tapes, DVDs and CDs.
- Digital recordings may be stored on a University server, but only if access is restricted to on-campus viewing.
- Recordings may only be used for educational purposes and within University premises.
- All registered students and staff directly involved in the students' education can watch or listen to the recordings.
- UK based students may borrow the recordings.
- Additional copies may be made.
- Analogue recordings made under the licence may be transferred to digital format.
- All recordings need to be correctly labelled with
 - The date the recording was made
 - Name of the broadcaster
 - Programme title
 - The wording "This recording is to be used only for educational and non-commercial purposes under the terms of the ERA Licence."
- Parts of programmes may be recorded – they must also be labelled.

www.ntu.ac.uk/llr

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What the licence doesn't cover/allow:

- Open University programmes – we have a separate licence for these programmes
- Podcasts and listen or view again services available via broadcasters' websites – these are not broadcasts as such (see definition below) - check the website terms and conditions
- Recordings may not be supplied to students based overseas
- The licence does not authorise the copying of commercially produced, pre-recorded videos, audio tapes, CDs or DVDs.
- Programme material must be used as it has been broadcast – no adaptation, amendment, distortion or mutilation of material.
- Subtitles or audio descriptions should not be added to the recordings, but those broadcast with the programme may be recorded.

More information is available on the ERA website <http://www.era.org.uk>

The Open University licensing scheme

This licensing scheme is, so far, the only other one set up under s35 of CDPA. The licence required that we report all OU broadcasts we have recorded to the OU and we are charged on the basis of how many programmes we have recorded. Just like the ERA licence the broadcasts may only be used on-campus and for non-commercial educational purposes and they should not be edited, cut or amended in any way. The licence allows us to make a maximum of 4 additional copies of each programme we record.

Details of OU programmes are available on <http://www.open2.net>

If you would like an OU programme recording please contact your liaison librarian or fill in the [Requests for off-air recording form](#) on the LLR website.

Recording other broadcasts

Section 35 of CDPA authorises the recording of other legally received broadcasts for non-commercial educational purposes as long as the recording is not communicated to anyone outside the University and it is accompanied by a "sufficient acknowledgement".

What is a broadcast?

According to CDPA a broadcast is "an electronic transmission of visual images, sounds or other information which (a) is transmitted for simultaneous reception by members of the public and is capable of being lawfully received by them, or (b) is transmitted at a time determined solely by the person making the transmission for presentation to members of the public.

If you would like further information about the licensing schemes, please contact the [Copyright Advisor](#).

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