

## PUTTING YOUR PUBLISHED ARTICLES ON LINE

### Introduction

In recent years Council has spent much time on questions of copyright, in connection with making the journal available in digitised form and with Open Access. The Author Agreement clearly sets out the rights of both the Society and the contributors in this respect. It has set up a situation where, since 2013, the Society has made *Church Monuments* more available (through EBSCO) and authors are permitted to place a copy of their own article in its final edited form, although not as published in the Journal, in on-line repositories from one year after publication.

These moves have marked a transition into the digital world in a most positive manner but they do not apply to the *Newsletter* and its predecessor the *Bulletin*, or to issues of *Church Monuments* prior to the introduction of the Author Agreement in 2013. To bring these to the same level of transparency *Church Monuments* currently enjoys, would be a complex and time-consuming process. It would be an essential pre-requisite were the Society ever to digitise them but is currently unnecessary.

Nevertheless, the rapidly expanding digital community does provide opportunities that individual authors may wish to take up, to make their own work more widely known. They may wish to place downloadable copies of their own work on, for instance, institutional websites or through outlets such as [www.academia.edu](http://www.academia.edu). Until now, the legal position has prevented authors doing this as both the digitisation and uploading by authors of their own articles would have infringed the Society's copyright.

### Background

Copyright is not a single entity. Authors retain copyright in the content of a published article just as a person whose photograph or graphic is published retains copyright in their illustration. But the Society too has its own copyright. This subsists, for instance, in the way the article is printed on the page and is termed in the *Copyright, Designs and Patent Act 1988*, 'typographical arrangement of published editions'. It lasts for 25 years from the end of the calendar year in which the edition was first published, so is still in force for everything published by the Society since 1991. Another aspect to consider is the potential rights of the designers, which might come under the category of 'artistic craftsmanship' (and which lasts for 70 years from the end of the calendar year in which the designer dies). Both the *Bulletin* and the *Newsletter* have always been laid out by Society members, acting as agents of the Society so 'artistic craftsmanship' rights belong to the Society. Since the 1998 issue (volume XIII),

*Church Monuments* has been designed by Peter McGrath of Groundwork Design. In 2013, Peter assigned both his existing and future rights to the Society so, in that respect too, there is no hindrance. The first thirteen issues of the journal were produced by W.S. Maney of Leeds. Maney's has since been taken over, with journal publishing being absorbed by Taylor & Francis who have acknowledged that the rights in the first thirteen issues are the property of the Society.

## **Licence**

It is now possible to grant authors of material published in the *Newsletter*, the *Bulletin* and volumes 1, part 1 (1985) - volume 27 (2012) of *Church Monuments*, a licence to make downloadable electronic versions available through on-line repositories. This is a Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 Licence (CC BY-NC-ND 4.0). The full text is available at <https://creativecommons.org/licenses/by-nc-nd/4.0/legalcode> and a summary of the provisions at <https://creativecommons.org/licenses/by-nc-nd/4.0/>. Permission is valid for non profit making repositories and becomes available one year after the article has been published. It is dependant on the inclusion of full details of the publication in which it appeared (including the volume number and date of issue), a link to the Society's website and reference to the Licence under which it is being posted.

## **Procedure**

In order to take advantage of this permission, authors must download a copy of the Licence and Declaration from the Society's website <http://www.churchmonumentsociety.org/>, complete it and send it to the Editor of *Church Monuments*. An author need sign only one Licence and Declaration as the document relates to a person not to a work. Please note that the author is responsible for ensuring that all rights clearances (e.g. for illustrations) are in place and that their co-author(s), if any, are content for the article to be posted.

## **Conclusions**

By making this licence available, much valuable material currently trapped in a print format is freed for digitization by authors. The work can be much more widely disseminated and the Society is moving ever further towards its charitable objective to 'promote, for the public benefit, the study, care and conservation of funerary monuments ....'.