



copyright and you

a guide for staff

How does copyright affect you?

Copyright law provides a balance between rewarding creators for their works and ensuring reasonable access by users to those works. Southern Cross University is committed to the observance of the law by upholding the rights of creators and users. The role of the Copyright Office is to assist staff in the full and appropriate use of a range of copyright material.

Copyright applies to material in both digital and hardcopy form, for example, books, journals, newspapers, photographs, cartoons, government publications, legal materials, printed music and lyrics, recorded music, movies and broadcasts. Copyright also applies to material that is published on the web. This brief guide introduces you to a number of the requirements when using copyright material in your employment with the University. A more comprehensive guide is available from the University's Copyright website —

<http://www.scu.edu.au/policy/copyright>.

Copying paper and digital works

The University has a licence with the Copyright Agency Limited (CAL) which permits the making of multiple copies of 'reasonable portions' of published literary, dramatic or musical works. The copies must be for teaching or administrative purposes.

Type of work	Reasonable portion
Published works of more than 10 pages	One chapter or 10% of total pages
Journals/periodicals	One article from any issue, or more if the articles relate to the same specific subject matter
Digital works	10% of the number of words or one chapter if the work is divided into chapters

For materials submitted for printing through the University Printery, **your signature** on the Printing Requisition Form (available from the University Printery, www.scu.edu.au/services/printery/) indicates that you have considered and are complying with the limitations. A detailed copying guide covering all forms of material can be downloaded from the Copyright website. Note that there are special provisions relating to the distribution of digital copies.

Distribution of digital copies

Distribution of copyright material in digital form either online, email or on CDs is often a viable alternative or supplement to distribution in paper form. While the amounts that can be copied are the same, there are some additional requirements:

- all material distributed in digital form must contain a prescribed warning notice (available on the Copyright website)
- material communicated (i.e. online or via email) must only be available to staff and enrolled students
- the amount copied must not exceed the **reasonable portion** amounts for a particular unit.

eReserve/RapidPrint

Readings processed through the Flexible Learning Development Service (FLDS) will be registered for eReserve as per your indication on the unit production submission form. Study Guides will be loaded to Blackboard and/or eReserve/RapidPrint. For more information on FLDS services see the website at <http://staff.scu.edu.au/flds>.

Readings not processed through FLDS must be registered through eReserve to be made available through the eReserve/RapidPrint service.

Once registered, files become available for on-demand viewing through eReserve and printing through RapidPrint.

The use of RapidPrint removes the guesswork involved in pre-ordering printed copies of material for internal students.

To submit material to eReserve, go to eReserve (<http://ereserve.scu.edu.au/staff.php>) and register your documents.

A listing of your materials is available through the Library website (<http://ereserve.scu.edu.au>) and the RapidPrint site (<http://rapidprint.scu.edu.au>).

Using radio and TV broadcast copies

Under our Screenrights licence, TV and radio programs may be copied from free-to-air television, satellite and cable television, public and commercial radio, and podcasts of broadcasts, providing they are for the educational purposes of the institution. As long as the material is appropriately labelled, digital or analog copies may be placed in the Library collection, distributed to students, or placed online (intranet only). There is no restriction on the amount that can be copied. The licence is a cost-effective method of obtaining quality audiovisual resources for your teaching.

If you wish to distribute copies of sound or video recordings to students—for example as a compilation—and do not wish to experience the complexities of negotiating music copyright licensing issues, the broadcast copy provisions are the only way this can be done legally.

Contact staff in the Media Support Centre (avmm@scu.edu.au) to obtain copies of upcoming programs. If you have missed a broadcast program, we may be able to obtain a copy from broadcast suppliers.

Note that commercially hired or purchased videos, DVDs and tapes cannot be copied under this licence. You may, however, use these items in classroom teaching situations provided the audience is limited to enrolled students.

Copying music

You may copy and distribute some commercially produced sound recordings under our Music Licence. A copy of the licence, including lists of publishers, ARIA licensors and labels, and PPCA licensors and labels is available for staff from the Copyright website.

The Music Licence applies to a range of activities including music-on-hold, music performances at University events and certain copying and communication of sound recordings for the educational purposes of the University.

See the Copyright website for further information.

Music and the web

There are various file trading programs that allow users to share files among themselves. When music files are being shared, this will in most cases be a copyright infringement and will leave you vulnerable to penalties from the University and the copyright owners. Use of these programs also possibly leaves your machine open to virus infection and compromises the security of the University network, as well as consuming valuable bandwidth. University policy (Computing Conditions of Use, available on the IT&TS website) prohibits the use of University systems for non-University related activity, and this definitely includes the use of music file trading software.

Copyright exists on the web

Material found on the Internet is not necessarily 'copyright free'. Owners are becoming increasingly vigilant and the technology to detect copyright breaches is becoming increasingly sophisticated. Check the conditions of use on individual websites. Some explicitly permit use for free, educational purposes. Consider supplying links to the site rather than duplicating material.

Fair dealing in copyright works

The *Copyright Act* makes special provision for the purposes of 'fair dealing'. Under these provisions, you may make copies of a **reasonable portion** of copyright works for research and study, or criticism and review. The implication is that this copying is for your own use and has nothing to do with provision of classroom materials.

Moral rights

Under moral rights provisions in the *Copyright Act* there exists, among other things, a legal obligation to properly attribute a person's work when you quote it or include it in readings or notes.

What are educational licences?

The *Copyright Act* gives educational institutions the right to copy certain categories of works for educational purposes via 'statutory licences'. These licences effectively remove the right of copyright owners to deny reproduction requests to educational institutions, subject to compliance with a number of conditions and payment of 'equitable remuneration'. This remuneration is paid to the collection agencies (Copyright Agency Limited, Screenrights, and AMCOS/ARIA/PPCA/APRA) by universities at a pre-negotiated rate. One of the Copyright Office's main roles is to help the University get the best possible value from these licence fees while ensuring strict compliance with the conditions.

More resources are available
on the Copyright website:

www.scu.edu.au/policy/copyright

- 'How Much Can I Copy' guide covering all types of copyright material

- copyright guide for students

and information on copying:

- artistic works—cartoons, photos, etc.
- legal and government works—case law, government reports, etc.
- out-of-print works
- for students with a print disability
- more than 10%/one chapter/one article— obtaining permissions
- material for inclusion in exams
- unpublished works
- for research and study

Contacts

If you have any questions about the use of copyright material for teaching or personal study, please contact:

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Website

<http://www.scu.edu.au/policy/copyright/>



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Adapted with permission from 'Copyright Guide for New Staff', Mike Lean, QUT.

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