

Copyright Policy

Policy Code: CG2051

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Purpose

The University is both a creator and consumer of copyright material. This Policy establishes a framework for managing the use of third party material within the University in compliance with the Copyright Act 1968 (Cth). The copyright ownership of material created by members of the University is addressed in the University's [Intellectual Property Policy](#).

The University is committed to upholding copyright law under the provisions of the Act. All staff, other individuals working on behalf of the University, students and visitors are obliged to be familiar with the provisions of the Act and must comply with this Policy and copyright legislation in all University endeavours.

Scope

This Policy applies to all Federation University Australia staff and students, those working on behalf of the University, affiliates and visitors.

Legislative Context

- [Copyright Act 1968 \(Cth\)](#)
- [Federation University Australia Act 2010 \(Vic\)](#)
 - [Statute 6.1 – Student Discipline](#)

Definitions

TERM	DEFINITION
The Act	The <i>Copyright Act 1968 (Cth)</i> .

TERM	DEFINITION
Authorised user	All staff, students, and other users who are authorised by the University to use its systems or its network to access the Internet.
Copyright collecting societies	Societies that administer or licence use of copyright material on behalf of their members, under s.113P statutory licence, and other licences. Copyright Agency and Screenrights are examples of collecting societies.
Communication	To make available on-line or electronically transmit to staff and students of the University. Such communication explicitly excludes individuals who are neither staff nor students of the University; and entities which are not constituent parts of the University, or defined as “Affiliated Institutions” in University Agreements with copyright collecting societies.
Copying limits	The quantity of copying allowed, as agreed under s.113P between Universities Australia and the collecting societies.
Copyright	<p>Copyright in Australia is governed by the Act. This legislation gives the owner of copyright in literary, dramatic, musical and artistic works, sound recordings, films and broadcasts exclusive rights to use those works.</p> <p>The types of uses include the right to :</p> <ul style="list-style-type: none"> • reproduce / copy a work • publish • perform in public • communicate the work to the public via electronic means – including making it available online or sending via email. <p>This means that permission needs to be obtained from the owner of copyright before anyone can do any of these acts.</p>
Copyright Regulations	Regulations made under the Act.
Copyright Office	The University service responsible for coordination of copyright advice.
Copyright Officer	The designated University Copyright Officer is the Director, Library & Learning Spaces, for the purposes of the Act.
Designated person	For the purposes of the Act the Designated Person for the receipt of Takedown notices is the University Copyright Officer
Educational purposes	<ol style="list-style-type: none"> a. material used for teaching of students; b. copying / communicating to students as part of a course of study; c. a copy retained by the library (or a staff member) as a teaching resource; d. the administration of students and courses.
Restricted Access	Access to staff and students of the University only. Such access explicitly excludes individuals who are neither staff nor students of the University; and entities which are not constituent parts of the University, or defined as “Affiliated Institutions” in the University’s agreements with Copyright Collecting Societies.
Learning Management System	Electronic internal network giving access for students and staff to course based materials for teaching and learning. Moodle is the current LMS.
Section 113P	That section of the Act which provides the University with an Audio-Visual & Print and Graphic statutory licence.

TERM	DEFINITION
Staff	Any person employed by the University. This includes academic, teaching and professional, full-time, part-time, sessional or casual. Staff, for the purpose of this policy, also includes visiting teaching and research staff, academic associates and other contracted staff, University-based student and staff associations.
Statutory Licence	The licence contained in the Act whereby educational institutions are permitted to reproduce and communicate certain amounts of print and graphic or broadcast material for educational purposes.
Student	Any person currently enrolled as a student of the University. This includes fulltime, part-time, block-mode or online students.
Takedown notice	An electronic form whereby copyright owners, or their agent, are able to report any perceived copyright infringement, or a breach of an agreed licence or contract, on the University network.
Unauthorised User	Includes members of the public, staff and students from other educational institutions, who do not have authorized access to the University network

Policy Statement

Communication and information provision

The University uses clear informative approaches to communicate copyright provisions of the Act to students and staff.

Demonstrated by:

- making available information about the University's expectations and legal obligations regarding copyright
- providing information which supports the assessment and copyright compliant use of material in teaching and research and study practices

Prevention and risk mitigation

The University adopts preventative measures that mitigate the risk of copyright infringements.

Demonstrated by:

- clearly designating responsibilities within Schools to facilitate communication of copyright information to academic/teaching staff and students
- providing centralised management of copyright content made available through s.113P
- providing a responsive service to staff and students to assist with decision making about copyright compliance and meeting legal obligations, utilising expert knowledge when needed
- ensuring managers within specialized areas where copyright issues arise regularly are aware of responsibilities for copyright compliance

Compliance and breach management

The University forbids the use of its computing and communications facilities for any purpose that would breach copyright.

The University manages copyright breaches in a consistent and transparent manner.

Demonstrated by:

- complying with provisions set out in the Act, which include but are not limited to, Fair Dealing exceptions and statutory licence requirements as agreed between Universities Australia and the Copyright collecting societies under s.113P and notice requirements
- cooperating with specified information and survey requirements of the Act
- ensuring ease of access for potential breach reports via the Copyright Takedown notice
- enacting clear procedures for responding to Takedown notices or when otherwise becoming aware of possible copyright infringements

Supporting Documents

[Academic Integrity Policy LT1943](#)

[Copyright and Takedown Procedure CG1062](#)

[Intellectual Property Policy RS2026](#)

[Learning Content Management Procedure IM1955](#)

[Use of Computing and Communication Facilities Policy IM966](#)

[Staff Code of Conduct Policy HR 1659](#)

Forms.

- [Copyright Infringement Notification Form](#) (DOCX 196.5kb)

Responsibility

- Deputy Vice-Chancellor(Academic) (*as the Approval Authority*) is responsible for monitoring the implementation, outcomes and scheduled review of this policy and its accompanying procedure/s.
- Director, Library and Learning Spaces (*as the Policy Sponsor*) is responsible for maintaining the content of this policy as delegated by the Deputy Vice-Chancellor (Academic).
- Copyright Coordinator and Academic Integrity Officer is responsible for the administration support for the maintenance of this procedure as directed by the Director, Library and Learning Spaces.

Promulgation

The [Copyright Policy](#) will be communicated throughout the University community in the form of:

1. an Announcement Notice via FedNews website and on the 'Recently Approved Documents' page on the 'Policies, Procedures and Forms @ the University' website to alert the University-wide community of the approved Policy;
2. distribution of e-mails to Head of School / Head of Department / University staff; and/or
3. documentation distribution, eg. posters, brochures
4. notification to Schools

Implementation

The [Copyright Policy](#) will be implemented throughout the University via:

1. an Announcement Notice via FedNews website and on the 'Recently Approved Documents' page on the 'Policies, Procedures and Forms @ the University' website to alert the University-wide community of the approved Policy;
2. staff induction sessions
3. training sessions