

## Policy Title

**Copyright Policy and Guidelines**

## Preamble

This Policy has been prepared in accordance with Copyright Act 1968 and outlines Deakin College's approach to managing copyright responsibilities, duties, and principles. It sets out how the College complies with relevant legal standards and regulations regarding copyright in the context of its operations.

Deakin College subscribes to three licences (Copyright, Screenrights and Music) that allow our staff to use some copyrighted material without needing to request permission. The way material can be used depends on the terms and conditions of the licences. This Policy has been prepared in accordance with the Copyright Act 1968 (Cth). This Policy applies to Deakin College staff and governs the use of material which is subject to copyright licences.

## Purpose

The purpose of this policy is to ensure that all staff and students at Deakin College understand their rights and responsibilities in relation to copyright. It aims to promote lawful and ethical use of copyrighted materials in teaching, learning, research, and administration. Deakin College's role as an education provider requires the use of materials authored, created or produced by others for educational purposes. This policy upholds the legal and moral rights of these authors, creators, producers and other owners of copyright and provides guidance to all staff and students through this policy.

## Scope

This policy applies to:

- All Deakin College staff, students, and affiliates.
- All materials used, created, or distributed within the College, including digital and physical formats.
- All activities that involve the use of copyrighted content, including teaching, research, publishing, and communications. This policy applies to all staff and students at all campuses of Deakin College.

## Policy

### 1. Policy Statement

- 1.1. Deakin College is committed to ensuring staff and students comply with the legal obligations under the Copyright Act 1968 and relevant copyright licence agreements and is responsible for promoting an understanding and awareness of copyright law across college. Staff members will use copyright materials in accordance with legislation and this policy and guidelines.

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- 1.2. Deakin College is responsible for managing and appropriately implementing protections to ensure its rights as a copyright owner are protected according to legislation and relevant copyright treaties and conventions. Staff members who knowingly infringe copyright will be subject to disciplinary action in accordance with the Staff Disciplinary Procedure.
- 1.3. Deakin College is responsible for managing and appropriately implementing protections to ensure the rights of other copyright owners, whose work may be used as part of college activities, are protected according to legislation and relevant copyright treaties and conventions. Students will use copyright materials as guided by staff members and, in the course of their academic education, learn to acknowledge copyright and appropriately attribute the work of others.
- 1.4. Deakin College does not tolerate the misappropriation of copyright and may implement action for any breaches, in accordance with Deakin College policies, procedures and codes. Students who knowingly infringe copyright will be subject to disciplinary action as specified in the Academic Integrity Policy and Academic Integrity Procedure.

## 2. ~~Third party Copyright~~ Legal Framework

- 2.1. The Copyright Act 1968, allows educators like Deakin College to copy, adapt, and share text and images in ways that usually require permission. Deakin College educators can copy, adapt and share text and images without needing copyright clearance (permission) if: Academic Coordinators will ensure that all teaching materials comply with this Policy and Guidelines.

- they are employed by the College that has fair compensation arrangements in place; and

- 2.1. • their usage is strictly for educational purposes.

- 2.2. When using text and images from sources such as books, research papers, newspaper and journal articles, websites, and blogs for educational purposes, it is essential to have the appropriate copyright licence – the Statutory Education Licence. This ensures compliance with copyright laws and prevents any potential infringement of the Copyright Act 1968. Academic Director will ensure that all non-teaching materials comply with this Policy and Guidelines.

## 3. ~~Deakin College~~ Copyright License

- 3.1. Deakin College holds an agreement with the Copyright Agency that allows staff to copy and share text and images from anywhere in the world for educational purposes without needing to seek permission. The College Director and Principal will ensure all offers of employment and employment agreements made by Deakin College contain provisions

- 3.1. Under the Licence you can:

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- Copy and share extracts of text, and images, from printed and digital sources including books, journals, magazines, newspapers, posters, photographs, maps, eBooks and online sources including the internet.
- Make copies by photocopying, printing, scanning and photographing.
- Make as many copies as you need for educational purposes.
- Make copies offsite.
- Make text and images available on a learning management system.
- Share text and images with students via email or other messaging services.
- Adapt and compile materials with other resources or text written by educators, advising staff members that Deakin College owns the copyright in any teaching materials created by them and used in delivery of Deakin College programs

•

How much can you copy with a licence?for the assignment, in writing, of the copyright and any other intellectual property in those materials; and

- The Copyright Act notes that you can copy an amount that does not “unreasonably prejudice the legitimate interests” of the owner of the copyright. Refer Appendix 1 for amounts,advising staff that Deakin College owns copyright in any materials produced by them in the course of their employment with the College.

#### 4. Screenrights Licence~~Moral Rights~~

4.1. Staff members and students must attribute the authors or creators of a work that they reproduce and/or communicate, which is not of their own creation.Screenrights manages the application of the Education Statutory Licence to TV and radio broadcast content.

The licence allows the college to:

- Copy programs from television and radio.
- Upload copied programs to an intranet or learning management System (eg. Moodle).
- Email programs to students and staff.
- Manage content digitally.

Under this licence staff can:

- Copy any program, including movies, current affairs, documentaries, and news.

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- Copy any amount—from five minutes to an entire program.
- Make copies anywhere, including at home or in the library.
- Copy from any channel—free-to-air TV, pay TV, or radio.
- Copy from broadcasters' websites or official YouTube channels, including podcasts, vodcasts, and catch-up TV.
- Copy from online simulcasts of broadcasts, including online radio.
- Use any format—digital downloads, hard drives, or other devices.
- Update old formats (e.g., DVDs or VHS) to digital formats.

Permitted uses include:

- Showing programs in class.
- Keeping them in the library as a resource.
- Storing them on a network for staff and students.
- Emailing them to staff and students.
- Displaying them on electronic whiteboards.

**4.1. Note:** The licence does not cover other YouTube videos or online content that are not official broadcasts. Using such content in education requires separate permission from the copyright holder.

## 5. Music Licence ~~Print & Graphic Copyright Statutory Licence Guidelines~~

~~5.~~

**5.1.** ~~The licensing agreement with Australasian Performing Right Association Limited (APRA) and Australasian Mechanical Copyright Owners Society (AMCOS) allows staff and students to copy, store, communicate, and publicly perform music in accordance with Part VB of the Copyright Act 1968 (Cth). Deakin College has an agreement with The Copyright Agency Limited (CAL) to make multiple copies and/or communication of certain amounts of published works for educational purposes.~~

### ~~5.1.5.2.~~ APRA - Performing right

The performing right is exercised when a song or composition is performed in public.

This includes:

- Live performances at events.
- Broadcasts on TV or radio.
- Streaming on digital platforms.
- Playback in public spaces (e.g., shops, restaurants).

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- Use in exercise classes or on YouTube.

### 5.3. AMCOS - Reproduction rightThe licence

The 'Reproduction right' is exercised when a song or composition is copied in any form for commercial purposes, including:

- Use in third-party commercial products (e.g., CDs, streaming).
- Synchronising music with film or TV.
- Reproducing sheet music.

Music can be used for educational purposes, for college events, and on college premises subject to the conditions of the licence.

Under this licence you can:

Play music on campus and at education provider events:

- Live and background music at ticketed events (up to \$40).
- Music at graduation ceremonies (no ticket cap).
- Background music in teaching and administrative areas.
- Telephone on-hold music.

Event recordings and audio-visual content:

- Recording events where music is played.
- Including music in course-related AV content.
- Sharing recordings with students and staff via secure platforms.
- Streaming events on the College website or social media.

5.2. — allows making hardcopies, photocopies, digital copies and/or communication (make available online) of copyright materials for educational purposes. Each digital/electronic copy must contain the following print & graphic copyright electronic notice. Access to licenced copies and communication must be restricted to Deakin College staff and students.

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**Commonwealth of Australia  
Copyright Act 1968**

**Notice for paragraph 135ZXA(a) of the Copyright Act 1968**

**Warning**

This material has been reproduced and communicated to you by or on behalf of Melbourne Institute of Business and Technology Pty Ltd (t/a Deakin College) under Part VB of the Copyright Act 1968 (the Act).

The material in this communication may be subject to copyright under the Act. Any further reproduction or communication of this material by you may be the subject of copyright protection under the Act.

Do not remove this notice.

**5.3.** Licenced copies in hardcopy or digital format may be made for students, subject to the following restrictions:

- Books—up to 10% of the number of pages contained in a published edition or one chapter of a published edition.
- Journals or periodicals—the whole or part of an article contained in any issue of a periodical publication or the whole or part of two or more articles contained in any issue of a periodical publication if those articles relate to the same subject matter.
- Anthologies: The whole or part of a literary or dramatic work in a published anthology of works if that work comprises not more than 15 pages of that anthology.
- Artistic works—The whole or part of an artistic work which accompanies a literary or dramatic work for the purpose of explaining or illustrating the literary or dramatic work copied (and the literary or dramatic work has been copied within these limits); or it is not separately published.
- If an artistic work in hardcopy format i.e., in a book, has been separately published it can only be copied if a new copy of the artistic work cannot be obtained in the format required within a reasonable time at an ordinary commercial price.
- If an artistic work is in digital/electronic format it can be copied and communicated without checking if it has been separately published.

**5.4.** The limits referred to above must be applied per unit of study. That is, regardless of how many teachers are teaching a unit in a given trimester, no more than 10 percent of the number of pages of a work or one chapter of a work can be copied and/or communicated to students.

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## 6. Who Owns the Copyright? ~~Audio-visual Copyright Statutory Licence Guidelines~~

- 6.1. ~~Normally the creator owns the copyright on creating the work. The easiest way to find the copyright owner is to look for the © symbol on the work. For example, © 2025 Deakin College. Here Deakin College owns the copyright, and the copyright began in 2025. In accordance with Part VA of the Copyright Act 1968 (Cth), Deakin College has the legal right to make licenced off-air broadcast recordings from TV, satellite, cable and radio including copying of any webcasts or podcasts of an off-air broadcast that have been made available online by the broadcaster i.e., ABC's iView for educational purposes. The recordings may be copied and communicated to students.~~
- 6.2. ~~The recordings must be undertaken in Australia. As the employer, Deakin College owns the copyright for educational materials, creative works, and software created by academic and general staff under their employment.~~
- 6.3. ~~As the employer, Deakin College owns the copyright in educational materials staff create. If academic staff leave to teach elsewhere, Deakin College grants the staff member a licence to use the educational materials (they individually created whilst working at Deakin College) in their new position. When using these materials staff should acknowledge that the educational materials were created for Deakin College. This licence does not apply to commercially produce sound or video recordings on CDs, vinyl, cassette tapes or cartridges, videotapes, DVDs and digital files purchased under a separate licence. Commercially produced sound and video recordings can be played/shown in the classroom for educational purposes only to the staff and students connected with the course of study.~~
- 6.4. ~~Students hold copyright for the original work they create as part of their studies, and using that work outside of the class requires permission. Eg. If a teacher wants to use a student's work for teaching or other purposes, they must obtain permission from the student. General commercially produced digital files cannot be played/shown in class due to terms and conditions agreed to upon purchase. The terms of use must be checked to ensure that they can be played/shown in a classroom situation or for educational purposes.~~
- 6.5. ~~There is no restriction on the amount or type of an off-air broadcast programme copied. For example, feature films, advertisements, news, drama or documentary programs may all be copied. Whole programs may be copied, or program segments may be made into a compilation tape, disc or digital file. Copies may be digital or analogue and there is no restriction on the number of copies which may be made.~~
- 6.6. ~~Each digital copy must contain the audio-visual copyright electronic notice:~~

**Commonwealth of Australia  
Copyright Act 1968**

**Notice for paragraph 135KA(a) of the Copyright Act 1968**

**Warning**

This material has been copied and communicated to you by or on behalf of *Melbourne Institute of Business and Technology Pty Ltd (t/a Deakin College)* under Part VA of the *Copyright Act 1968* (the **Act**).

The material in this communication may be subject to copyright under the Act. Any further copying or communication of this material by you may be the subject of copyright or performers' protection under the Act.

Do not remove this notice.

~~6.7. Each analogue copy, or the container in which the copy is kept, must be labelled and must contain the following information:~~

**Made for *Melbourne Institute of Business and Technology Pty Ltd (t/a Deakin College)* under Part VA of the Copyright Act 1968**

Date program was transmitted \_\_\_\_\_

Date this copy was made \_\_\_\_\_  
(if different)

~~6.8.6.4. Access to licenced copies and communications must be restricted to staff and students only.~~

**7. ~~Distribution of Licenced Copies~~Who owns the copyright in material generated by Artificial Intelligence (AI)?**

~~7.1. A copy cannot be lent to another institution. Deakin College may make a copy of the programme and supply that copy to the educational institution requesting it, so long as that institution also has a licence with Screenright. Deakin College recognises the increasing use of artificial intelligence (AI) tools. Under current Australian copyright law, copyright protection is generally bestowed on human beings.~~

- If a work is entirely generated by AI without human creative input, it may not be eligible for copyright protection under the Copyright Act 1968.

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- If a human contributes creatively—such as by designing prompts, curating training data, or editing AI-generated output, then that human (or their employer, if created during employment) may be considered the copyright owner of the resulting work.

As this area of law is still evolving, staff and students are encouraged to:

- Clearly document their role in the creation of AI-assisted content.
- Seek guidance from your campus Library or your teacher when using AI tools for content creation.

This ensures that Deakin College remains compliant with current legal standards and is prepared for future developments in copyright law.

To learn more about copyright and Artificial Intelligence, review the Arts Law Centre of Australia's information sheet and the Australian Copyright Council's comprehensive collection of education-focused fact sheets and resources.

## 8. Moral Rights

- 8.1. Creators have legal rights—known as moral rights. These include the right to be properly acknowledged, the right not to be falsely named as the creator of someone else's work, and the right to have their work treated with respect. These rights apply even if the creator does not hold the copyright and cannot be sold or completely given away, although they may give permission for specific uses.

Examples of moral rights:

- A student quoting a researcher in an assignment must include the researcher's name and source.
- A teacher using an artist's image in a presentation should not edit it in a way that distorts or mocks the original work.
- A school publication should not credit a photo to the wrong photographer.

When using someone else's work in your studies, teaching, or research, you must:

- Give proper credit to the original creator.
- Avoid false attribution, such as claiming someone else's work as your own or misnaming the creator.
- Use the work respectfully, ensuring your use does not damage the creator's reputation.

These responsibilities may not apply if:

- The creator has given clear permission for a specific use.

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- Your use is considered reasonable under the law, such as under fair dealing or educational exceptions.

For further information on Moral rights go to: Moral rights - Copyright Agency

## 9. Subscriptions and Licence Restrictions

- 9.1.** While the Statutory Education Licence allows certain uses of content for teaching and learning, eBooks, databases, and other digital resources accessed through subscriptions or licences may have additional restrictions. These agreements often include specific terms and conditions that can override the permissions granted under the Statutory Licence.

Before using content from these sources, always:

- Check the licence terms provided by the publisher or vendor.
- Look for usage restrictions on copying, sharing, or modifying content.

Failing to follow these terms could result in breach of contract or loss of access to valuable resources the College.

## 10. Responsibilities

- Staff and students at Deakin College will use any materials bound by copyright in accordance with the law and/or any contractual licencing arrangements.
- The Academic Director is accountable for the ongoing development, implementation, awareness and effectiveness of this policy.
- The College Leadership team and functional managers are responsible for ensuring their staff are aware of this Policy and their responsibilities defined herein.
- Staff are responsible for being aware of and complying with this Policy.
- Students are responsible for being aware of and complying with this Policy and should seek assistance from appropriate sources in respect of this policy, where necessary.

## 11. Compliance

### 11.1. Roles and Responsibilities

The Academic Director, Academic Manager(s) and Academic Coordinators are responsible for implementing this procedure across their disciplines/courses and ensuring the academic team are aware of this policy and related procedures.

Staff and students are responsible for adhering to this Policy and associated procedure and carrying out their work in accordance with the relevant codes of conduct.

### 11.2. Breaches

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Non-compliance with this policy may result in disciplinary action. Breaches of copyright law can also lead to legal consequences.

11.3. Relevant Legislation: Copyright Act 1968

~~7.1.~~

~~This policy is based on a similar policy from Deakin University; components of that policy have been adopted with the permission of the Deputy Vice-Chancellor Academic.~~

**Related Policies**

Navitas staff code of Conduct

Student Code of Conduct

Academic integrity Policy

Code of Conduct UPA (Navitas)

**Procedure**

Copyright ProcedureAcademic Integrity Procedure

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## Appendix 1

### How much content can you use?


Copyright Agency acknowledges that the following amounts meet this test:

February 2023


# How much content can you use?

**Your institution has access to the Statutory Education Licence, enabling employees to:**


- Photocopy content
- Print, scan, download and email content for distribution to students
- Store and display content on the intranet
- Share content in course materials




**10% of a book** or one chapter (whichever is greater)




**A play, script, short story, text or poem in an anthology** if that work comprises not more than 15 pages of that anthology




**10% of sheet music**




**An image, map or illustration** if it accompanies text for the purpose of explaining or illustrating the text or is not published separately



**An article** contained in any issue of a periodical publication (i.e. newspaper/journal) or **two or more articles** contained in any issue of a periodical publication provided they relate to the same subject matter



**A book, text, image, play or sheet music** if a new copy of that work cannot be obtained commercially within a reasonable period of time

 When **sharing text and image content digitally** under the Statutory Education Licence, an Electronic Use Notice such as the following should be included.

**WARNING**

This material has been reproduced and communicated to you by or on behalf of [INSERT INSTITUTION NAME] in accordance with section 113P of the *Copyright Act 1968* (the Act). The material in this communication may be subject to copyright under the Act. Any further reproduction or communication of this material by you may be the subject of copyright protection under the Act.

Do not remove this notice.

This poster is a guide for educational institutions covered by individual agreements with Copyright Agency, listed at [copyright.com.au/independent-colleges](http://copyright.com.au/independent-colleges). Refer to your institution's remuneration agreement for full terms and conditions.

1800 066 844  
[educationlicences@copyright.com.au](mailto:educationlicences@copyright.com.au)  
[copyright.com.au](http://copyright.com.au)

**COPYRIGHTAGENCY**

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#### Status and Details

Identification	<del>Copyright Policy and Guidelines</del> <a href="#">Copyright Policy</a>
Initial Issue Date	19/04/2018
Status	Current
Domain	Information Management and ICT
Effective date	<del>1/08/2023</del> <a href="#">1/12/2025</a>
Review date	<del>1/08/2025</del> <a href="#">1/12/2027</a>
Approval Authority	Academic Board of Studies
Implementation Officer	Academic Director
Enquiries Contact	Jonathon Pura