

## **Procedure Title**

### **Copyright Procedure**

#### **Preamble**

This procedure outlines how staff and students are supported through the provision of accurate and up-to-date information and resources to enable them to effectively and appropriately apply copyright law, treaties and conventions to their college-based activities.

#### **Purpose**

The purpose of this procedure is to outline the obligations of staff and students to ensure compliance with the Copyright Act 1968 (the Act).

#### **Scope**

This procedure applies to all Deakin College staff and students.

#### **Policy**

Copyright Policy

#### **Related Documentation**

Copyright Guidelines

#### **Procedure**

##### **1. Copyright Compliance and Resources**

- 1.1.** Staff and students at Deakin College will use any materials bound by copyright in accordance with the law and/or any contractual licencing arrangements.
- 1.2.** Deakin College will make available, via the 'Student Portal', information to staff and students about practical matters relating to copyright and educational use. Further resources and more detailed information about legislative frameworks, statutory obligations, infringements, and exceptions will be promoted through links to relevant government and licensing agency websites.
- 1.3. Use of Copyright Materials for Learning and Teaching (Within Australia)**
  - Where staff incorporate third party copyright material into teaching materials (e.g. handouts, slides etc.), they will:
    - a) attribute the source of the content clearly on the materials;
    - b) insert the Statutory License electronic warning notice;
    - c) not exceed the copying limits of 10% of the words/one chapter per book, or one article per journal issue.
  - Staff delivering programs to students who are not enrolled will only use:
    - a) copies of openly licensed materials (e.g. Creative Commons licensed content);
    - b) links to freely available content;
    - c) content copied with permission of the copyright holder;

- d) content copied in reliance on the fair dealing exceptions in the Act. Use of these exceptions will require a risk assessment of the activity, and the use must genuinely be for the fair dealing purposes as set out in the Act.

#### **1.4. Copyright Material for Education Purposes:**

The Statutory Education Licence administered by the Copyright Agency provides for remuneration to copyright holders and allows Deakin College to lawfully reproduce, use and distribute a 'reasonable portion' of text and image copyright material for educational purposes.

The Statutory Education Licence administered by Screenrights, allows for the copying and communication of TV, radio, satellite, and cable broadcasts.

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.

For any material used under the Statutory Education Licence, a copyright notice and attribution must accompany each copy, electronic reproduction, or communication (see Appendix 1 for the required notice). This notice must appear either before or at the same time as the material being communicated.

## **2. Responsibilities**

- Staff and students at Deakin College will use any materials bound by copyright in accordance with the law and/or any contractual licensing arrangements.
- Course Coordinators/Discipline Leads/Unit Coordinators will ensure that all learning and teaching materials used in their course/unit, including the Learning Management System, complies with the Statutory Education License prior to publication and release to students.

## **3. Compliance**

### **3.1. Reporting and Oversight**

- The Navitas Head of Compliance, Risk and Reporting, UPA is responsible for managing and maintaining records related to copyright licenses and agreements.
- Staff and students are responsible for adhering to this procedure and associated policy and carrying out their work in accordance with the relevant codes of conduct.
- The Academic Director, Academic Manager(s) and Course Coordinators/Discipline Leads are responsible for implementing this procedure across their disciplines/courses and ensuring the academic team are aware of this procedure and related policy.

### **3.2. Reporting Copyright Infringements**

If you have reason to believe that a Deakin College student or staff member has infringed copyright in the course of their activities at the College, you should report the matter to the Copyright Officer, using the contact details listed below.

Head of Compliance, Risk and Reporting / Director Quality and Student Services –

[copyright@navitas.edu.au](mailto:copyright@navitas.edu.au)

The Copyright Officer is a Designated Representative to receive notices or notifications from third parties in relation to content transmitted, cached, hosted or referred to on the College's IT system/s.

External parties who believe that material available on the Deakin College network constitutes a breach of their copyright, or breaches an agreed licence or contract, should notify the Copyright Officer directly providing the following information:

- Sufficient information to enable the College to identify the copyrighted work that is the subject of the claimed infringement or, if multiple copyrighted works are involved, a representative list of such works; and
- Sufficient information to permit us to locate and access such material; and
- Sufficient information to permit us to contact you, such as your name, address, telephone number and email address.
- An indication of whether you are the owner of the content, or if you are acting on their behalf.

Details of all **parties must be supplied, including the relationship between them.**

### **3.3. Copyright Breachers**

Non-compliance with the Copyright Policy and Procedures may result in disciplinary action. Breaches of Copyright Law can also lead to legal consequences.

### **3.4. Relevant Legislation**

- Copyright Act 1968
- Copyright Regulations 2017

## **4. Complaints**

- 4.1.** If a student has a complaint related to copyright infringement, it will be handled according to the *Complaints Policy*.
- 4.2.** If a staff member has a grievance, complaint, or appeal related to copyright infringement, it will be managed under the *Navitas Grievance Management Policy*.

## **5. Review**

- This Procedure will be reviewed by the Director Quality and Student Services/Copyright Officer if there are any changes to the regulatory compliance requirements, legislation and guidelines

## Appendix 1

### Statutory Licence Notice

Any material which is communicated under a statutory licence must include the notice reproduced below as prescribed under the Copyright Act.

This notice must appear either before or at the same time as the material being communicated:

#### Section 113P Warning Notice

#### **WARNING**

This material has been copied and communicated to you by or on behalf of Deakin College pursuant to 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

\*\*\* End of Appendix 1 \*\*\*

#### Status and Details

<b>Identification</b>	Copyright Procedure
<b>Initial Issue Date</b>	1/12/2025
<b>Status</b>	Current
<b>Domain</b>	Information Management and ICT
<b>Effective Date</b>	1/12/2025
<b>Review Date</b>	30/12/2027
<b>Approval Authority</b>	Academic Board of Studies
<b>Implementation Officer</b>	Academic Director
<b>Enquiries Contact</b>	Jonathon Pura