

Policy Title

Copyright Policy and Guidelines

Preamble

The Copyright Policy replaces the Copyrights and Screenrights Policy approved in 2010. This Policy was approved by the Senior Management Group on 19 April, 2018.

The Policy complies with the Copyright Act 1968 as amended Act No. 49, 2017 (Cth) and the Copyright Amendment Act, 2006 (Cth).

Purpose

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 staff and all students at all campuses of Deakin College.

Policy

1. Principles

- 1.1. Staff members will use copyright materials in accordance with legislation and this policy and guidelines.
- 1.2. Staff members who knowingly infringe copyright will be subject to disciplinary action in accordance with the Staff Disciplinary Procedure.
- 1.3. 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. Students who knowingly infringe copyright will be subject to disciplinary action as specified in the Academic Integrity Policy and Academic Integrity and Student Misconduct Procedures.

2. Third-party Copyright

- 2.1. Academic Coordinators will ensure that all teaching materials comply with this Policy and Guidelines.
- 2.2. Academic Director will ensure that all non-teaching materials comply with this Policy and Guidelines.

3. Deakin College Copyright

- 3.1. The College Director and Principal will ensure all offers of employment and employment agreements made by Deakin College contain provisions:

- advising staff members that Deakin College owns the copyright in any teaching materials created by them and used in delivery of Deakin College programs
- for the assignment, in writing, of the copyright and any other intellectual property in those materials; and
- advising staff that Deakin College owns copyright in any materials produced by them in the course of their employment with the College.

4. 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.

5. Print & Graphic Copyright Statutory Licence Guidelines

- 5.1. In accordance with Part VB of the Copyright Act, Deakin College has an agreement with Copyright Agency Limited (CAL) to make multiple licenced copies and/or communication of certain amounts of published works for educational purposes.
- 5.2. The licence 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 print & graphic copyright electronic notice. Access to licenced copies and communication must be restricted to Deakin College staff and students.

Commonwealth of Australia *Copyright Act 1968*

Notice for paragraph 135ZX(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* 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.

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- 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 ie 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. That is, regardless of how many lecturers are teaching a unit in a given semester, 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.

6. Audio-visual Copyright Statutory Licence Guidelines

- 6.1.** In accordance with Part VA of the Copyright Act, Deakin College has an agreement with Screenrights 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 ie ABC's iView for educational purposes. The recordings may be copied and communicated to students.
- 6.2.** The recordings must be undertaken in Australia.
- 6.3.** 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.** Generally 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

Form of 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 *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.

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- 6.7.** Each analogue copy, or the container in which the copy is kept, must be labelled and must contain the following information:
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Made for Deakin College under Part VA of the Copyright Act 1968

Date program was transmitted _____

Date this copy was made _____
(if different)

- 6.8.** Access to licenced copies and communications must be restricted to staff and students only.

7. Distribution of Licenced Copies

- 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 Screenrights.

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

Academic integrity Policy

Academic Staff Integrity Policy

Procedure

Academic Integrity Procedure
Student Misconduct Procedure

Definitions

[Click or tap here to insert definitions.](#)

Status and Details

Status	Current
Domain	Information Management and ICT
Effective date	19/04/2018
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Approval Authority	Academic Board of Studies
Implementation Officer	Academic Director
Enquiries Contact	Robert Close