Copyright Guidelines for Academic Staff

Texts (books, periodicals, plays, sheet music)

Chambers Institute pays a Part VB licence fee which allows Chambers staff to copy and communicate “reasonable portions” of texts for educational purposes without seeking permission from the copyright owner. Copying limits and requirements are discussed below.

How much can I copy?

Books (literary), plays (dramatic) and sheet music (musical)

- A book, play, or musical work must be 10 or more pages in length. 10% or one chapter (whichever is the greater) of a published edition can be copied or communicated.

  You can copy or communicate 10% of the number of pages or one chapter (if the work is divided into chapters), whichever is the greater, from a hardcopy published edition.

  You can copy or communicate 10% of the number of words or one chapter in the edition, whichever is the greater, from an electronic published edition.

- Periodical Publications (journals, newspapers etc)  
  You can copy or communicate one article from any issue of a periodical publication. More than one article can be copied or communicated from a single issue if the articles relate to the same subject matter.

- Individual works in an anthology  
  You can copy or communicate the whole of a literary or dramatic work in an anthology if that work is no more than 15 pages.

- Illustrations, images, diagrams contained in a work  
  You can copy or communicate artistic works together with the text they explain or illustrate.

- Out of print works  
  You can copy or communicate the whole of an out of print work if it is unavailable within a reasonable time at an ordinary commercial price.

Who do the limits apply to?

When communicating reasonable portions of a work (other than an article contained in a periodical publication), the limit applies to the Institute as a whole. Therefore, the Institute can only make a reasonable portion of a work available online if no other part of the same work is made available at the same time.

Notice requirements when copying texts

Electronic copies must have a standard copyright notice displayed immediately before or at the same time as the texts.
Images

Chambers Institute pays a Part VB licence fee which allows Chambers staff to copy and communicate images (photographs, paintings, drawings, cartoons, diagrams, graphic art etc.) for educational purposes without seeking permission from the copyright owner. Copying limits and requirements are discussed below.

Images within other works (incidental artwork)

You can copy an entire image together with the text it illustrates or explains. For example, you can copy a diagram together with the journal article it accompanies.

Images on their own

You can copy an entire published image (from a hard copy original) if it is not separately available in the required format. If the image is separately published, you can still copy it if:

- permission is obtained to copy it; or
- after reasonable investigation it is found that the image cannot be obtained within a reasonable time at an ordinary commercial price.

You can copy an entire published image (from an electronic original) without having to do any further checking.

Example
You can scan a photograph from a book to put in a PowerPoint lecture if the photograph is not individually available for purchase.

Example
You can copy an image that is freely available on a website to use in your electronic teaching material without checking if it is separately published.

Notice requirements when copying images

If you copy an image under Part VB for educational purposes you must display the Part VB copyright notice immediately before or at the same time as the image.

Alternative sources for images

There are a number of sites dedicated to providing access to open content licenced material such as Creative Commons and Flickr.

Copying outside the Part VB Licence

Where images have been used under alternative licencing arrangements such as through Creative Commons or a licenced database you should not use the Part VB copyright notices discussed above. Instead, you must abide by the terms of the individual licence or permission you have obtained.
TV and radio broadcasts

Chambers pays a Part VA licence fee which allows Chambers staff to copy and communicate television or radio broadcasts (free-to-air or pay tv/subscription) for educational purposes without seeking permission from the copyright owner. Copying limits and requirements are discussed below.

How much can I copy?

You can copy and communicate and entire broadcast and there is no limit to the number of copies you can make. Access to any copies must be limited to staff and students only.

Podcasts

You can copy podcasts of television or radio material from an Australian broadcaster from the internet provided they have already been aired by the network.

Commercial DVDs

You cannot copy or communicate material from commercially available videos or DVDs, even if that material has previously been broadcast. For example you could not copy or communicate an excerpt from the documentary series from a DVD purchased at the ABC shop.

Other material on the internet

You cannot copy audio-visual material on the internet, unless already aired by an Australian network, without permission of the copyright holder.

How do I copy TV/Radio broadcasts?

Staff can copy broadcasts of any network/station at Chambers or at home and then bring a copy to show in class.

Notices and labelling requirements

Notices

A copyright notice must appear at the beginning of broadcast reproductions communicated to students electronically, such as via email or online via a secure server.

Labelling copies made on video or DVD

Each copy of a broadcast (the video tape, disc or container) must be labelled with required information including the date of the broadcast and the date the copy was made.
Music

Copyright exists in music in a number of ways. There is copyright in the music notation, lyrics, sound recording, and the performance of the music.

Chambers Institute pays a licence fee which allows Chambers staff to copy and communicate music for educational purposes without seeking permission from the copyright owner. Copying limits and requirements for music are discussed below.

Including sound recordings in course materials

You can copy commercial sound recordings (such as creating compilation CDs) of music if it is for educational purposes and related to a course of study or research.

You can also make commercial sound recordings available online to students via a password protected intranet or online course management system (BlackBoard/WebCT). The recordings must be available in a streaming only format (ie. cannot be downloaded). Sound recordings made available online are subject to survey under the licence and must be arranged through the Managing Director.

When copying sound recordings you must have notices and labelling attached containing full details of the title, composer, lyricist, arranger, artist/group and record company.

Playing commercial sound recordings in a lecture for educational purposes

You can play commercially available CDs, DVDs and tape recordings in a lecture for teaching purposes. You cannot charge an admission or entry fee.

Playing, performing and recording at a Institute event

Staff or students can perform music or play commercial sound recordings at Chambers events such as graduations, exhibitions and open days. You can also copy commercial sound recordings to be played at Chambers events. You cannot charge an admission or entry fee for the event.

You can also make an audio or audio-visual recording of a Institute event which includes commercial sound recordings. The recordings of Chambers events containing sound recordings can be sold to students (and their families) and staff members on a cost recovery basis only.

Using music in student work

Students can copy commercial sound recordings into the work they produce as part of their course of study. For example, a student may wish to include a commercial sound recording as part of a sound track to a film they produce as part of their course. The work created can be distributed to Institute staff or students and their families for private listening or viewing.

When copying sound recordings you must have a notice and labelling attached containing full details of the title, composer, lyricist, arranger, artist/group and record company.

Limitations on using music
Commercial use of music

Music must be used for educational purposes and not for commercial purposes under the collective music licence. This means no entry fee can be charged for Institute events which make use of music unless a separate licence has been arranged.

Performing or recording music in theatrical productions

A separate licence is required to perform or make recordings of performances of musical theatre productions. If students or staff wish to perform musical theatre pieces (e.g. Cats) or operas they will need to obtain permission from the publisher or copyright owner. A separate licence from APRA is also required to perform music in a dramatic context.

Copying sheet music

Sheet music is covered by Part VB of the Copyright Act and you can therefore copy a limited amount for educational purposes.
Internet

Just because something is made available on the internet doesn’t mean it is not protected by copyright! Everything on the internet is covered by copyright and can only be used as licensed by the copyright owner or permitted under copyright legislation.

Text and graphic material

You can copy material off the internet under the Part VB educational statutory licence as long as the material complies with the Part VB copying limits and notice requirements that apply to electronic material for books and periodical articles and images.

Audio-visual material

You can also copy Australian broadcast podcasts for educational purposes under Part VA. Other audio-visual material such as animation or non-broadcast podcasts cannot be copied from the internet under the statutory licences. If you want to use this material you will need to obtain permission from the copyright owner, which might be indicated on the web site.

Linking

You can provide students with a link to legally available material on the internet, however you must not link to material on the internet that knowingly infringes copyright (such as may be available on peer-to-peer networks or unauthorised video sharing sites).

If you are unsure about whether you can copy material off the internet using one of the statutory licences, or if the permission given to you by the owner is sufficient enough, then it’s best to provide students with the URL to the material.

Embedding Videos (e.g. YouTube videos)

When a video is embedded it is “ported” from the original server (e.g. YouTube). Therefore, no original material is reproduced or communicated from the server where the script to “port” the video is hosted.

You can embed videos in online course management system (such as Blackboard or WebCT). However, you must not embed material on the internet that knowingly infringes copyright such as video content on unauthorised video sharing sites.
Audio-visual (CDs/DVDs/Podcasts)

You can play audio-visual material including commercial videos and DVDs (unless you have entered an agreement, such as a rental agreement, which only allows personal use) in a lecture/teaching context as long as only staff and students are present.

You **cannot** make a copy of a commercial video or DVD in any format without obtaining permission from the copyright owner. This also means you **cannot** tape the part of a lecture where a commercial DVD is shown.

This also applies to audio-visual material made available on the internet (except for podcasts by Australian broadcasters, which can be copied under Part VA provided the material has already been screened).

Electronic data

**Databases**

Information available via databases licensed by Chambers can only be used under the terms of the agreement between the database owners and the institute. In most cases you can link directly to material held in online databases from Blackboard/WebCT subject pages. If you are unsure about licence terms contact the Managing Director for help.

**Computer software**

Computer software is usually made available under a licence or terms and conditions provided when it is purchased or downloaded. Check the terms and conditions accompanying the software or on the company's web site before copying or using any such material.

**Internet material**

Limited amounts of text and graphic material in electronic form can be copied from the Internet for educational purposes under the Part VB licence.