

### Purpose:

The purpose of this policy and procedure is to provide staff with the understanding and procedures in relation to adhering to law relating to copyright.

### Policy Outline:

Skills Training Australia is committed to ensuring that its staff and students adhere to the law relating to copyright. This policy provides a framework for which staff and students at Skills Training Australia can make use of third party copyright material for educational and research purposes.

This policy applies to all Skills Training Australia staff and students when they are using, for educational and research purposes, copyright material in any format (including copyright material on the Internet) where the copyright is not owned by the organisation.

### Procedure:

Skills Training Australia is both the creator and consumer of copyright material and encourages the promotion of balanced copyright law. Skills Training Australia does not authorise any infringement of copyright and staff or students who infringe copyright will be personally liable.

#### ***What is Copyright?***

Copyright is the set of laws that restricts what you can do with works that others have produced (e.g. books, articles, music, films and material on the internet). The laws restrict reproduction, performance, communication to the public and the adaptation of these works. This limits what you can legally copy or download.

#### ***Who owns Copyright?***

Generally, unless there is an agreement to the contrary, the author or creator of a work owns the copyright (e.g. in literary, musical, dramatic or artistic works).

#### ***Protecting Ownership***

Copyright protection exists from the moment a work has been created in such a form that it can be reproduced. No fees are involved and no formal registration is required.

© is the international copyright symbol. It is not necessary to include this symbol for a work to have copyright protection, however it does indicate the copyright owner (e.g. © 2009 John Brown).

#### ***What is protected?***

- **written material** such as books, articles, newspaper articles, short stories, poems, lyrics to songs, manuals, reports, sets of instructions, table or compilations expressed in words
- **artistic works** including paintings, sculptures, drawings, cartoons, photographs, buildings or models of buildings
- **musical works** including musical scores as well as music for songs and jingles
- **dramatic works** including plays, television, radio and film scripts
- **computer programs** meaning the written expression of a computer program
- **films** including documentaries, feature films, TV programs
- **music**

- **broadcasts of television and radio programs** including Podcasts that originated as broadcasts
- **published editions of works**

### ***What can be legally copied?***

Depending on the type of material and whether it is used for training or research, a copy can be made of:

- One chapter of a book, **or** 10% of the pages (10% of the words if the work is in electronic form)
- One article from a journal or newspaper (more if the articles are on the same subject matter in a special edition)
- 15 pages from an anthology (e.g. a collection of short stories)
- All of an artistic work, e.g. a diagram or photo (if the work is illustrating the text you are copying or the work is not available for separate purchase)
- 10% of a sheet music piece or play

You may make multiple photocopies, email the material to students, place the material online or make up a course pack. Make sure you always attribute a person's work on the copy.

### ***Copying from the Internet***

Just because material on the internet is freely available, doesn't mean that it may be copied; the same limits listed above must be used. It is advisable to check for any copyright statement on the website about using material. Some sites allow more generous copying for research or study purposes.

### ***Audio/Visual, DVD's, and Tapes for Training***

Copies can be made of:

- Any program or film on TV or radio (including satellite and cable TV)
- Any podcasts or digital files which have previously been broadcast

CDs or a film that has been personally hired or purchased cannot be copied or put online. However, they can be used in class when training students as part of a course.

### ***Copying for Research***

For books, journals, newspapers, anthologies, artistic works, sheet music and plays, use the same limits as applied to training. No copy may be made of audio/visual material, DVDs, tapes or music for research (though the law allows for a copy of a TV program to be viewed at a later date for private use).

### ***It is permissible to copy more than these limits if:***

- Written permission is received from the copyright owner (this could be the writer, the publisher, the website owner or the producer of a film)
- The copyright is owned by Skills Training Australia
- The copyright has expired (Copyright protection generally lasts for 70 years after the death of the author or the date of the first publication/performance, whichever is the latter)

- A book is out of print and cannot be bought in a reasonable time. (At the moment, this does not apply to DVD's and music)

### ***Moral Rights or Rights of Attribution***

Legally you are obliged to attribute a person's work whenever you quote, transmit, or include it in readings or training notes. This is because the creator or a work has moral rights (regardless of who the copyright owner is). These rights involve:

- The right of (correct) attribution for the work (As a rule of thumb, this means citing the work with the same care and detail you would expect students to do for their essays.)
- The right to non-derogatory treatment of the work

### ***How Long Does Copyright Last?***

As of January 1, 2005 the duration of Copyright for most works was extended from the life of the creator plus 50 years, to the life of the creator plus 70 years. This was because of the Australian-US Free Trade Agreement.

As a general rule, if Copyright had expired before January 1, 2005, it is not revived. This applies even if it is still less than 70 years since the creator's death or the first publication of the material.

### ***After Copyright Expires***

When copyright has expired, anyone can use the material without infringing copyright. Copyright cannot be renewed, however other issues may apply. For example, if an out of copyright work is published, there may be new copyright period for the published edition of that work.

### **Approval Authority:**

This Policy and Procedure is approved by the General Manager as indicated and the control copy is one that is maintained within the Quality Management System and as such all hard copies need to be verified.

### **Documents Referenced:**

- Copyright Act 1968