Copyright Procedure

Section 1 - Summary

(1) This Procedure outlines the protocol for using third party materials for intellectual endeavour, innovation and delivering excellence without infringing the rights of others. This Procedure supports the Copyright Policy and should be read in conjunction with it.

Section 2 - Scope

(2) All students and staff.

Section 3 - Policy/Regulation

(3) Copyright Policy

Section 4 - Procedures

Part A - Summary of Roles and Responsibilities

Roles	Responsibilities
Staff	Familiarise themselves with procedures and requirements for the use of third party copyright materials as set out in the VU Copyright for Teaching Library Guide.
Students	Familiarise themselves with procedures and requirements as detailed on the VU Copyright website.

Part B - Procedures

(4) Third party copyright material should only be uploaded to the following platforms and as appropriate, recorded as Open Access or Other Permission resource.

Third party copyright material	Platform
Digital copies of print or text material such as book chapters and journal articles	Readings tool (eReserve plus) on VU Collaborate.
Images	Staff are encouraged to use Open Resources wherever possible and include attribution as required. If no suitable open resources are available then seek permission to use the resource.
Material recorded from TV and/or radio	VU streaming service (Panopto) or external hosted streaming services with recording agreements with relevant remuneration societies, such as Screenrights.

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Third party copyright material	Platform
Music	Staff are encouraged to use materials covered by the Music Licence or Open Resources wherever possible and include attribution as required. If no suitable licensed or open resources are available then seek permission to use the resource.
Generative AI	Licenced or copyright material should not be uploaded to or used in prompts for third party Generative AI platforms. See also Academic Integrity Policy (clause 80).

Open Resources and Creative Commons Licenses

Teaching

(5) For resources used for teaching presentations delivered in class:

a. Where possible, staff are strongly encouraged to first consider using Open Educational Resources.
b. If open access resources are not suitable VU has Educational Licences and exceptions under the Act as an educational institution that enable it to use Third Party Materials for educational purposes. Staff and students also have legislative exceptions as individuals to use Third Party Materials for certain purposes (e.g. own research and study; criticism or review). These licences and exceptions are subject to limitations that must be adhered to.
c. Where a proposed use or activity is not within the scope of any existing licence or exemption, Third Party Materials should not be used unless written permission or a licence is obtained from the copyright owner of the Third Party Material. The Copyright Officer can provide assistance with requesting permission from copyright owners.

Researchers

(6) When using third party materials, researchers should always check ownership and seek permission to use if in published documents.

(7) Prioritise use of Creative Commons or Open Access options wherever possible.

(8) Always check publishing agreements and seek to retain some rights, for example, for re-use in further publications or teaching. Access institutional support, such as Office of General Counsel (ogc@vu.edu.au) or copyright services (library.copyright@vu.edu.au),to ensure compliance and best practice. For further information go to Scholarly Publishing Guide.

(9) The Library conducts regular copyright information sessions to communicate copyright procedures and support the appropriate use of third party copyright material for education and research purposes. An online training module "Copyright for Teaching" for academic staff provided on the Capability Hub is available to all teaching staff.

Part C - Copyright infringement in Australia

(10) VU does not condone copyright infringement and takes allegations of infringement seriously. Under the Copyright Act 1968 (Cth) and Copyright Regulations 2017 (Cth) service providers (including VU) that transmit, cache, host or link to third-party copyright material are required to take prompt action to disable or remove access to material that infringes or is likely to infringe a third parties copyright.

(11) Generative AI: GenAI tools may use copyright information as training data, potentially reproducing it in outputs for other users. These tools can plagiarise from their training data, meaning your input could appear verbatim in future responses.

Receipt of Infringement Allegations

(12) All webpages on VU servers must include the VU Copyright statement and link to the Take-Down Request Form. These are incorporated as part of the standard Victoria VU webpage template.

(13) The Victoria University Copyright Officer is the designated representative to receive Infringement Allegations and Take-Down Notices. The Copyright Officer can be contacted by email at library.copyright@vu.edu.au.

(14) If any member of the VU community other than the Copyright Officer receives an Infringement Allegation or a Take-Down Notice, that person must immediately forward the Infringement Allegation or Take-Down Notice to the Copyright Officer.

(15) Infringement Allegations or Take-Down Notices are generally received from parties external to VU, however members of the VU community also have a responsibility to notify the Copyright Officer if they reasonably believe that VU material or activity is in breach of a third party's copyright.

Dealing with Infringement Allegations

(16) Upon receipt of an Infringement Allegation, the Copyright Officer will consider the allegation and respond to the sender as appropriate. Where VU is required to expeditiously remove, or disable access to, the material specified in a Take-Down Notice under the Copyright Act, the Copyright Officer (in conjunction with the Office of the General Counsel or others as appropriate) will:

a. liaise with the relevant Web Content Manager or Server Administrator and request that they remove the relevant material from VU IT systems as soon as practicable;
b. if possible, notify the person who requested the material to be placed on the VU IT system that the reported material has been removed; and,
c. provide information about how to dispute the Take-Down Notice (it may not be possible to inform the original requestor if, for example, they no longer are employed by VU).

(17) If there has been copyright infringement by VU staff or students, the Copyright Officer will notify the Head of the academic unit, manager or other appropriate persons who will determine any remedial or disciplinary action in accordance with appropriate VU policies and procedures.

(18) If there has been copyright infringement by any VU IT user (including students) and such infringement is in breach of the VU's IT Appropriate Use Policy the IT Appropriate Use Procedures will apply.

(19) If VU staff, students or other IT user continues to infringe copyright then the Copyright Officer may class them as a repeat infringer and any decision under this Procedure will be required to take into account the information for dealing with repeat infringers below.

Identifying and dealing with repeat infringers

(20) A repeat infringer is someone about whom there have been repeated allegations of copyright violation over a period of time and who continues to infringe despite written notification.

(21) A person will be informed in writing if they are classed as a repeat infringer and notified that any further infringements may result in them being subject to misconduct or disciplinary procedures which may impact on their access to VU IT systems.

(22) It will generally be appropriate to suspend a repeat infringer from VU IT systems if they continue to infringe following notification as described above. The extent and period of the suspension may vary depending on the circumstances. Initial suspensions may limit internet access to VU sites for a period of time with restrictions and

periods increasing if the person continues to infringe. Any decision made to suspend a person from access to VU IT systems will be made in accordance with the VU IT Appropriate Use Policy and other applicable policies and procedures.

(23) Repeat infringers may be declassified as such by the Copyright Officer if no further Infringement Allegations relating to them are received for a reasonable period of time.

Disputing an Infringement Allegation

(24) The person or area that placed the material specified in an Infringement Allegation on a VU IT system may dispute an Infringement Allegation or Take-Down Notice by providing the Copyright Officer with information as to why they believe the material does not infringe copyright (for example, details of a copyright licence or other permission from the copyright owner).

(25) If the Copyright Officer determines that the allegation of infringement can be opposed, the Copyright Officer may liaise with the sender or issue a counter notice in the form prescribed by the Copyright Regulations 2017 (Cth) (as appropriate).

(26) The material specified in an Infringement Allegation or Take-Down Notice must not re-instated or made accessible on VU IT systems unless the Copyright Officer is satisfied that the material does not infringe copyright or that VU has appropriate permission or licence to use the material.

Removing or disabling access to content without an Infringement Allegation or Take Down Notice

(27) VU reserves its rights to remove or disable access to content on VU IT systems if it becomes aware that there is content on VU IT systems which does or may infringe copyright without receipt of an Infringement Allegation or Take-Down Notice.

Part D - Copyright infringement outside Australia

(28) Jurisdictions other than Australia may have other requirements relating to Infringement Allegations. If any member of the VU community becomes aware of an Infringement Allegation outside Australia they must immediately contact the Copyright Officer.

Section 5 - HESF/ASQA/ESOS Alignment

(29) HESF: Standards 3.3. Learning Resources and Educational Support; 5.2. Academic and Research Integrity.

(30) Compliance Standards for NVR Registered Training Organisations and FPP Requirements 2025: Standard 20 Compliance with Laws.

Section 6 - Definitions

(31) Attribution – Under the Moral Rights Act the right to be attributed by name is given to all creators for their work to be used; the attribution must be clear and reasonably prominent.

(32) Creative Commons – a system of free licenses that let creators share their work with clear rules about how others can use it.

(33) Generative AI – is a form of artificial intelligence that creates or produces new and unique content in a

range of formats including: text, image, audio, video, code. Generative AI generates outputs based on input of prompts and derives its “intelligence” from training and learning from large datasets and sophisticated pattern recognition.

(34) Infringement Allegation – means an allegation claiming that VU has infringed copyright in respect of material transmitted by, stored on, cached in or linked from any VU IT system(s). Take-Down Notices are a type of Infringement Allegation.

(35) Open Educational Resources (OER) – are teaching, learning, and research materials that are freely available in the public domain or under an open license, allowing anyone to use, adapt, and share them without cost.

(36) Server Administrator – means the VU staff member or area responsible for the administration of a VU server.

(37) Take-Down Notice – is a notice of an Infringement Allegation made under regulation 24 of the Copyright Regulations 2017 (Cth).

(38) VU IT – has the same meaning as in the IT Appropriate Use Policy.

(39) Web Content Manager – means the VU staff member or area responsible for the administration of a VU website.

Status and Details

Status	Current
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Approval Date	3rd December 2025
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Accountable Officer	John Germov Senior Deputy Vice-Chancellor and Chief Academic Officer +613 9919 5077
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