

Copyright Material (The Use Of) Policy

Section 1 - Purpose / Objectives

(1) This policy provides a framework for staff and students at Victoria University for using third party copyright material (print, graphic, off-air recordings and music) for educational and research purposes. The policy directs that third party copyright material used online is managed and reported according to the copyright statutory licence agreements between Victoria University and the copyright collection agencies. The policy also refers to the illegality of peer-to-peer file sharing and compliance with commercial agreements with publishers and vendors for electronic databases and software licences.

(2) The benefits to Victoria University, University staff and students include: compliance with the requirements of the copyright licence agreements; ensuring that staff have a clear protocol for using third party copyright material; getting value for the licence fees paid to use third party copyright material for educational and research purposes; and raising the awareness of use to staff and students at Victoria University and their obligations under copyright law and Victoria University's copyright licences.

Section 2 - Scope / Application

(3) This policy is important to:

- a. University staff;
- b. University students.

Section 3 - Definitions

(4) 'the Act' means the Copyright Act 1968 (Commonwealth).

(5) 'Copyright material' means literary, dramatic, musical or artistic works or sound recordings, cinematograph films, broadcasts or published editions as defined in the Act.

(6) 'Third-party material' means copyright material where the copyright is not owned by Victoria University. For information on such copyright, please see the University's Intellectual Property Policy.

(7) 'Use of copyright material' means the exercise of any rights granted to a copyright owner under the Act including the rights of reproduction, publication, performance, communication to the public, and making an adaptation.

(8) 'Statutory License' means the provisions governing the educational use of copyright material outlined in Parts VA and VB of the Copyright Act 1968.

(9) 'Online content management' means on a computer network or similar electronic environment e.g. WebCT, e-Reserve.

Section 4 - Policy Statement

(10) This policy supports the use of third party copyright material for educational and research purposes.

(11) Victoria University does not authorize any infringement of copyright. Staff not complying with this policy may be liable for disciplinary action under the terms of the Staff Code of Conduct. Students who infringe copyright are personally liable for breaches arising from their own actions and may be liable for disciplinary action in accordance with University regulations. As any such copying is not authorized by the University, the University would not provide any form of indemnity or otherwise support the student in the litigation.

- a. Online Content Management: Third party copyright material hosted online must be centrally recorded on particular platforms and monitored to ensure that the University complies with copyright law and for reporting requirements under the terms of the statutory copyright licenses that the University has with the copyright collection agencies. Depending on the type of material the University supports repositories for online resources as listed in the table in the Procedures section of the policy.
- b. Commercial Agreements with Publishers and Vendors: Victoria University has commercial license agreements with academic publishers and vendors for the provision of access to a wide range of materials e.g. electronic databases, software applications. Access to and use of this material is governed by the terms of licenses entered into between the University and the publisher/vendor and may be more or less restrictive than the terms of the Copyright Act 1968. The onus is on the person at Victoria University who is purchasing the materials to check the terms of the license for these materials and to ensure compliance with them.
- c. Illegal File Sharing: Material that infringes the rights of copyright owners must not be stored, transmitted or made available on any part of Victoria University's network. This includes infringing material transferred via peer-to-peer networks and material illegally copied from other media. Victoria University reserves the right to remove infringing material or material which is likely to be infringing from any Victoria University server and to block the transfer of such material by email or other means. See Appropriate Use of Information Technology Facilities Policy

Section 5 - Procedures

(12) The onus is on Victoria University staff and students who use third party copyright material to familiarize themselves with the procedures and requirements as detailed on the [copyright website](#). Further information is available by contacting Library.Copyright@vu.edu.au.

(13) The Copyright Officer runs a series of copyright information sessions throughout the year to communicate copyright procedures and support the appropriate use of third party copyright material for education and research purposes.

(14) Third party copyright material should be placed online only on the following platforms (except where permission to do otherwise has been granted by the Copyright Officer).

Third party copyright material	Platform
Print material (other than substantial use)	eReserve in the Library
Images	WebCT/eReserve or on PowerPoint slides in Re-VU/Lectopia (when linked to WebCT only)
Off-air material (recorded from TV and/or radio)	WebCT
Music	WebCT

Section 6 - Guidelines

(15) Nil

Status and Details

Status	Historic
Effective Date	2nd September 2014
Review Date	2nd May 2017
Approval Authority	Vice-Chancellor
Approval Date	2nd September 2014
Expiry Date	10th July 2018
Responsible Officer	Ingrid Unger Copyright Officer +61 3 99195938
Enquiries Contact	Ingrid Unger Copyright Officer +61 3 99195938