

# Copyright Policy

## Section 1 - Summary

(1) This Policy

- a. establishes copyright compliance requirements for Victoria University (VU) staff and students; and
- b. defines a clear protocol for using third party materials for intellectual endeavour, innovation and delivering excellence without infringing the rights of others.

## Section 2 - Scope

(2) This Policy applies to all staff and students at VU.

## Section 3 - Definitions

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

(4) Collecting Agency – Agencies which collect copyright fees on behalf of the owners. Eg. Screenrights for the rights for films, sound and any similar audio visual media; the Copyright Agency acts for authors and artists or illustrators and APRA/AMCOS looks after the needs of the music industry.

(5) ‘Copyright Material’ – Literary, dramatic, musical or artistic works or sound recordings, cinematograph films, broadcasts or published editions as defined in the Act.

(6) ‘Use of Copyright Material’ – 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.

(7) Moral Rights

(8) Third Party – Work created by another person or organisation and used in a publication or communication. Use of this work requires permission unless the work is covered by a copyright exception or is under licence to VU, is out of copyright or comes with a Creative Commons or similar 'free' licence.

(9) Designated systems – Specific VU content management systems able to satisfy legislative and licence compliance requirements for managing third party material, includes VU Collaborate and Readings.

## Section 4 - Policy Statement

(10) VU is committed to:

- a. Academic excellence and providing high quality, engaging career-based tertiary education at all levels of vocational and higher education.

- b. Its leadership role in a global community of academics, researchers and students.
- c. Providing the best possible student experience, designing pathways and opportunities by engagement through technology-enhanced blended learning.

(11) Consequently, VU is committed to complying with the [Copyright Act 1968 \(Cth\)](#).

## **Expectations of VU staff members**

(12) As a VU staff member you are expected to comply with:

- a. The Statutory licence in the [Copyright Act 1968 \(Cth\)](#) in combination with licences and agreements negotiated with copyright collection agencies on behalf of the university in respect of certain provisions of the Act.
- b. Any online content regulations and commercial agreements with publishers and vendors. This is available under the 'Terms and Conditions' of online resources, and further information is available from the Library website at [Copyright and Intellectual Property](#) and Library guides at [ebooks guide](#) and [Using permalinks](#).
- c. [IT Appropriate Use Policy](#).

## **Expectations of VU students**

(13) As a VU student you are expected to comply with:

- a. [Copyright Act 1968 \(Cth\)](#), which allows students personal use for study purposes. The [Copyright Act 1968 \(Cth\)](#) deems copying for research or study of 10 per cent of the number of pages or a single chapter to be a "reasonable portion" and a fair dealing.
- b. Further information available from the [Copyright Council](#) and at [Copyright and Intellectual Property](#).
- c. [IT Appropriate Use Policy](#).

## **Respect and integrity**

(14) Australian Copyright Law encompasses Moral Rights that expect a creator is correctly acknowledged as an author or creator (attribution) and the right of the work not to be subject to derogatory treatment (integrity).

(15) All VU staff and students are required to act professionally in academic endeavours and to acknowledge the authors or creators of a work that they reproduce and/or communicate in accordance with the Moral Rights Act, Part IX of the [Copyright Act 1968 \(Cth\)](#).

VU respects the moral rights of all authors including staff and students, wherever reasonable.

## **Using University resources**

(16) The University supports repositories for online resources as listed in the Copyright Procedure. When creating Online Content you are expected to:

- a. ensure that all third party material hosted online is centrally recorded on designated platforms and monitored to ensure that VU complies with Copyright law for reporting requirements under the terms of the agreements that VU has with the collecting agencies. Please note that the central repository is the Reading List that is accessible through VU Collaborate.
- b. comply with the VU's commercial licence agreements with academic publishers and vendors for the provision of access to a wide range of materials eg electronic databases and software applications. These terms and conditions may be more or less restrictive than the terms of the [Copyright Act 1968 \(Cth\)](#). If made accessible through library website, then they are appropriate and comply with the [Copyright Act 1968 \(Cth\)](#) and this Policy.

(17) Illegal downloads and illegal file sharing infringe the rights of copyright owners and therefore must not be stored, transmitted or made available on any part of VU's network.

(18) VU reserves the right to remove infringing material or material that is likely to be infringing from any VU server and to block the transfer of such material by email or other means as per [IT Appropriate Use Policy](#).

### **Consequences of breaching this Policy**

(19) VU does not authorise any infringement of copyright.

(20) Staff not complying with this Policy may be liable for disciplinary action under the terms of the [Appropriate Workplace Behaviour Policy](#).

(21) 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.

## **Section 5 - Procedures**

(22) See [Copyright Procedure](#).

## **Section 6 - Guidelines**

(23) Nil.

## Status and Details

|                            |  |
|----------------------------|--|
| <b>Status</b>              | Historic   |
| <b>Effective Date</b>      | 11th July 2018   |
| <b>Review Date</b>         | 11th July 2021   |
| <b>Approval Authority</b>  | Vice-Chancellor  |
| <b>Approval Date</b>       | 3rd July 2018  |
| <b>Expiry Date</b>         | 2nd December 2021  |
| <b>Accountable Officer</b> | John Germov<br>Senior Deputy Vice-Chancellor and Chief Academic Officer<br>+613 99195077 |
| <b>Responsible Officer</b> | Jane Miller<br>University Librarian<br>Jane.Miller@vu.edu.au                             |
| <b>Enquiries Contact</b>   | Ingrid Unger<br>Copyright Officer<br>+61 3 99195938                                      |

## Glossary Terms and Definitions

**"Moral Rights"** - These are personal legal rights belonging to the creators of copyright works and cannot be transferred, assigned or sold. They ensure that the creators of works are correctly attributed and the works are not treated in a derogatory way, that is, the 'integrity' of the work is upheld.