

Music

Swinburne has a music licence agreement with the Australian copyright collecting societies that allows limited use of commercial sound recordings for educational purposes. It is OK to play commercial music CDs in a lecture as long as only staff and students are present, but if you wish to record the lecture or make wider use of music in your teaching you should contact the Copyright Office for further information about the terms of the music licence.

See www.swinburne.edu.au/copyright/a-z/musiclicence.html

You MUST NOT copy commercial sound recordings and place them on the Swinburne network or make infringing copies available via peer-to-peer networks.

Commercial videos & DVDs

It is OK to play commercial videos and DVDs in a lecture as long as only staff and students are present (unless you have entered an agreement, such as a rental agreement, which only allows certain limited use, i.e. domestic use). You cannot make a copy of a commercial video or DVD in any format, including through Lectopia, without obtaining written permission from the copyright owner.

Moral rights

Under the Act there is a legal requirement to properly attribute the author of a work if you quote someone's work or use it in your teaching. This is also important to avoid any possibility of plagiarism. For more on plagiarism see www.swinburne.edu.au/ltas/plagiarism/index.html

Students and copyright

There is another section of the Act that provides an exception to copyright infringement for certain uses considered 'fair dealing for purpose of research or study'. This allows students to copy limited amounts of copyright material as part of their study as long as their actions would be considered 'fair' as outlined in s. 40 of the Act. This exception can also be used by staff for their own research. Read more on fair dealing at www.copyright.org.au/find.an.answer/browse-by-a-z/

Useful links

Swinburne Copyright Website:
www.swinburne.edu.au/copyright

Swinburne Copyright Policy:
<http://policies.swinburne.edu.au/ppdonline/showdoc.aspx?recnum=POL/2008/31>

Swinburne Intellectual Property Policy and Procedure:
<http://policies.swinburne.edu.au/ppdonline/showdoc.aspx?recnum=POL/2008/70>

What is copyright? Information from the Australian Attorney General's Department:
www.ag.gov.au/www/agd/agd.nsf/Page/Copyright

Australian Copyright Council:
www.copyright.org.au/

Questions?

More information:

Copyright Office
Hawthorn Library
www.swinburne.edu.au/copyright

Send a query to:
copyright@swinburne.edu.au



Copyright at Swinburne

A GUIDE FOR STAFF

Introduction to copyright

As part of your work at Swinburne you will want to copy material out of books, journals or newspapers or off television or the Internet and provide a copy to your students. You might also wish to copy material to help with your own research. In Australia the ability to copy or electronically communicate material from books, journals, newspapers, television, the Internet or other forms of media is governed by the *Copyright Act 1968* (the Act).

If you wish to copy or electronically communicate any such material as part of your work at Swinburne you need to comply with the terms of the Act and university policies relating to copyright and network access. The Act has specific provisions that provide certain rights to universities, which allow us to use copyright material for educational purposes, but you must comply with certain requirements to ensure there is no infringement of copyright in the material you use. For more information on copyright at Swinburne see www.swinburne.edu.au/copyright/

Copyright and teaching

Educational statutory licences

The Act contains two statutory licences that allow educational institutions to copy and communicate limited amounts of certain types of media for educational purposes without obtaining permission from the copyright owner. These are Part VB, which covers print and graphic material and Part VA, which covers television and radio broadcasts. These sections specify rules that must be complied with to take advantage of these educational copying provisions.

Remember:

1. Access to material copied under Part VB and Part VA licences must be restricted to Swinburne students only.
2. You can only copy the amount of print and graphic material permitted under the Act.
3. The required warning notices MUST be used. See www.swinburne.edu.au/copyright/a-z/markingtonices.html

Print and graphic material – Part VB

The copying limits for print and graphic material (including images such as photos and diagrams that are considered artistic works) are:

- One chapter or 10% of a literary, dramatic or musical work in a published edition of more than 10 pages (10% of the number of words for electronic material).
- One article from any issue of a periodical publication (or more than one article if they relate to the same subject matter).
- The whole of a literary, dramatic or musical work in an anthology if that work is no more than 15 pages.
- The whole of an artistic work which accompanies or explains text being copied
- The whole of a hard copy artistic work that is not separately published, or the whole of an electronic artistic work.
- The whole of a literary, dramatic, musical or artistic work (other than a periodical publication) if a copy cannot be obtained within a reasonable time or at an ordinary commercial price (the Library can determine this).

Subject Materials Online

If you wish to communicate copyright print or graphic material to your students electronically by making it available online you may ONLY do so by using the Library's Subject Materials Online. This ensures that all copyright rules are properly complied with. Once an item has been placed on Subject Materials Online a link to the item can be put onto your Blackboard or WebCT subject page. See www.swinburne.edu.au/lib/subjectmaterials

REMEMBER – you MUST NOT scan copyright material and put it onto Blackboard or WebCT yourself.

Television & Radio Broadcasts – Part VA

There are no copying limits for material copied from television and radio broadcasts under Part VA of the Act. You can copy a complete program if you wish. Copies can also be made from free-to-air broadcast material subsequently made available online by the broadcaster. Copies can be in any format and can be made available to students via Blackboard and WebCT.

Commercial databases

The Swinburne Library has entered agreements with a number of publishers to provide electronic access to a wide range of online databases. If you use this material you do not need to comply with the terms of the educational statutory licences because Swinburne has obtained the permission of the copyright owner to use the material. However you can only use the material in ways that Swinburne has agreed to. See www.swinburne.edu.au/lib/database

The internet

The Internet provides a huge range of material and makes it easily available, but you must remember that all material on the Internet is still subject to copyright. Therefore if you wish to use material off the Internet for educational purposes, you still need to comply with the requirements of Part VB or Part VA or get permission from the copyright owner (which may be indicated on the site). Non-broadcast audio-visual material such as animation or podcasts cannot be copied under the statutory licences. If you wish to use this material you will need to obtain the permission of the copyright owner.



In your activities at Swinburne you are likely to act as both a creator and a consumer of copyright material. Copyright law provides a balance between rewarding creators and ensuring appropriate access for consumers of copyright material.

Swinburne is committed to:

- Providing access to the knowledge of the world for staff and students and promoting the effective use of information resources by the university community
- Ensuring that staff observe the law relating to copyright and abide by contractual commitments