



## Copyright Policy

To set out the terms of compliance for the use of third party copyright materials in an educational environment under commercial or statutory, licenses, permissions and other legal provisions contained in the Australian Copyright Act 1968 (Cth).

### Scope

All CAUDIT staff, and member representatives of the Council of Australian University Directors of Information Technology (The Council).

### Policy Statement

The Council will take all reasonable steps to protect itself from exposure to legal liability from copyright infringement.

Copyright compliance is the responsibility of each individual staff member and its member representatives or other authorised user.

The Council is committed to ensuring that staff, member representatives and other authorised users (“users”) abide by copyright law. The Council will take all reasonable steps to:

- ensure that users are informed of their legal obligations;
- provide guidance and mechanisms to enable users to meet their legal obligations;
- to prevent and rectify unlawful use of copyright material; and
- promote a positive ethical and compliance culture in relation to copyright.

This policy is based on the following principles, which should be adhered to by all those responsible for the implementation of this policy and to whom this policy applies:

- The Council encourages the pursuit of innovation in the support off teaching and research and the use of information technology in achieving this goal
- The Council is committed to providing guidance and education to staff, members representatives and other authorised users about lawful use of copyright material

### Copyright Compliance Structure

The General Manager, with the assistance of the Executive Officer and will complete the annual copyright compliance certification and related compliance and risk treatment strategy reports as required by the CAUDIT Audit Committee (CAC).

The CAC, reporting to the President, chaired by a member of the CAUDIT Executive Committee, the General Manager and consisting of representatives drawn from the CAUDIT membership, will meet regularly and in accordance with its terms of reference will:

- provide comment and advice on copyright issues other than legal issues, including policy-making and compliance matters, to the President, General Manager and appropriate committees and groups,
- provide advice to the General Manager on CAUDIT wide information dissemination and education programs relating to copyright and
- provide a forum for discussion of operational matters relating to copyright which affect The Council.

CAC will alert the President and General Manager to issues or changes in the law that impact on The Council.

## **Supporting procedures**

Copyright Compliance Procedures for Australian Campuses

## **Responsibility for implementation**

General Manager

## **Status**

Revised December 2010

## **Key Stakeholders**

CAUDIT Executive Committee

CAC

## **Approval body**

Name: CAUDIT Executive Committee

## **Definitions**

**Author:** the person who created the work

**CAUDIT:** The Council of Australian University Directors of Information Technology Incorporated (NSW)

**Commercial licence:** written commercial agreement between The Council and the copyright owner (eg publisher/software company) and The Council setting out the terms under which the product/material may be used and the terms of remuneration. Commercial licences usually pertain to multiple items of copyright material that have been packaged together as a commercial product, eg journal databases.

**Communication:** the electronic transmission of copyright material by email, or by making the material available online (via the Internet or Intranet).

**Copyright Owner:** the author at first instance. It may be another person or entity to whom the author has assigned (transferred) ownership rights.

**Copyright Permission/Licence:** written authorisation from the copyright owner/s for the use of their material. The use of copyright material under this permission or licence, must comply with the terms set out in the permission.

**Reproduce:** the act of making a copy.

**Reproduction:** the resulting copy. 'Reproduction' occurs when a copy or copies are made by means of scanning, photocopying, copying by hand, downloading, photographing, faxing, re-typing, etc.

**Statutory licence:** provisions within the Australian Copyright Act that allow the use of certain types of copyright material, subject to remuneration, in accordance with written agreements between designated copyright collecting societies and the University. These set out the terms under which certain types of copyright material may be used, and the requirements for data collection used to determine rates/amounts of remuneration and royalty distribution. Examples are the Part VB CAL licence and the Part VA Screenrights licence.

**The Council:** The Council of Australian University Directors of Information Technology Incorporated (NSW)

**Third party material:** material that was created by another person/s

## **Related legislation**

Copyright Act 1968 (Australia)

Copyright Regulations 1969

**Access:**           **Public**