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Persons submitting material for printing need to be aware of their obligations under the Copyright Act 1968. Information concerning these obligations can be found at www.copyright.unsw.edu.au. Staff should familiarise themselves with "A Short Guide to Copyright for UNSW Staff" (See over page).

Job #

Office Use Only

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Title

☐ Professor ☐ A/Professor ☐ Dr ☐ Mr ☐ Mrs ☐ Ms

Lecturer Name

Ext

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Person

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STUDY KIT DETAILS

Course Code/s

Volume No of (eg 1 of 8)

Course Name

Number of students enrolled (estimate)

Format Required ☐ Landscape ☐ Portrait

No of pages in kit

Number of Copies to be sent to School/Department

Two copies free of charge. Extra copies will be invoiced to your School/Department account.

SPECIAL
INSTRUCTIONS

IMPORTANT INFORMATION

- Materials submitted using this form will be produced and made available to students through the UNSW Bookshop.
- Standard turnaround time is two weeks from receipt of complete material so the study kit will be available for sale in the first week of the session. Please submit the material as soon as possible.
- Please check that all pages have a margin of at least 2cm on all sides, copies are clear and clean (no black edges or gutters).
- Please refer to A Short Guide to Copyright for UNSW Staff attached with this form.
- Selling price of study kits is based on cost-neutral, user-pay and print-on-demand principles which covers the printing and selling costs, free copies for schools/lecturers and the wastage (based on previous sales or 5% if previous sales is not available).

PLEASE DROP OFF AT UNSW BOOKSHOP

January 2017

Quadrangle Building, Map Reference E15. Open Monday - Friday 9am-6pm, Saturday-Sunday 10am-2pm

A SHORT GUIDE TO COPYRIGHT FOR UNSW STAFF

BACKGROUND

This document contains basic information that you need to know about using copyright material for teaching purposes at UNSW. It does not cover all copyright issues and is only an overview. Staff must refer to the copyright website for full details on copyright compliance at <http://www.gs.unsw.edu.au/copyright>

The University is able to make copies and communicate copyright material under licence from the Copyright Act 1968. The licences are Part VA which covers broadcasts (radio, television, cable, satellite and podcasts of broadcasts) and Part VB which covers print and graphic material.

Copying and communication under these licences must be for the "educational purposes of the University". These are:

- using the material to teach students;
- making the copy available to students, or communicating to students, as part of a course of study at the University;
- retention of a copy in the University library or elsewhere (eg by a staff member) as a teaching resource; and
- the administration of students and courses.

Copyright material is communicated whenever it is electronically transmitted (eg sent to students as an email attachment, distributed on DVD/CD ROM), included in a PowerPoint, or made available online (eg uploaded onto a university server in a form which is able to be accessed by staff or students), to another person or persons.

YOU CAN COPY IF:

- the copyright is owned by the University;
- the material has been supplied to the University with an express licence to copy and/or communicate;
- you obtain written permission from the relevant copyright owner; [If the copyright owner has given the University permission to copy and/or communicate the work, you can do so within the limits they have set down.]
- the proposed copying and/or communication falls within any of several exceptions in the Copyright Act that allow limited amounts of copying and communication without payment; [If your proposed copying and/or communication falls within any of the exceptions to the Copyright Act such as "fair dealing", you can copy/communicate within the limits set down.]
- the copying and/or communication is covered by the Part VA or Part VB statutory licence.

PART VB (PRINT AND GRAPHICS LIMITS):

- articles contained in a periodical publication - the whole or part of an article can be copied. Two or more articles contained in the same periodical publication can be copied if the articles relate to the same subject matter. These limits apply on a course by course basis.
- literary or dramatic work contained in a published anthology - the whole or part of a work can be copied, up to 15 pages. An example would be an essay contained in an edited collection of essays. This provision applies to hardcopy copying and copying from paginated electronic anthologies, and is on a course by course basis.
- other copying of literary, dramatic, musical or artistic works - a "reasonable portion" of the work can be copied. The Act deems that where a literary, dramatic or musical work which is published as a published edition (for example, a book or play) is copied, then provided no more than 10 per cent of the pages in the edition, or one chapter (whichever is more), is copied, the amount will be taken to be a "reasonable portion". If you take more than that, it generally will not be a "reasonable portion", unless the person doing or requesting the copying is satisfied, after reasonable investigation, that copies (other than secondhand copies) of the work cannot be obtained within a reasonable time at an ordinary commercial price. For hard copy copying these limits apply on a course by course basis. For electronic copying or communication they apply across the whole University.

FAIR DEALING AND OTHER ALLOWED COPYING

A fair dealing with a literary, dramatic, musical or artistic work, or with an adaptation of a literary, dramatic or musical work, does not infringe copyright in the work if it is for the purpose of research and study, criticism or review, or parody or satire, provided there is sufficient acknowledgment of the work copied.

Any acknowledgment should identify the author (unless the author is anonymous or has agreed or directed that they not be

named) and identify the work from which the copies are taken by its title or other description.

This category of fair dealing may apply to copying you do for yourself or for other staff. It may also apply to communications between academics for the purpose of academic criticism and discussion.

A fair dealing with a literary, dramatic, musical or artistic work, or with an adaptation of a literary, dramatic or musical work, does not constitute an infringement of copyright if it is for the purpose of research or study. Consider first the use or uses to which the copy is likely to be put. If it is part of the research function, such as preparing an article or book chapter, or part of an academic's general reading to maintain current awareness in his or her field, then it is very possibly made "for the purpose of research or study". Some teaching functions, such as preparation of new courses, or copying of an article or other material for an individual student or small group of students to study, could also fall within the test. But multiple copying for distribution or other use in teaching will not usually be considered to be "for the purpose of research or study". It may be that in practice very few instances of communication will fall within this purpose, although a communication between two academics for the purpose of joint research will most likely satisfy the test. Once you have decided that a particular copying or communication is for either criticism and review or study and research, you still have to consider whether it is fair.

MULTIPLE COPIES OF AN INSUBSTANTIAL PORTION

Multiple copies of an insubstantial portion (usually 1 or 2 pages) of a literary or dramatic work can be made for free in certain circumstances. The insubstantial portions must be continuous, and the provision does not apply to artistic or musical works.

COPYING FOR EXAMINATIONS

Literary, dramatic, musical and artistic works are able to be copied without infringement as part of a question to be answered in an examination, or in an answer to such a question. This exception applies to copies only, not communications.

ARTISTIC WORKS

Artistic works that are in hardcopy form can be copied without further inquiry provided you are sure that they have not been separately published. If an artistic work in hardcopy has been separately published, it can only be copied if the person who makes the copies or causes them to be made has satisfied himself or herself, after reasonable investigation, that copies (other than second hand copies) cannot be purchased within a reasonable time at an ordinary

commercial price. If the artistic work you wish to copy is available in electronic form, and the copy you are making is from the electronic form, you can copy or communicate the work in reliance on the Part VB licence without the need to inquire into whether it is available for purchase.

Artistic works which are embedded in text for the purpose of explaining or illustrating the literary work are "incidental artistic works". Incidental artistic works can be copied without the need to make the inquiries discussed above.

PART VB - DIGITAL COPYING AND COMMUNICATION

Information on making digital copies and communicating material electronically on CD/DVD, email, PowerPoint or online is contained in Making Digital Copies at UNSW for Teaching Purposes. Note: Copyright works made available online on reliance on the Part VB licences MUST NOT be available for access by the general public.

PART VA: AUDIO-VISUAL AND BROADCAST COPYING

There are no limits on the copying and communication (online or through CD/DVD) of off-air material provided that access is restricted to staff and students of the university only, and material is not accessible by the general public.

Analogue copies made under the Part VA Licence must be labelled in accordance with the requirements of the Act. Labels are available in pdf, jpeg, tif and gif formats at <http://www.gs.unsw.edu.au/copyright/index.html>.

When digitising Part VA audio-visual material, there is no requirement to mark or label copies which are made in electronic form (e.g. a copy made on a CD-ROM or computer hard drive). However if such a copy is communicated, each electronic or digital copy which is communicated must contain the Part VA Electronic Use Notice available at <http://www.gs.unsw.edu.au/copyright/index.html>.

The notice must appear either before or at the same time as the material being communicated appears on the screen.

Further information on making digital copies and communicating material electronically on CD/DVD, email, PowerPoint or online is contained in Making Digital Copies at UNSW for Teaching Purposes.

Commercial films, videotapes and DVDs may not be copied unless permission is given in the copyright notice on the item concerned or written permission is obtained.

MUSIC

FreePlay Music

The University has entered into a licence with FreePlay Music to enable students and staff to use music from FreePlay Music in their productions. Details of permissions are available at https://www.gs.unsw.edu.au/secure/copyright_secure/copyright/creative/index.html.

AMCOS/ARIA

The University has a special licence agreement with the music copyright societies that allows staff to make copies of music issued on record labels within the repertoire of ARIA (Australian Record Industry Association) for educational purposes. For example you can make a compilation of items for your students to study. Copies may be distributed to students on CD/DVD or placed in the Library.

The Copyright Officer has details of the current ARIA repertoire.

The copy or its packaging must carry the following notice:

"This recording has been made by UNSW under the express terms of an educational licence between it, AMCOS and ARIA and may only be used as authorised by UNSW pursuant to the terms of the licence".

The title of each musical work, the name of each composer, lyricist and arranger of the musical work, and if the recording contains an ARIA sound recording, the artist/group name and the record company label must also be included on the copy or its packaging.

Copies may also be made available online to students for listening only (streaming), but not for download.

COPYING FROM THE INTERNET

The web is not a copyright-free zone. Do not assume that you are entitled to download everything you can access on the web or to then communicate that material.

The copyright statement on each website must be checked. It is preferable to provide students with a link to the relevant website than to copy from the website.

MORAL RIGHTS

Moral rights belong to the author rather than the owner of a work. There are 3 rights: the right of attribution; the right against false attribution; and the right of integrity (ie the right not to have a work subjected to derogatory treatment). Moral rights apply to all works created before and after 21 December 2000, and to films, or works that are included in films, after that date. An author can consent to acts which would infringe moral rights, but the consent must be in writing. The right of attribution means that standard academic practices should be followed, so that the name of the author and the title of the work appear on copies. Alterations to material should not be in conflict with the author's intentions.

INTELLECTUAL PROPERTY POLICY

The university policy on the ownership of intellectual property created by staff during the course of their employment can be accessed through <http://www.gs.unsw.edu.au/policy/>

COPYRIGHT OWNERS

If you are the owner of copyright material, you may wish to consider joining a relevant collecting body (eg CAL, Screenrights, APRA etc). The collecting bodies make payments to copyright rights holders when their works appear in copying records kept by the collecting body. Payments are usually only made to members. Details can be found on the websites of the various collecting bodies.

FURTHER INFORMATION

Web: <http://www.gs.unsw.edu.au/copyright/>

Creative tools: https://www.gs.unsw.edu.au/secure/copyright_secure/copyright/creative/index.html

Email: copyright@unsw.edu.au

Phone: Copyright Officer x52860