

Section: Policy Manual

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Note: This is an uncontrolled document when printed.

Copyright Procedure Box Hill Institute Group (BHIG)

Related Policy	Intellectual Property Policy
	Responsibility
1. The duty of BHIG staff to meet copyright requirements a) Any hard copy or electronic copying/communication of copyright material (defined in the BHI Intellectual Property Policy) must rely on one of the legal exemptions discussed below in Section2. b) If staff are not sure if they have the right to copy or electronically communicate materials, or are unclear about the extent of the right, it is <i>the duty of that staff member</i> to take reasonable steps to determine if they have the right to copy or electronically communicate materials by: • Seeking advice from the BHIG Governance and Policy Officer, or • Seeking permission from their supervisor, before the staff member copy or electronically communicate materials. c) Staff may be subject to disciplinary procedures if they • Fail to take reasonable steps, as detailed above, to identify if materials are subject to copyright, and/or • Fail to take reasonable steps to identify a clear right to copy or communicate copyright materials prior to copying/communicating.	All staff
2. Identifying your right to, copy or communicate the material a) Refer to the Copyright Act 1968 (The Act) educational purpose rights (See Copyright Act (Cap 63) Singapore for similar provisions). Relevant exemptions are: • Part VB that allow educational institutions to copy and electronically communicate limited amounts of “works” without permission. BHIG pays for this copying. Note any use of materials in electronic form must have a statutory copyright notice attached • Statutory exemptions including for library, and student exemptions (for research/study) • Use of provisions to copy a range of materials based on a “special needs” test where no other exemption applies (section 200AB) • Ability to play any audiovisual materials in class, <i>if no copy made in doing so</i> • Copying less than one percent of a work (to maximum two pages), or any text such as an RSS feed. But this does <i>not</i> extend to text considered a substantial part of the materials, for example the key term, fact or part. Advice should be	All staff

sought before using this provision b) Permission from the copyright owner (license paid for or free) c) Permission to copy/electronically communicate under a “creative commons” licence. These have complex terms and advice should be sought before use d) BHI staff can copy any material that BHIG owns the copyright for	
3. Actions involving copyright materials that are not copyright breaches a) Lending for no profit b) Internet browsing including passive caching materials for short periods c) Linking including embedded links- but staff must ensure it’s clear the material is on another website and who owns it	All staff
4. Copyright and the digital world All actions must comply with copyright law, and cost and legal liability may result from non-compliance. If unsure staff must seek advice from the Institute’s Governance and Policy Officer before any of these actions. See the duty of staff warning at the head of this Procedure. Any use of materials in electronic form must have a statutory copyright notice that appears before any material. Electronically copying/ communicating copyright material includes: • Downloading/cut and paste/ printing from any digital source including from the internet • Email/sending a scanned document, • uploading to/copying from the Institute’s Moodle, “StudentWeb.”	All staff
5. Identifying copyright ownership and attribution a) All copyright materials should have a clear notice showing who is the copyright owner. b) Where an Institute entity is the owner, the cover or verso (opposite or back page of cover) must show ©and name of entity (and year first created). c) When any copyright material is electronically copied or communicated the statutory notice must be displayed before any material. This includes before a digital display. d) Creators of works have moral rights even when they do not own the copyright. The author of the work, where known, should be displayed.	All staff
6. Contracting with third parties a) Staff drafting contracts with third parties where copyright materials are created should seek advice from the Governance and Policy Officer on relevant terms. This must include a term on the permitted use by the Institute of the materials.	
Approval Body	Executive Management Team
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