



Guidelines Relating to the ACPE Copyright Policy¹

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¹ The College acknowledges that these Guidelines have benefited from a review of similar policies in the tertiary sector and rely, in particular, on those published by the Queensland University of Technology,

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Guidelines Relating to the ACPE Copyright Policy²

1 *General Information*

1.1 **What is Copyright?**

Copyright law is intended to provide a balance between rewarding creators for their works and ensuring reasonable access by users to those works. The College is committed to the proper observance of copyright law, and upholding the rights of creators and users. Original works and other subject matter are automatically given copyright protection in Australian law by the Copyright Act 1968 (Cth).

Copyright applies regardless of whether the copyright symbol © is present. Works and other subject matter that are protected by copyright may include, for example, books, conference papers, web pages, computer programs, articles, scripts, sculptures, engravings, artworks, videos, and music recordings.

The Act gives protection to four categories of “works” – literary, dramatic, musical, and artistic works – and four categories of “subject matter other than works” – cinematograph films, sound recordings, broadcasts, and published editions of works. It gives copyright owners several exclusive rights for a limited period of time. For example, the owner of copyright in a literary or dramatic work is the only person entitled to:

- Reproduce the work in a material form, eg photocopying or scanning
- Publish the work
- Recite or perform the work in public
- Communicate the work to the public, for example by putting it online
- Make a translation, a dramatised version, a picture version of the work.

The owner is usually the author or publisher of the work. The owner may give permission to others to do any of these things with the work.

There is a growing movement amongst some creative people to give users permission to do some of these things with their work right from the outset, at the time of publication. This movement is sometimes described as the ‘open access’ movement. Examples of this approach are the Creative Commons and the AShareNet Free For Education licensing schemes. To learn more about them, visit their websites AShareNet and Creative Commons.

² The College acknowledges that these Guidelines have benefited from a review of similar policies in the tertiary sector and rely, in particular, on those published by the Queensland University of Technology,

1.2 How Long Does It last?

Copyright in published works generally lasts for the life of the author plus 70 years. The duration of copyright in subject matter other than works (films and sound recordings for example) is more variable, but generally is 70 years from the end of the year of first publication. You should be aware that copyright in unpublished material can be perpetual in some cases.

Before 1 January 2005, the term of copyright in Australia was life of the author plus 50 years for published works, and 50 years after publication for audiovisual items. The extended term of 70 years applies only to material that was still in copyright on 1 January 2005. If the copyright had expired by that date, it stays expired.

1.3 When you can copy, communicate or perform?

The Copyright Act does not stop staff and students from copying altogether, but it does impose rules regarding what, how much, and for what purposes you may copy works protected by copyright. You may copy material if:

- copyright in the material has expired; or
- you have written permission from all the relevant copyright owners; or
- your purpose falls within the fair dealing provisions or other exceptions in the Copyright Act; or
- your copying comes under the statutory licence provisions of the Copyright Act.

The amount you may copy under the fair dealing and statutory licence provisions depends upon why you are copying and the type of material you are copying. As a general principle, the fair dealing provisions apply to your own research or study; while the statutory licences apply to use in teaching or library resource provision.

The Copyright Act was amended in December 2006 to permit individuals to copy certain types of material solely for private and domestic use. These new 'private use' provisions do not apply to the College. If copies made by staff or students under these provisions are used for College purposes, they become infringing copies.

When you can communicate or perform material in public without permission is also governed by your purpose and intended audience. You communicate something to the public when you make it available online or electronically transmit it to the public.

You may communicate or perform material in public if:

- copyright in the material has expired; or
- you have written permission from all the relevant copyright owners; or
- your purpose falls within the fair dealing provisions or other exceptions in the Copyright Act; or

- your communication comes under the statutory licence provisions of the Copyright Act.

As a general rule, you cannot copy anything for publication, entertainment or sharing purpose, unless you have the copyright owner's permission. Likewise, you cannot publicly perform anything for entertainment purposes, unless you have the copyright owner's permission.

1.4 Plagiarism and moral rights

Plagiarism is an issue of academic honesty separate from any question of copyright infringement.

However, under the Copyright Act, authors have the right to have their work properly acknowledged when it is quoted, and the right not to have their work subjected to unreasonable derogatory treatment. These rights are called "moral rights" and are separate from copyright. It is an added reason why it is important to acknowledge the sources you use.

1.5 Responsibility for compliance

It is the responsibility of all students and staff to comply with copyright law. This is clearly stated in the Student Handbook, the Student Code of Conduct, the Staff Code of Conduct and the Library Rules.

Students and staff who use College facilities to infringe copyright will be in breach of College Rules. Students in breach will be dealt with in accordance with the procedure stated in the Code of Conduct where penalties may include denial of access to the College information and network facilities. Infringement by staff may be dealt with as a matter of misconduct.

All College staff and students are cautioned against using College networks and machines to use, make, store, transmit or otherwise deal with infringing copies of movies, television programs or music. The Copyright Act was amended in December 2006 to permit individuals to copy certain types of material solely for private and domestic use. These new 'private use' provisions do not apply to the College. If copies made by staff or students under these provisions are used for College purposes or with College equipment, they become infringing copies.

It is also important to note that the existing ACPE music licences relate solely to the Dance degree. It is the responsibility of all staff and students to see advice from the College's Copyright Officer before reproducing and communicating musical sound recordings.

2 Teaching Support

The Teaching Support section of the guide is addressed to staff of the College only. It outlines what the College is able to do with copyright material in its role as an educational provider. You operate under these guidelines if your purpose is to teach students, or otherwise support, the educational purpose of the College.

The copyright owner rights that you are most likely to want to use in teaching are:

- Reproduction or copying;
- Communication to the public;
- Performance in public .

The Copyright Act has special provisions that enable the use of copyright material in teaching without permission from the copyright owners. What you may do depends on the nature of the source material and the method of delivery to students. This section of the guide firstly deals with the types of material you may wish to use in teaching and how copyright law affects your use of them. Secondly, it deals with the means by which you deliver the material to students. The compliance regime that applies for a particular source type can differ according to how you deliver the material.

2.1 Source material

2.1.1 Text and images

Text and images are dealt with together because the Copyright Act treats them in a similar manner. In this guide, the word "text" covers literary works (except computer programs), dramatic works, and musical works in a notated format such as sheet music. The word "images" includes pictures, photos, drawings, graphs, diagrams, plans, and anything else that is an "artistic work" for the purposes of copyright.

Copying of text and images by educational institutions for educational purposes may be done under the statutory educational licence in Part VB of the Copyright Act. This statutory licence applies to both print and electronic originals. However, it does not apply to material acquired under a licence agreement with the copyright owners.

Under the statutory licence, you may make hardcopy or digital reproductions, without seeking permission from the copyright owners, for the educational purposes of the College. You may deliver the copied material online, in print format, on CD or DVD.

The Act specifies limits on the amount that may be copied and communicated and requires institutions to make a payment to copyright owners. College makes an annual payment to the Copyright Agency Limit (CAL) based on an agreed rate per equivalent full-time student unit. The College participates in a sampling scheme whereby it undertakes to keep records of copying during sampling periods, which occur about every four years.

The definition of "educational purposes" is broad and includes, but is not limited to, use in connection with courses of study, administration that supports the educational activities of the College, and inclusion in the library collection.

Under this licence, you may reproduce, in general terms:

- 10% or one chapter of a book, whichever is the;
- One article per issue of a periodical, or more if they are on the same specific topic;
- The whole of a book that is not commercially available within a reasonable time;
- Images, under certain conditions.

Digital reproductions must have a copyright warning notice attached.

There are slightly different limits on what you can copy for online distribution compared with other forms of distribution. For further guidance, consult the College's Copyright Officer.

E-Reserve

If you want to put readings online for students, you must consult Library staff. You will need to submit a request to Library staff using the online request form provided on the Ask-A-Librarian website. Library staff will post the readings to E-Reserve for the specific academic unit.

Copying of materials from databases and electronic book or journal collections to which the Library subscribes (for example, SportDiscus, Factiva and Academic Search Premier), is governed by licensing agreements between the Library and the database, ebook or journal provider. In general, these agreements do not permit you to make multiple print copies for teaching use; nor do they permit you to copy the file to another location for purposes of student access. Students must access the material through a direct link to the online resource.

If you want to direct your students to a particular article, submit a request to Library staff who will make the link to the online resource on the E-Reserve website.

2.1.2 Internet resources

All material on the internet such as text, graphics, spoken word, podcasts, video and music is protected by copyright in the same way as other forms of published material. The easiest approach is to avoid making copies and instead, give your students the web address of the material so they can access it themselves.

Unfortunately, there are many websites and filesharing programs which make material available without permission of the copyright owners. You should not knowingly direct or link students to infringing copies. This can expose you and the College to allegations of 'authorising' copyright infringement. If you are suspicious about the legality of a website, seek further advice from the College's Copyright Officer.

If you feel you must copy the material for your students, you should check the website terms of use to see if permission is expressly given to copy the material for educational or non-commercial purposes. If the website says you can copy and distribute, or copy to an intranet, then you may do so. If not, send an email to the copyright owner asking permission. Please note that where permission is given to download a document from the web for personal research and study, this does not include the downloading of multiple copies for distribution to students, or inclusion in the Library collection. There is an online service to help you find licensed media that you can legally share and reuse for free available at the ***Creative Commons Search*** website.

Some material on the internet is protected by licence agreements in addition to copyright. Examples include the electronic journals to which the College Library subscribes, or content for which you have to register and agree to terms before being given access to it.

Podcasts of Australian free-to-air radio and TV programs made available online by the broadcaster after the program has been broadcast may be copied to a course website or distributed to students on disc. This is covered by the statutory educational licence in Part VA of the Copyright Act, subject to the College's Screenrights agreement.

The provisions of the Copyright Act (1968) override many openly available websites containing copyright notices such as '©XYZ Pty Ltd 2007 All rights reserved', or a statement saying that the content may be copied or saved for personal use only. Nevertheless, you can copy from such sites for educational purposes following the rules in the statutory licence. If you can access copyright material only by agreeing to accept certain terms and conditions which prevent certain types of uses, you should comply with those terms and conditions. It may be much simpler to email the copyright owner asking permission to copy for educational purposes rather than try to apply the statutory licence.

A detailed discussion on the application of the licence to text and graphic internet resources can be found in the [Guidelines for Permissible Copying from the Internet under the Statutory Licence: MCEETYA Guidelines](#). This is a document produced by agreement between the Copyright Agency Limited and the Ministers for Education. It is directed to teachers in schools, but they operate under the same licence as the College.

2.1.3 Licensed electronic resources

Copying of materials from databases and electronic book or journal collections to which the Library subscribes (e.g. SportDiscus, Factiva and Academic Search Premier), is governed by licensing agreements between the Library and the database or journal provider. In general, these agreements

do not permit you to make multiple print copies for teaching use; nor do they permit you to copy the file to another location for purposes of student access. Students must access the material through a direct link to the online resource.

If you want to direct your students to a particular article, submit a request to Library staff who will make the link to the resource on E-Reserve for the specific academic unit.

2.1.4 TV and radio

Television and radio broadcasts may be received in class without any licence or permission.

Television and radio broadcasts may be recorded for the College's educational purposes. This is allowed under the educational statutory licence in Part VA of the Copyright Act, subject to a remuneration agreement with Screenrights, the audiovisual copyright collecting society. The licence applies to broadcasts from both free to air and pay services, including reception via cable and satellite. Podcasts of Australian free-to-air television and radio broadcasts made available on the broadcaster's website (after the program has been broadcast) may also be copied under the statutory licence. Note that any copy made under the Screenrights Licence is for the sole purpose of supporting the College's educational programs, and that a copy of each program must be deposited in the Library collection.

Broadcasts may be recorded, copied, and communicated for the educational purposes of the institution. The definition of "educational purposes" is broad and includes, but is not limited to, use in connection with courses of study, administration that supports the educational activities of the University, and inclusion in the library collection.

There is no restriction on the amount or type of program copied. For example, feature films, advertisements, news, drama or documentary programs may all be copied. Whole programs may be copied, or program segments may be made into a compilation. Copies may be digital or analog and there is no restriction on the number of copies which may be made.

The College has a remuneration agreement with Screenrights based on an agreed rate per student. As part of the agreement, staff are obliged to keep records of copying for a six-week sampling period every three years.

Off-air Recording Service

Academic staff may make copies of TV or radio programmes for the educational purposes of the College. Alternatively, requests can be submitted to the Library for a copy to be made on your behalf. Requests for

such copying must be submitted at least 3 days in advance of the scheduled TV or radio program.

Labelling

Copies of broadcasts intended for use for the educational purposes of the College must be labelled as follows:

Copy made for the Australian College of Physical Education under Part VA of the Copyright Act Date program was broadcast: Date this copy was made:
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If private copies of radio or television broadcasts are used for College purposes, and are not labelled in this way, they become infringing copies.

Distribution of copies and notices

Once a program has been copied and labelled, it may be lent to a student or staff member of the College. The copy cannot be lent to another institution; although the College may make a copy of the program and supply that copy to the educational institution requesting it, as long as that institution has a remuneration agreement with Screenrights. Copies must not be sold or otherwise supplied for profit.

Copies may be made available online on the College network, providing the following conditions are observed: access must be restricted to ACPE staff and students only; and, when the program is put online or otherwise electronically transmitted, a prescribed notice must be attached to it so that the viewer will see the notice before or at the same time as the program appears.

Notice for recordings of broadcasts (Part VA)

COMMONWEALTH OF AUSTRALIA
Copyright Regulations 1969
WARNING

This material has been copied and communicated to you by or on behalf of the Australian College of Physical Education pursuant to Part VA of the *Copyright Act 1968 (the Act)*. The material in this communication may be subject to copyright under the Act. Any further copying or communication of this material by you may be the subject of copyright or performers' protection under the Act.
Do not remove this notice.

Licence limitations

It is important to note that this copying licence applies only to broadcasts from free-to-air and pay television channels and radio stations. It does not apply to:

- Pre-recorded videos that have been purchased, hired or borrowed
- Pre-recorded sound recordings that have been purchased or borrowed
- Podcasts or any other video or audio file or stream on the web, other than the content of Australian free-to-air broadcasts made available on the broadcasting organisation's website after the program has been broadcast.

To copy any of the above, permission from the copyright owner/s is required.

2.1.5 Films, videos and DVDs

Films, videos and DVDs may be shown in lectures and tutorials without any licence or permission. This applies whether they were purchased, borrowed or hired.

Fortunately for educational institutions, there is a provision in the Copyright Act in section 28 that deems performances in the course of educational instruction not to be in public, so long as the audience is limited to those taking part in the instruction. This means that films and videos can be screened in class without the permission of the copyright owner. This is despite what it might state on the packaging or the video about strictly for home use; the Copyright Act overrides copyright statements on the individual product.

Published films and videos cannot be copied unless permission has been obtained from the copyright owners, usually the production company. It is not permissible to copy, or make compilations of, commercial material held in, for example, the Library as there is no general licence or copyright exemption that permits you to copy videos, even for educational purposes. Essentially, compilations can only be made from material already conforming to the Screenrights licence.

Wherever possible, use off-air recordings of films shown on TV for media and film study. The advantage is that you can make compilations of excerpts, make as many copies as you need, and make the recordings available online. Although copying an ABC program from a television broadcast is permitted under the Screenrights licence, copying a purchased video of the same program is illegal. The same applies to feature films. For example, recording a movie broadcast on TV is permitted under the Screenrights licence, but copying a published DVD of the same movie is illegal.

If you need to put together a compilation of excerpts from films for your students to study, contact the College's Copyright Officer for further advice.

2.1.6 Music recordings

(a) Playing recorded music in class

Music and other sound recordings may be played in lectures and tutorials.

Fortunately for educational institutions, there is a provision in the Copyright Act in section 28 that deems performances in the course of educational instruction not to be in public, so long as the audience is limited to those taking part in the instruction. This means that CDs can be played in class without the permission of the copyright owner. Of course, only a legitimately acquired sound recording can be played.

(b) Copying recordings

Staff of the ACPE Faculty are now able to reproduce and communicate, for educational purposes, an extensive repertoire of musical sound recordings without having to obtain prior permission from the individual copyright holders.

Although there are no provisions in the Copyright Act that permit you to copy sound recordings for teaching purposes, the College has a number of licence agreements in place which allows teaching staff of the Dance Faculty, subject to certain conditions, to reproduce and communicate copyright musical works and sound recordings for educational purposes and to perform them at College Dance events. These licence agreements were negotiated in March 2008.

Musical copyrights are complex, with rights existing in the composition, the performance, and the recording of a work. Under the agreement, the College pays an annual licence fee to the four music collecting societies who control different components of the copyrights. The four societies between them administer the rights for about 95% of recorded music available in Australia.

The four societies are:

- Australasian Performing Right Association (APRA);
- Australasian Mechanical Copyright Owners Society (AMCOS);

- Phonographic Performance Company of Australia (PPCA); and
- Australian Record Industry Association (ARIA).

(c) **Copying recorded music for teaching purposes**

Within the jurisdiction of its existing copyright licences, the College may copy music sound recordings within the repertoire of AMCOS and ARIA for the Dance degree only. The licence does not cover the copying of music videos. Both AMCOS and ARIA are involved because there are two copyrights in the recorded music:

- the reproduction right in the musical composition, controlled by AMCOS; and
- the reproduction right in the sound recording, controlled by ARIA.

ARIA record labels are listed on the ARIA web site at

http://www.aria.com.au/pages/documents/sound_recording_label_list.pdf

Any recordings under these labels may be copied. **If the recording you wish to copy is not on one of these labels, please contact the College's Copyright Officer.**

1. Audio recordings

The College may only make audio recordings of AMCOS works and ARIA sound recordings for educational purposes. The following conditions apply:

- The source recording must be a legitimate copy, not an infringing one;
- The copying must be for educational purposes associated with a dance unit of study;
- The copies can only be made available to dance students or staff ;
- Audio recordings may only be supplied for no charge, or at cost, to students for private domestic use only;
- The materials must carry the required warning notice and label; and
- It is not necessary under the terms of the licence to keep records of copies made.

Warning Notice

Every audio recording must display the following notice:

“This audio CD is for private domestic use only. No further reproductions may be made without the prior permission of AMCOS & ARIA”

2. Video recordings:

The College may only make video recordings of a Dance Concert Event. The following conditions apply:

- The College must not make more than 75 video recordings in a calendar year (including total copies of any one video recording);
- The College may only supply video recordings (either for no charge or at cost) to students who appear in the video and to their families for private domestic viewing only;
- The College must not include on any video recording any advertising or promotional material or any other matter intended to encourage the purchase, use or support of particular goods or services; and
- Every video recording must display the following notice:

“This video is for private domestic viewing only. No further reproductions may be made without the prior permission of AMCOS & ARIA”.

(d) *Distributing copies made for teaching purposes*

The copied recordings may be distributed on CD or DVD to students, deposited in the library for access by students, or placed on a server for student listening. Access must be restricted to dance staff and students. The College must not make these works available online in a downloadable format but streaming is permitted.

Each year, the College is required to report the sound recordings available on the streaming facility as of 1st October, which requires some record-keeping and includes depositing a copy in the Library’s Digital Repository.

Physical copies and streamed music files must carry the Screenrights notice and descriptive label.

If you wish to stream music, contact the College Copyright Officer before proceeding.

If you are contemplating using music for a video, audio, stage or multimedia production or providing music for student films, contact the College Copyright Officer as to how to proceed. Some uses of this kind may be covered by the current ACPE licence.

(e) *Infringing copies of recorded music*

There is a lot of music available on the internet. Unfortunately, much of it is illegal, in the sense that the people offering it are not the legitimate owners, and have no authority to make copies available to you or to sell them to you. If you are found to have illegal music files on your computer, you could face disciplinary action for a breach of the College's Conditions of Information Technology Services Use for Staff and the Conditions of Information Technology Services Use for Students. You should understand that sound recordings made or copied under licence for the educational purpose of the College must not be used or copied for other purposes. For your own protection, you would be wise to have some form of identification or separate storage of these copies. Strict adherence to the notice and labelling requirements should assist.

(f) *Records*

Under the terms of the AMCOS / ARIA Licence the College must maintain records of:

- All enrolled students;
- The total number of copies of video recordings made and the date on which the recordings were made; and
- Reproductions made by the College, including song titles, the composer, the artist and the title of the audio recording from which the song was copied.

The College must provide a copy of its records to AMCOS on request.

2.1.7 Computer software

The College uses only software legitimately acquired and complies with all accompanying licence conditions. If you are thinking of copying a program

for your students, you need to check the licence conditions of the software with College IT staff to see if reproduction for teaching purposes is permitted.

Copying of computer programs for educational purposes without the permission of the copyright owner is not permitted by the Copyright Act. The statutory educational licence in Part VB does not apply to computer programs.

2.1.8 Student work

Students own the copyright in their own work, as a general principle. If you wish to copy, publish, perform, adapt, or communicate work produced by your students, you need to get their permission in writing. An example in the teaching context is copying one student's work to show others as an exemplar.

If you wish to use student work for other purposes, such as publication, advertising or promoting the College, be careful to obtain all the specific permissions that suit your purpose. Consult the College's Copyright Officer before proceeding.

The College's **Intellectual Property Policy** specifies the circumstances under which the College will ask a student to transfer copyright to the College.

2.1.9 Recording lectures

When you arrange for your lecture to be recorded, you need to consider copyright issues. Some of these issues do not arise in the delivery of a lecture face to face, but do so when a recording is made. Others arise in the delivery of a lecture, but because an unrecorded lecture is ephemeral, they do not come to the foreground. In your lectures you might use materials produced by other people, or you might have a guest speaker. Once you include presentations and material by others who are not College staff, the copyright situation gets complicated. In making an audio recording, you are making a reproduction of the words spoken and any audio material played in the lecture. In making a videorecording, you are making a reproduction of the words spoken and any audio or visual material played or displayed in the lecture.

It is your responsibility for ensuring that the material you use and include in the recording complies with copyright. If you need to obtain permissions from copyright owners, you will be responsible for this. You should keep records of your permissions on file where they could be retrieved if required. When submitting a request to technical staff to record your lectures, you will be asked to make a declaration about copyright compliance.

2.2 Delivery to students

2.2.1 Online delivery

In the copyright context, online delivery is a 'communication'. Communication to the public is one of the exclusive rights of the copyright owner. When you make material available online or electronically transmit it to your students, you are communicating it to the public. Any part of the College community, including students and staff, is considered as the public in this context.

(a) Text and images

Text and images copied under the statutory educational licence in Part VB (CAL) of the Copyright Act may be made available online. Digital copies must have a legally prescribed warning notice (section 2.2.4) attached. Access must be restricted to College staff and students only. Readings and lecture notes which contain published material of more than 200 words must be submitted to the Library for inclusion in the Digital Repository and for posting to E-Reserve. You will not be able to comply with copyright if you post the material anywhere else.

The quantity limits for putting text material online are much the same as for copying, with one major exception. Only one part of a book may be made available online at any one time, across the whole College. This means that once one part of a book has been put on E-Reserve, another part cannot be added, even if requested by a different lecturer for a different unit, unless the initial part has been removed.

If you wish to put your lecture notes on your unit website, and they contain illustrations copied from published sources, you may do so if your use of the illustrations complies with the Part VB (CAL) licence, or you have the permission of the copyright owners. If you have doubts about your use of illustrations and or images consult the College Copyright Officer.

Images copied under the Part VB licence must be accompanied by the Part VB warning notice (section 2.2.4). Access must be restricted to College staff and students only. Lecture notes, which contain published material of more than 200 words, must be submitted to the Library for inclusion in the Digital Repository and for posting to E-Reserve.

Recordings of broadcasts copied under the Part VA (Screenrights) licence may be made available online. (For more information on this licence, consult TV and Radio, section

2.1.4). Online copies must have the Part VA warning notice attached (section 2.2.4). Access must be restricted to College staff and students only.

(b) Music recordings

Music recordings made or copied under the College's music licences may be made available online for listening only. This licence is explained in Music recordings (section 2.1.6). The College must not make them available online in a downloadable format, but streaming is permitted. Access must be restricted to College staff and students only. The streamed music file must carry the appropriate warning notice (section 2.2.4) and label. Each year, the College is required to report the sound recordings available on the streaming facility as of 1 October. Please refer to the College's Copyright Officer for further information and details on record-keeping requirements and procedures. If you wish to make music available online, contact the College's Copyright Officer before proceeding.

If you wish to make copies of student work available on your College website, you must obtain permission from the student.

2.2.2 Print Distribution

Material copied under the statutory licence may be printed and distributed to students either as class handouts or as course packs. Consult As previously indicated, the Copyright Act in Part VB determines what material may be used and distributed in books of readings handed out in class or made available on line for students without seeking permission from the copyright owners. This section stipulates that an educational institution may reproduce and communicate copyright material for the educational purposes of the institution so long as they make payments to the copyright owners by means of a remuneration agreement with the Copyright Agency Limited (CAL).

ACPE has an appropriate agreement with CAL.

Consult the College Copyright Officer if you have concerns about the about your intended use of print material.

2.2.3 CD & DVD distribution

(a) Text and images

Text and images copied under the Part VB statutory licence (CAL) may be distributed to students on CD or DVD instead of online delivery. The copying limits are the same as for printed distribution.

Copies in electronic form such as a CD must have the prescribed copyright warning notice attached. The notice wording is available at Warning notices (section 2.2.4).

(b) Music recordings

Music recordings for Dance Students made or copied under the College's music licences may be distributed on CD or DVD to students for study purposes, deposited in the library for student access, or placed on a server for student listening. Access must be restricted to College staff and students. The CDs or DVDs may be sold to students so long as the price is set to recover costs only. The recordings must carry the appropriate warning notice and descriptive label. The notice and label requirements are available at Warning notices (section 2.2.4). For more information on this licence, consult Music recordings (2.1.6).

2.2.4 Warning notices

Digital copies of material copied under the Copyright Act Part VB (CAL) and Part VA (Screenrights) licences must have warning notices attached. The wording of the notices is prescribed in Regulations under the Copyright Act and may not be changed. There is nothing in the Regulations about precisely where the notice must be placed or how large it has to be. However, the notice must appear on the screen before or at the same time as the copied material. It is not acceptable to offer the notice as a click through link that gives the viewer the option to bypass it. The notice does not have to appear on a printout from the electronic version.

These notices should be used only with material copied in reliance on these parts of the Copyright Act. They should not be used with material copied with permission of the copyright owner or under any other blanket licence.

Notice for text or images (Part VB)

COMMONWEALTH OF AUSTRALIA

Copyright Regulations 1969

WARNING

This material has been reproduced and communicated to you by or on behalf of the Australian College Of Physical Education pursuant to Part VB of the *Copyright Act 1968* (**the Act**).

The material in this communication may be subject to copyright under the Act. Any further reproduction or communication of this material by you may be the subject of copyright protection under the Act.

Do not remove this notice

Notice for recordings of broadcasts (Part VA)

COMMONWEALTH OF AUSTRALIA

Copyright Regulations 1969

WARNING

This material has been copied and communicated to you by or on behalf of The Australian College Of Physical Education pursuant to Part VA of the *Copyright Act 1968 (the Act)*.

The material in this communication may be subject to copyright under the Act. Any further copying or communication of this material by you may be the subject of copyright or performers' protection under the Act. Do not remove this notice.

The Part VA notice has three points of difference from the Part VB one. First, it refers to Part VA not VB. Secondly, it uses the word "copied" instead of "reproduced". Thirdly, it refers to performers' protection in addition to copyright protection.

The notices can be found in Schedule 11AC and Schedule 11 B of the Copyright Regulations 1969. A current version of the regulations is available online at [ComLaw](#).

2.2.5 Performance in class

By "in class" is meant face to face lectures, tutorials, and other forms of face to face instruction, no matter where they are conducted.

One of the exclusive rights of the copyright owner of literary, dramatic or musical works is to perform the work in public. The corresponding right for owners of films is to cause the film to be seen or heard in public. For owners of sound recordings, it is to cause the recording to be heard in public. There is no corresponding right for artistic works or broadcast signals.

Just about every situation that is not private and domestic is considered to be in public. For educational institutions, there is a provision in the Copyright Act in section 28 that deems performances in class in the course of educational instruction not to be in public, so long as the audience is limited to those taking part in the instruction.

This means that musical and other works can be performed live in class without permission of the copyright owner. It also means that sound recordings can be played in class without the permission of the copyright owner; and that films and videos can be screened in class without the permission of the copyright owner. This is despite what it might state on the packaging or the video about strictly for home use. The Copyright Act overrides copyright statements appended to individual works.

This provision covers face to face teaching only. It does not apply to the online or virtual classroom.

3 Study or Research

This section of the guide is addressed to all members of the College community both students and staff, in situations when you are using copyright materials for your own research or study. It does not apply to multiple copying, publication, or communication of materials for educational purposes. Staff who wish to make copies of materials available to students should consult the Teaching Support section of the guide. If you are considering publication, consult the Publishing and Communication section of the guide.

- Fair dealing for criticism or review
- Research or study fair dealing
- Copying a reasonable portion
- Copying audiovisual items
- Licensed electronic resources

3.1 Fair Dealing

Australian copyright law permits users to make a 'fair dealing' with copyright material for certain specified purposes. If your use of copyright material is covered by a fair dealing provision, your use does not require the permission of the copyright owner.

Under the 'fair dealing' provisions within the Copyright Act, individual students and staff can reproduce limited portions of copyright materials for the purpose of criticism, review, study, research, parody or satire. The provisions apply to literary, dramatic, musical and artistic works, sound recordings, films, TV and radio broadcasts. The provisions of most value to you in your own study or research are the ones in sections 40 and 103C that permit a fair dealing with works and audiovisual items for the purpose of research or study.

3.1.1 Research or study fair dealing

In order to rely on the provisions for study or research you must genuinely be copying the material for your own study or research. Any copies you make for the purpose of assembling resources to enable you to complete a course in your capacity as a student would most likely be for the purpose of study or research. Similarly, assembling resources to enable you to write a research paper would most likely be for the purpose of study or research.

Note that staff cannot use the research or study fair dealing provisions to copy material on behalf of students, or to make multiple copies for distribution, or to put material online for students. Refer to Teaching Support if you wish to make copies for those purposes.

You cannot use the fair dealing for research or study provision to reproduce material in a publication. Refer to Publishing and Communication for more information.

3.1.2 Copying a reasonable portion

Under the fair dealing provisions for study or research you may copy a reasonable portion of literary, dramatic and printed musical works for the purpose of study or research.

A reasonable portion includes up to 10% of the total number of pages in a book containing 10 or more pages, or one chapter of a book - whichever is greater. In the case of electronic publications, documents on websites for example, the 10% limit applies to the total number of words in the work. If the website states that you may print or save the whole work, then the 10% limit does not apply. In this case, you are copying with permission of the copyright owner, and not relying on the fair dealing provisions of the Act. Care must also be taken that complete works downloaded for individual study or research are used only for this purpose.

Copying a whole textbook would not be considered fair, even if you need it for your course but you think it is too expensive.

For periodical publications, the limit is one article from any one issue, unless the articles are on the same specific subject. Periodical publications can be in hard copy or electronic form, and may include journals, newspapers, and magazines.

These limits do not apply to the databases, electronic journals and other online publications to which the Library subscribes. Usage of this material is governed by the terms of the licence agreement between the College and the vendor. In this situation, you are copying with permission of the copyright owner, not under the fair dealing provisions. As a general rule, staff and students may download or print out whatever items they need for their own research or study.

The reasonable portion rule does not apply to artistic works, sound recordings, films and videos, or broadcasts. Instead, you need to consider the five fairness factors if you want to copy any portion of these. Refer to Copying Audiovisual Items (3.1.3) for more information.

There are very limited circumstances under which you may be able to copy more than 10% or one chapter of a literary, dramatic or musical work. For such a dealing to be fair, it must satisfy the requirements of the five fairness factors listed in the Copyright Amended Act. These are discussed in Copying Audiovisual Items.

3.1.3 Copying audiovisual items

For the purpose of study or research, there are circumstances under which you may copy an artistic work, sound recording, film, TV broadcast, or radio broadcast; or copy more than a reasonable portion of a literary, dramatic or musical work. The Copyright Act does not define what makes a dealing fair in

such circumstances; instead, it specifies the matters that should be considered when determining whether your copying might be considered fair. These matters include:

- the purpose and character of the dealing
- the nature of the material
- the possibility of obtaining the material commercially
- the effect of the dealing upon the potential market for the material
- the amount copied in relation to the whole of the source material

All five of the above fairness factors need to be considered. As a basic step, you should ask yourself the following questions:

- Is all of the copying you wish to do genuinely for study or research? If not your dealing will not be fair. This is a critical question.
- Is the material commercially available? If so, it is unlikely to be a fair dealing unless other factors mitigate.
- Will your actions have an adverse effect on the copyright owner's market? If so, it is unlikely that your dealing would be fair.
- How much are you copying? All else being equal, the more you copy the less likely it is that it will be fair.

As you can see, the fair dealing provisions are quite complex, and should only be relied upon if you are confident that the copying you wish to do is allowable under the fair dealing provisions.

Note that some materials may consist of separate copyright items involving several layers of copyright. For example, a music CD may contain a number of separate musical compositions, each with three layers of copyright - in relation to the lyrics, the musical compositions and the sound recordings. This will affect how much of the CD you could copy in reliance on the fair dealing provisions. For further advice, consult the College's Copyright Officer.

3.1.4 Licensed electronic resources

Copying of materials from databases and electronic book and journal collections to which the College Library subscribes (e.g. SportDiscus, Academic Search Premier, etc.), is governed by licensing agreements between the College and the database provider. In general, under such agreements students or staff may print or save whatever items they need for their own study or research at College. You are not bound by the "fair dealing" limits.

Many copyright owners make their material openly available on the web for individuals to use. In many cases, they explicitly grant to viewers a licence to save and/or print the material for personal or educational use. Check the terms and conditions of websites to see what is permitted. There is an online service to help you find licensed media that you can legally share and reuse for free available at the [Creative Commons Search](#) website.

4 Publishing and Communication

This section of the guide is addressed to all members of the College community both students and staff. As an academic staff member, you are probably expected to publish. As a student, you may hope to publish. As a professional staff member, you may wish to publish your own work or may be involved in preparing others' material for publication. With the growth of the world wide web, publishing is no longer a high-cost slightly rarified activity, but an everyday low-cost one within the reach of anyone. This means you need to be aware of the copyright issues involved.

- What is publishing and communication
- Quoting others' work
- Criticism, review, parody, satire fair dealing
- Commercialising educational resources
- Ownership of copyright
- Managing your copyright
- Being a publisher
- E-print archive
- Australasian digital theses program

For further information please refer to the College's Copyright Officer.

4.1 What is publishing and communication?

Publishing and communication are similar activities in that they both involve making material available to the public. Under Australian law, they are two separate rights that belong to the copyright owner. You publish your work when you or another authorised person such as your publisher supply reproductions of the work to the public and the work has not been made publicly available before. You communicate your work to the public when you or another authorised person make it available online or electronically transmit it to the public.

An act of communication to the public can also be an act of publication. If you make your work available online, and it has not previously been made available to the public, you are arguably "publishing" it in terms of the Copyright Act. This is because you are supplying reproductions to the public - the public can download a reproduction to view, save or print.

When you publish or communicate your work, you need to protect your own copyright and respect the copyright of others. If you act as a publisher, you need to respect the rights of your authors while at the same time ensuring the viability of your publication.

4.2 Quoting others' work

If you reproduce material from another source in your publication, you must generally get permission from the copyright owner in writing. This is in addition to the normal academic practice of referencing sources. Your publisher will expect you to secure these permissions yourself and to warrant that you have done so.

Publishers often demand that you provide copies of the permissions. This is often referred to as obtaining copyright clearance.

Examples of material for which you will have to get permission to reproduce include:

- long quotations – your publisher may give you guidance on the maximum number of words they will accept without a permission
- figures and tables
- test items and questionnaires
- samples of music
- clips of video or film
- musical compositions and sound recordings
- song lyrics
- illustrations

4.3 Permission is not required if copyright has expired.

In writing for permission you should be very clear about exactly what you want, how you intend to use it, the nature and purpose of the new work you are creating, the size and nature of the intended audience, and how you intend to distribute it. If you consult the websites of major publishers, you will often find quite detailed guidelines on how to ask for permission, or even an online form. You need to allow plenty of time for the process – plan months in advance. If you do not receive a reply from the copyright owner, you still cannot use the material. You should retain the permissions on file in such a way that you could produce them if required.

The [Australian Copyright Council](#) website provides information sheets that give further advice on seeking permissions and tracing copyright owners.

You may not need to get permission if your use of the quoted work is for the purpose of criticism, review, parody or satire (see section 4.4), and your use qualifies as a 'fair dealing'.

4.4 Criticism, review, parody, satire fair dealing

The Copyright Act in sections 41 and 103A provides for fair dealing with a copyright item for the purpose of criticism or review of that item or of another item. To rely on these provisions, you must genuinely be copying the material for the purpose of criticism or review and you must acknowledge the item properly. Material that is reproduced for the purpose of judging the quality of a work, or engaging in literary, art, or media criticism, could fall within fair dealing provisions for criticism and review. You must acknowledge the author of the work you are copying, as is the case whenever you use someone else's work.

However, you cannot rely on these provisions if you are only including someone else's work to enhance, supplement or illustrate your own material. You must submit the work or quoted extract to direct critical analysis.

The Copyright Act in sections 41A and 103AA provides for fair dealing with a copyright item for the purpose of parody or satire. There is no definition of parody

or satire in the Act, so these terms are likely to be interpreted with reference to their dictionary meanings. As the provision was enacted as recently as December 2006, there is as yet no caselaw to guide you as to how a court might interpret it.

If you are relying on these fair dealing provisions, you do not need to get permission from copyright owners to quote their material. However, it would be wise to discuss this with your publisher.

4.5 Commercialising educational resources

At some time you may consider that an educational resource you have developed for your own teaching might have a market beyond the College. You may wish to share it with others or sell it. Before you proceed to do so, you need to check whether the resource includes material created by other people. If so, you need to consider copyright ownership and moral rights aspects of using that material.

If you are thinking of publishing material you have developed for teaching purposes, and it includes items that were copied under the statutory licences (CAL or Screenrights), you will not be able to rely on those licences. The licences are explained in the sections on Teaching support (see section 2).

It is important to understand that material copied under the statutory licences for the educational purpose of the College may not be reproduced for any other purpose. You will have to obtain permission directly from the copyright owner to use it in a published version. So, for example, if you are developing your lecture notes into a textbook, and in your lecture notes you have used illustrations copied under the statutory licence, you cannot include those illustrations in the book, unless you obtain direct written permission from the copyright owner of the images. Another example is a subject website in which you included excerpts from TV programs copied under the statutory licence. Such a website could not be shared outside College without getting permissions from the program copyright owners.

In writing for permission you should be very clear about exactly what you want, how you intend to use it, the nature and purpose of the new work you are creating, the size and nature of the intended audience, and how you intend to distribute it. If you consult the websites of major publishers, you will often find quite detailed guidelines on how to ask for permission, or even an online form. You need to allow plenty of time for the process – plan months in advance. If you do not receive a reply from the copyright owner, you still cannot use the material. You should retain the permissions on file in such a way that you could produce them if required.

The [Australian Copyright Council](#) website provides information sheets that give further advice on seeking permissions and tracing copyright owners.

For more information on moral rights, refer to Plagiarism and moral rights (see section 1.4).

5 Ownership of copyright

5.1 Works – Literary, dramatic, musical and artistic

Under the Copyright Act, the first owner of copyright in a work is the author. However, there are some exceptions to this rule. If an employee creates a work in pursuance of the terms of his or her employment, then the employer owns the copyright. **However, if the author is of the view that the work has commercial value, the author is advised to consult relevant College authorities on legal and procedural issues associated with commercialisation.**

Another major exception is Crown copyright. If a work is made under the direction or control of, or first published by a state or commonwealth government, then the government owns the copyright. These arrangements as determined by the Act may be varied by agreement.

5.1.1 Films, sound recordings, and broadcasts

Ownership of films, sound recordings, and broadcasts is more complicated. As a general principle, the maker is the copyright owner. If your project involves film or sound recordings, seek more advice from the College's Copyright Officer.

College's Intellectual Property Policy states the College's position on ownership of copyright by students and staff. As a general rule, students own the copyright in their own works and audiovisual productions. For staff, the position is more complex. If you have a query about who is the copyright owner of material you have produced while a student or staff member of the College, consult the policy in the first instance.

5.2 Managing your copyright

5.2.1 Copyright notices

Copyright is automatic once your creation is in a material form. There is no need to register it. As the author of a work or a maker of a film or sound recording, you will own the copyright in the first instance, as a general rule. For further detail on student vs staff vs College ownership of copyright in certain types of material, consult the College's Intellectual Property Policy.

Although there is no requirement to put a copyright statement on your work, it is good practice. It alerts the world to the fact that it is copyright material and advises who is the owner. You should give some thought to what you will allow people to do with your work. Do you want to reserve all rights to the owner, except for the user rights granted by the Copyright Act? In this case, you need do nothing, except put the copyright symbol © and "Copyright Your_name 2007".

Or do you want to allow certain users to do more? For example, you might be happy for people to copy your material for educational purposes. In this case, you should consider some of the alternatives to the "all rights reserved" approach to copyright. You can write your own copyright

statement specifying what you will permit users to do. Another approach is to use a standard licence such as those provided by [Creative Commons](#) or [AeSharenet](#). The websites of these organizations contain a great deal of useful information on copyright and licensing content and take you through the process. Contact the College Copyright Officer for more information.

5.2.2 Publication agreements

When you submit your work to a publisher, you will be asked to sign a publication agreement. Read it carefully. If it asks you to transfer your copyright to the publisher, you should make sure you understand what that means. If the transfer is not qualified in any way, it will mean that only the publisher will be able to reproduce, publish, communicate, perform or adapt the work. That means you will have to ask their permission to do any of these things. Make sure you retain some rights of re-use for yourself. Alternatively, you could retain the copyright and give the publisher a licence to publish.

The [Australian Copyright Council](#) website provides information sheets that give further advice on protecting and licensing copyright.

5.2.3 Deriving income from your copyright

If you expect to derive income from your work, you could consider becoming a member of a copyright collecting society. The Copyright Agency Limited (CAL) is relevant to publishers, authors and illustrators. CAL is the body that collects the remuneration from educational institutions and government departments for the copying and communication of published material. It is then responsible for distributing money to copyright owners whose works are copied, but only if they become members of CAL. Becoming a member of CAL means you can quickly be identified as the copyright owner and receive any payments promptly. You can find out more about membership by visiting the [CAL website](#).

6 Being a publisher

You may find yourself in the role of publisher if you manage a website, maintain a personal website, edit a journal, issue conference proceedings, or undertake any other kind of publishing activity. If distribution of your material is restricted to College staff and students only, then you should refer to the Teaching support section of this guide.

As a publisher, you must make sure you have the permission of the copyright owner for each and every work (article, paper, book, photograph, map, video, sound file, etc) that you plan to include in your website or other publication. Permissions must be obtained in writing – email is acceptable – and filed for future reference. Relying on a verbal permission is very risky; and don't rely on assurances from someone other than the copyright owner.

Don't overlook student copyright owners – work produced by a student is protected by copyright and as a general rule the owner is the student, unless there is a written agreement to the contrary. So even if you want to showcase student work in a College website or publication, you still need to get permission.

In dealing with authors' works, you also have an obligation to respect their moral rights. Moral rights are personal rights that still belong to an author even if the copyright in the work belongs to someone else. For more information on moral rights consult the section Plagiarism and moral rights in this guide.

If you are establishing a website or other publishing operation, or organizing a conference, you should have a publication agreement with your authors and other contributors. You need to obtain sufficient rights and assurances from them to ensure the ongoing viability of your publication. For further advice, consult the College's Copyright Officer.

7 Performing in Public

7.1 What is performing in public?

One of the exclusive rights of the copyright owner of literary, dramatic or musical works is to perform the work in public. The corresponding right for owners of films is to cause the film to be seen or heard in public. For owners of sound recordings, it is to cause the recording to be heard in public. There is no corresponding right for owners of broadcast signals.

The consequence of this public performance right is that you have to obtain permission from the copyright owners, and pay a licence fee, for public performances of copyright works, sound recordings, or films. This is the case even if you do not charge an entry fee for the performance. Just about every situation that is not private and domestic is considered to be in public. The major exception is the classroom, which the law deems not to be 'in public' as explained in the next section Classroom is not 'in public' (see section 7.2).

7.2 Classroom is not 'in public'

For educational institutions, there is a provision in the Copyright Act in section 28 that deems performances in class in the course of educational instruction not to be in public, so long as the audience is **limited to those taking part in the instruction**. The performance may be by the teacher or the students. The term 'class' covers lectures, tutorials and other forms of face to face instruction. It does **not** cover online courses of instruction.

This means that musical and other works can be performed live in lectures and tutorials without permission of the copyright owner. This also means that sound recordings can be played in class without the permission of the copyright owner. This also means that films and videos can be screened in class without the permission of the copyright owner. This is despite what it might state on the packaging or the video

about strictly for home use. The Copyright Act overrides such copyright statements on individual works.

7.3 Music in public

If you organise an event or concert at which music will be heard in public, you must obtain permission from the copyright owners of the music. This is required whether you use live performers or a sound recording of the music, and whether you charge an entry fee or not. Even if students are performing the music as part of their assessment, if parents or other members of the public are admitted, you need copyright owner permission.

The College has licence agreements in place with the music copyright collecting societies that cover the performance of music at Dance Classes onsite at the College, and at College Dance concerts only. The College's licence agreements do **not** cover the playing and copying of music in any other classroom or at any other event.

7.3.1 Public performances

Public performances and College events, including events organised by Student Services, are not covered under the College's music licence agreements. Organisers of such events are responsible for obtaining their own licences.

7.3.2 Obtaining licences for public performance

Obtaining licences for public performance is fairly simple. You should go to the following websites and find the sections on licensing:

- [APRA-AMCOS](#) - for a licence to play musical compositions
- [PPCA](#) - for a licence to play sound recordings

If you are playing recorded music, you will need licences from both organisations. These organisations do not have the authority to license performances of dramatic musical works, referred to as "grand rights works". If you wish to perform an opera or musical theatre work that is still in copyright, you must contact the rights holders directly.

If you are causing a sound recording of music to be heard in public, you usually need to get permission from two different copyright owners. In addition to the owner of the musical composition, you need to get permission from the owner of the sound recording. This is usually the record company. Even if there is no longer any copyright in the musical work, a work by Beethoven for example, you will still need to get permission from the sound recording copyright holder. The copyright owner of the musical composition is usually the publisher or composer. In Australia, most publishers and composers license public performance through the Australasian Performing Right Association (APRA). In Australia, the major record companies license public performance through the Phonographic Performance Company of Australia (PPCA).

Under Australian law, the occupier of the premises where the performance takes place is ultimately responsible for ensuring copyright permissions are obtained. If you use College premises for events at which music will be heard in public, you must ensure that music licences are in place. If you hire premises from another organisation for events, you should check your hire agreement to see who is responsible for obtaining music licences and ensure that one is obtained. On the other hand, if College premises are hired out to other organisations, the responsibility for obtaining copyright licences must be stated in the hire agreement.

7.4 Films and videos in public

If you are organising a public screening of a video or film, you need to get copyright owner permission. This applies whether you charge an entry fee or not. Apply to the film distributor in the first instance. If you hire the film from the distributor with the stated intention of public screening, the licence fee is usually included in the hire charge.

7.5 Dramatic works in public

If you wish to organise a public performance of a play, dramatic musical work, or dance work, you need to get permission from the rights holders. You may have to do some investigation to find out who they are and you should secure the permission well in advance of your planned performance. It would be very disappointing to have your production cancelled at the last minute because rights were not obtained.

7.6 Recording live performances

When you make a video or sound recording of a performance of a work, you are reproducing the work. This particular form of reproduction is called a 'mechanical reproduction' of the work and requires permission from the copyright owner. If you intend to record student compositions, you need to obtain permission from the student composers or writers.

Even if you have a licence for a live public performance of the work, the performance licence **does not** give you the right to make a recording.

Australian law also gives protection to performers whose performances are captured in film or sound recording. If you are recording a performance, it is necessary to obtain permission from the performers, whether students, staff, or guest artists. The law in this area is very complex so consult the College's Copyright Officer before proceeding.

If you are interested in recording lectures, consult Lecture recording (see 2.1.9).

7.6.1 Recording live music performances for educational purposes

The College has an agreement with the music copyright collecting societies that covers the recording of dance performances into audio recordings and video recordings. This agreement permits the recording of dance performance specifically for the purpose of:

- Teaching dance and enabling dance students to practice routines at home;
- Public performances under the Dance School banner at eisteddfods, talent quests, dance competitions, charitable functions and school concerts.

The licence permits the College to make audio and video recordings of Dance Student and Dance Staff performances of copyright musical works for educational purposes. There are limits on what may be recorded, and how the recordings may be used and distributed. Contact the College's Copyright Officer for more information.

Note that the licence does not include the right to publicly perform the work or sound recording.

7.6.2 Recording live music performances for other purposes

If you want to make recordings for commercial or promotional purposes or for broadcast, you will have to obtain specific licences from the copyright owners. Most music publishers and composers license mechanical reproduction of their works through the Australasian Mechanical Copyright Owners' Society (AMCOS). AMCOS shares administration with APRA. For information on obtaining a reproduction licence, go to their website and find the section on licensing:

- [APRA-AMCOS](#)

7.6.3 Recording live drama performances

You will need to obtain the permission of the copyright owner of the play directly.

7.6.4 Performers' rights

Australian law also gives protection to performers whose performances are captured in film, video or sound recording. If you are recording a performance, it is necessary to obtain permission from the performers, whether students, staff, or guest artists. The law in this area is very complex so consult the College Copyright Officer before proceeding.