



Curtin University

CURTIN UNIVERSITY LIBRARY

COPYRIGHT FOR CURTIN STUDENTS DOS & DON'TS

Make tomorrow better.

copyright.curtin.edu.au

WHAT IS COPYRIGHT?

Copyright refers to a bundle of exclusive rights held by the owner in relation to their creative works. These include the rights to:

- reproduce the work (for example photocopy, print, download or scan it)
- publish it (for example distribute copies for sale)
- adapt or translate it
- perform it in public
- communicate it to the public (for example make it available online or send it by email).

Works protected by copyright include literary works (for example books, journals, plays and poems), computer programs, graphic works (for example diagrams, illustrations, graphs and tables), artistic works (for example paintings, photos, cartoons and sculptures) and audio-visual material (for example sound recordings, film and broadcasts).

Copyright owners also have moral rights: the right to be properly attributed as the creator and the right to have the integrity of their work respected.

In this guide we provide basic advice about using copyright material. This information is provided to help Curtin students understand their copyright obligations and entitlements.

DEFINITIONS

Copying refers to reproducing material by any means, for example making a photocopy, recording, scanning, printing a copy and saving a file.

Communicating refers to the electronic transmission of material, for example uploading to a website, emailing a digital file and making content available via Blackboard.

A number of **licences** allow Curtin University staff and students to copy and communicate specific categories of copyright material.

COPY FOR PRIVATE, DOMESTIC USE

YES

you can:



- RECORD a television or radio broadcast to watch or listen to at a more convenient time.
- COPY certain types of material that you own into a different format, for example you can scan a book or photograph into an electronic format.
- COPY a sound recording that you own to a different medium so you can listen to the recording in a different place, for example you can copy a CD to MP3 to play on an MP3 player.

COPY FOR YOUR OWN RESEARCH OR STUDY

YES

you can:



- Copy a reasonable amount of material for the purpose of research or study. This is allowed under fair dealing provisions in the Copyright Act. Fair dealing provisions usually refer to a single copy for your own use or for inclusion in an assignment.

LIMITS APPLY FOR:

• **Literary works** (for example books, journals and newspapers). You can copy ten per cent of words OR one chapter of a book (whichever is greater)*, one article in a journal (more than one, if required for the same course of study) and fifteen pages from an anthology.

* You can copy more than ten per cent (or one chapter) if the book is out of print and not commercially available within a reasonable time period.

• **Artistic works** (for example paintings, sculptures, cartoons, photographs, illustrations and graphs). You can copy the whole work for the purpose of research and study.

• **Audio-visual material** (for example sound recordings and video clips). You can copy a reasonable portion of the work. The legislation does not specify an amount; the amount of use must be fair.

• **Television and radio broadcasts**. You can copy broadcasts recorded off-air from radio or television.

Always acknowledge the source of any third-party copyright material you use.



COPY & COMMUNICATE FOR CLASSWORK OR ASSIGNMENTS*

QUOTATIONS OR IMAGES

YES

you can:



COPY AND COMMUNICATE brief quotations or one or two images (including graphs, diagrams and illustrations) from another publication.

MATERIAL FROM WEBSITES

YES

you can:



COPY and COMMUNICATE material from websites, provided this is allowed in the website's terms of use. If the website's terms of use prohibit copying, you'll need to obtain permission from the content owners to copy content. If there are no terms of use on the website, fair dealing limits apply as outlined previously (10 per cent of words or one chapter of a book and one article per journal issue).

Consider providing links to websites or web content as an alternative to copying. Linking is not copying, so you do not need the permission of the copyright owner. Make sure you link to legal or authorised copies. Linking to illegal content may be considered as facilitating copyright infringement.

LICENSED RESOURCES

(including library databases & software)

YES

you can:



- COPY and COMMUNICATE material from a resource governed by a licence agreement, as long as this is permitted under the agreement's terms of use. Types of licensed resources include databases, e-books, e-journals and software. If no permission is granted in the licence agreement, you'll need to obtain permission from the publisher.

- You CAN use Library resources if you are a current student and the use is for your academic research or study.

NO

you can't:



- You CAN'T use Library resources for commercial purposes; for bulk, excessive or automated downloading; for supplying material to people who are not Curtin staff or students (including posting to third-party websites) or for any actions that are in breach of the Copyright Act.

SOUND & MUSIC RECORDINGS

You may only use music that has been acquired legitimately. It is illegal to use music that has been obtained from an unauthorised source. The *Digital Content Guide* (<http://digitalcontentguide.com.au>) is a useful resource to find sources of legal content.

YES

you can:



- PLAY a commercially produced CD or music file in class to Curtin students as part of a presentation.

- PLAY or PERFORM music at official University events (for example a graduation ceremony or art exhibition opening) as long as no entry fee is charged.

- RECORD audio or video of music played at an official University event, but only for your own use.

- COPY excerpts of recorded music to include in a film or video submitted for assessment at Curtin, as long as access is restricted to Curtin staff and students. If you want to show the film or video outside Curtin (for example at a public screening or uploading to social media) you'll need to get permission from the music's copyright owner.

LICENSED RESOURCES

ARTWORKS

YES

you can:



- COPY and COMMUNICATE a limited number of incidental images or diagrams from books or journals, if these relate to text you have copied.
- You should seek permission from the copyright owner if you want to copy many images from the same source.
- COPY and COMMUNICATE images from websites, as long as this is permitted by the website's terms of use.

YOUTUBE VIDEOS

YES

you can:



- PLAY YouTube videos in class to Curtin students as part of a presentation, as long as the video is legitimate (if the video doesn't contain copyright infringing material).
- Provide a LINK to a video or EMBED a link so that fellow students can view the video themselves in Blackboard.

OPEN ACCESS MATERIALS

YES

you can:



- COPY or COMMUNICATE any material made available under an open access licence, such as Creative Commons. Remember to comply with the licence terms (for example attribution, non-commercial use, no derivative works or share alike).
- Always acknowledge the source of any third-party copyright material you use.

***The information in the 'COPY & COMMUNICATE FOR CLASSWORK OR ASSIGNMENTS' section of this brochure does not apply to theses. Please refer to the high degree theses section.**

COPY & COMMUNICATE SPECIAL CATEGORIES OF MATERIAL

PUBLIC DOMAIN MATERIAL

YES

you can:



- COPY and COMMUNICATE any material where copyright has expired and the material is in the public domain (copyright usually applies for the duration of the author/creator's life, plus seventy years). There are no limits to how much of the public domain material you can copy and communicate.

CURTIN-OWNED MATERIAL

YES

you can:



- COPY AND COMMUNICATE any Curtin copyrighted material (apart from confidential or sensitive information), as long as it is for personal or educational use during your studies. Make sure Curtin is the copyright owner before copying or communicating the material. The copyright may be held by an individual staff member or assigned to an external organisation. You are not permitted to upload any Curtin material to third-party websites.

COPYING WITH PERMISSION

YES

you can:



- COPY AND COMMUNICATE any material with permission of copyright owner. Always acknowledge the source of any third-party copyright material you use. See section on obtaining permission for more information.



COPYRIGHT DON'TS

NO

you can't:



- COPY OR COMMUNICATE teaching materials for use by people who are not current students or staff at Curtin University.
- COPY OR COMMUNICATE entire music albums or commercial videos. You are only permitted to copy limited parts for personal research or study.
- COPY OR COMMUNICATE work not made available to the public (for example private letters, manuscripts and questionnaires). You need to obtain permission to use this material.
- COPY OR COMMUNICATE material in violation of the terms of use in a licence agreement, including Library resources and software.
- PLAY OR PERFORM music in commercial premises located within the University; or at University events where an entry fee is charged. You'll need to obtain a separate licence for these uses.
- DOWNLOAD, COPY OR SHARE any software outside the terms of the licence agreement.
- DOWNLOAD, STORE OR SHARE copyright-infringing material (such as music or movie files) using Curtin computer facilities.

COPYING BY STUDENTS BASED OVERSEAS

Australian copyright law only applies when copying is done in Australia or materials are communicated from a server within Australia. If you're doing a Curtin course in an overseas location then you'll need to comply with the copyright legislative requirements of the country you are based in. Most countries have provisions similar to Australian law which permit limited copying for personal study and research.

The university statutory licences (copyright.curtin.edu.au/teaching) apply to Australia only, however registered staff and enrolled students overseas are permitted to access copyright material centrally loaded onto Blackboard or the Library [Reading Lists](#) service through Bentley campus. Online resources available through the Library (including databases, e-journals and e-books) generally permit use by Curtin staff and students irrespective of their location.

ACKNOWLEDGE YOUR SOURCES

Always provide a full citation for any copyright material that you include in your work. Acknowledgement is standard academic practice and also a requirement under the moral rights provisions of the Copyright Act. For more information about how to acknowledge your sources, see the Library's Referencing LibGuide (curtin.edu/lib/referencing).

COPYRIGHT AND PLAGIARISM

Plagiarism is presenting the work of another person as your own, without appropriate acknowledgement or referencing. The University places the highest importance on the principles underpinning academic integrity and takes a tough stance against plagiarism.

You can plagiarise without infringing copyright: you don't need to have reproduced exactly the same words or images used in the source text to be found guilty of plagiarism. For example, plagiarism may occur where a student uses someone else's ideas or research data without acknowledgement; or paraphrases sentences, paragraphs or themes from the original text too closely. Visit Curtin's Academic Integrity website (academicintegrity.curtin.edu.au) for more information about plagiarism.

WHO OWNS THE COPYRIGHT IN STUDENT WORK?

Generally, students own copyright in the work they produce as part of their Curtin course. Curtin staff or students need to obtain your permission if they want to use your work.

If you produce work in association with someone else, such as your thesis supervisor, or as part of a group project (a film production for example), then the copyright will be shared amongst the participants. Refer to the University's intellectual property policy and procedures (policies.curtin.edu.au/findapolicy/#I) for more information about this subject.



OBTAINING PERMISSION

In some cases you will need to obtain permission to use copyright material. Cases where you may need permission include:

- using more than the copying limits (for example ten per cent of the words or one chapter per book)
- using material that is not available to the public (for example private letters and manuscripts)
- use not related to your research or study (for commercial purposes, for example)
- use not permitted under the terms of use in a licence agreement
- use that will make the copyright material available to the general public, that is, not restricted to Curtin staff and students
- theses students who will be submitting their work to espace.

Ideally, you should obtain written permission from the copyright owner. Permission via email correspondence is acceptable. In your permission request, make sure you:

- identify the material you want to use
- describe how you intend to use the material
- describe who will have access to the material.

If your use is for non-commercial or educational purposes, the copyright owner may be more willing to give you permission. Make sure you mention this. If permission is granted, abide by any conditions imposed by the copyright owner. Remember to attribute the source of the copyright material wherever it is used. A sample letter for students requesting permission to include copyright material in a thesis is available at curtin.edu/lib/copyrightpermission.



HIGHER DEGREE THESES

Higher degree research (HDR) students preparing a thesis can rely on the fair dealing for research or study provision of the Copyright Act to make a single copy of material while researching. However, you cannot rely on fair dealing if you wish to include reproductions of copyright material in your thesis. You must always reference and acknowledge the source of copyright material in your thesis.

When you initially submit your thesis for examination, you may include reasonable amounts of copyright material in your thesis under the provisions of the Part VB Statutory Licence as access is restricted to Curtin staff and students.

When you submit the final version of your thesis to espace (Curtin's institutional repository) you need to ensure you have permission to include the copyright material in your thesis (for example permission in writing from the copyright holder or permission as indicated by the terms of use in a website). This is because theses in espace are available to the general public, not just Curtin staff and students.

University forms require a declaration that you have sought permission to include copyright material in your thesis. Plan for this early in your research. Written permissions should be included in the appendix to your thesis. A sample permission letter is available at curtin.edu/lib/copyrightpermission.

For thesis by publication, ensure you read any publishing agreements you sign to confirm whether you can re-use your material in your thesis. Depending on these terms:

- you may need to remove this content from your thesis to be deposited with espace
- you may need to replace the content with an accepted version of your paper
- you may need to embargo the content and/or seek approval for an exemption.

Refer to the thesis page on the copyright website for more information: curtin.edu/lib/copyrighthdr.

FURTHER INFORMATION

Copyright at Curtin

copyright.curtin.edu.au

Use of Curtin Information & Communication Technology (ICT)

policies.curtin.edu.au/findapolicy/#1

Australian Copyright Council information sheets

copyright.org.au/acc_prod/ACC/Find_an_Answer/Browse_by_A-Z/ACC/Public_Content/Information_Sheets_A-Z.aspx

Library help

library.curtin.edu.au/help/index.cfm

Copyright Officer

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Email Library-Copyright@curtin.edu.au

Copyright for Curtin Students

Dos & Don'ts

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