Frequently asked questions on copyright entitlements
2015

This guide contains advice to staff about copyright entitlements when making multiple copies to provide to students.
It should be read in conjunction with the Unitec’s Copying of Copyright Works for Educational Purposes Policy and Unitec’s Copyright Procedures for Staff

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What is Copyright?

Copyright refers to the rights an author or creator and is automatically given to control the copying, distribution and adaptation of their work.

The following works are covered:

- **literary works** including text like emails, training manuals, novels and song lyrics; tables and compilations including multimedia works, and computer programs
- **dramatic works** including dance, mime and film scenarios or scripts
- **musical works** including the score and sheet music
- **artistic works** including paintings, drawings, diagrams, maps, models, photographs and sculptures
- **sound recordings** separate to the actual music or story
- **films** for any genre or format, separate from the underlying script, music or broadcast
- **communication works** including radio and television broadcasts and internet webcasts
- **typographical arrangements of published editions** covering the layout of the edition derived from a complete or partial literary, dramatic or musical work.

The rights last for 50 years from the end of the year of the death of the author.

If the author is a corporate body/organisation (e.g., Ministry of Education), then copyright lasts 100 years from the date of creation.

Copyright does not have to be registered and the copyright symbol does not have to appear on a work.

Copyright can be sold or licensed to others.

**Your entitlement to copy**

We must

1. comply with the Copyright Act, and when our licensing agreements with rights organisations or commercial vendors allow us to exceed the Act’s copying limits, comply with those.
2. comply with Unitec’s “Copying of Copyright Works for Educational Purposes Policy”.
3. keep accurate records of our copying, as some of our license agreements commit us to regular surveys of use.
4. include the text of the relevant Copyright Warning Notice in material we copy. (These can be found in the Copyright Procedures for Staff)
5. include the full and accurate bibliographic reference in material we copy (link to Acknowledgement).
6. Forward any permission of a copyright owner to copy their work (for example, a chapter of an out of print book) to the Copyright Officer and include a copy of the permission in the reading list.

Further information on the above can be found in the Unitec Copyright Procedures for Staff.
QUESTIONS AND ANSWERS

Acknowledgement

Under the Copyright Act 1994 any copying of material must be acknowledged to show where the material comes from.

For a **chapter** from a book the following elements should be included:

- Author(s) of chapter
- Title of chapter
- Editor(s) of the book
- Title of the book
- Year of publication
- Edition (if not the first)
- Place of publication
- Publisher
- Pages

For a **journal** article the following elements should be included:

- Authors(s) of the article
- Title of the article
- Name of the journal
- Year of publication
- Volume
- Issue
- Pages

For a **website** the following elements should be included:

- Author of the page (if given)
- Title of the webpage
- Publication date
- Date retrieved
- URL

Use the following links to the library guides to check your referencing style.

- [APA Referencing Guide](#)
- [Chicago Referencing Guide](#)
- [MLA Referencing Guide](#)
Architectural plans

Plans are owned by the architect who drew them, the company they worked for or, if specifically commissioned, the person/organisation that commissioned the work. They are not covered by any of the Licences that Unitec has, so unless you are the owner of the copyright you need to get permission to copy whole plans.

Changing format

The adaptation of a work is something that cannot be done without permission of the copyright holder. Changing format is not allowed.

Collected Works

YOU MUST ACKNOWLEDGE ALL MATERIAL YOU COPY, ie you must reference correctly all material to show where it has been taken from. Click the following link, Acknowledgement to get further information regarding acknowledgement.

If a book contains a collection of short stories or poems by the same or different authors, each item is considered a work in its own right.

What can I copy from a collection of short stories or poems?
Yes. Under the CLL licence you may copy 15 pages of a short story or poem for any one course for students.

Can I put copies onto Moodle?
Yes. Under the CLL licence you may copy 15 pages of a short story or poem for any one course for students.

Can I put copies onto CDs?
Yes. Under the CLL licence you may copy 15 pages of a short story or poem for any one course for students.

Any multiple copies made from a printed book must be done by the Copy Centre to meet our agreed recording obligations with the CLL. (Unitec’s “Copying of Copyright Works for Educational Purposes Policy Section 4.3)
Crown Copyright

Crown copyright refers to a work made by a person employed by or contracted by the crown to produce the work, and copyright lasts for 100 years. Refer to the relevant section of this guide depending on the material type you are using for copyright allowance.

The following crown publications do not have any copyright on them:

- Bills
- Acts
- Regulations
- Bylaws
- Parliamentary debates
- Reports of Select Committees
- Judgements of courts and tribunals
- Reports of Royal Commissions, Commission of Inquiry, ministerial inquires and statutory inquires

You may make photocopies of part or all these works mentioned above (as long as the material is not taken from a subscription database) if you acknowledge where the material comes from.

Electronic Databases

YOU MUST ACKNOWLEDGE ALL MATERIAL YOU COPY, ie you must reference correctly all material to show where it has been taken from. Click the following link, Acknowledgement to get further information regarding acknowledgement.

What can I do with full-text material I find on one of Unitec’s databases?
Unitec Library has a different licence agreement with each database provider/vendor. Click here on this icon, CA to find out more about what each vendor will allow.

On Moodle you may make reference to an article and tell the students which database it is on. They can then access it themselves and print out a copy. Putting PDFs or links to articles on Moodle is dependent on our vendor agreement.

Examinations

Under the Copyright Act 1994 anything done for the purpose of setting an exam or writing it will not breach any copyright. This does not apply if the exam paper is used for teaching purposes.
Hard Copy/Print Books (excluding Collected Works)

Copying can only be done from material that is in the Unitec Library, owned by a Department or is your personal copy. Copying of interloaned material is not allowed, for more information concerning this click the following link Interloans.

YOU MUST ACKNOWLEDGE ALL MATERIAL YOU COPY, ie you must reference correctly all material to show where it has been taken from. Click the following link, Acknowledgement to get further information regarding acknowledgement.

The following FAQs does not include material copied from a collection of poems or short stories click Collected Works to get further information.

What can I copy from a book?
Under the Copyright Licensing Limited license you may copy for students, one chapter or 10% of a book, which ever is the greater for any one course.

Can I make multiple copies of a whole book if it is out of print?
You can only copy a whole book if it is out of print and no longer available through any other commercial source. You must have permission from the CLL to do this. To obtain this permission please talk to library staff and we will contact the CLL on your behalf.

Can I put copies onto Moodle?
Yes. Under the Copyright Licensing Limited license you may scan and put on Moodle, one chapter or 10% of a book, which ever is the greater for any one course for students.

Can I put copies onto CDs?
Yes. Under the Copyright Licensing Limited license you may copy for students, one chapter or 10% of a book, whichever is the greater for any one course.

Any multiple copies made from a printed book must be done by the Copy Centre to meet our agreed recording obligations with the CLL. (Unitec’s "Copying of Copyright Works for Educational Purposes Policy Section 4.3)
Hard Copy/Print Journals

Copying can only be done from material that is in the Unitec Library, owned by a Department or is your personal copy. Copying of interloaned material is not allowed, for more information concerning this click the following link Interloans. **YOU MUST ACKNOWLEDGE ALL MATERIAL YOU COPY**, ie you must reference correctly all material to show where it has been taken from. Click the following link, Acknowledgement to get further information regarding acknowledgement.

**What can I copy from a journal?**
You may copy one article per issue per course.

**Can I copy a whole journal issue?**
No

**Can I put copies onto Moodle?**
Yes. You may copy one article per issue per course.

**Can I put copies onto CDs?**
Yes. You may copy one article per issue of a journal per course.

Any multiple copies made from a printed journal must be done by the Copy Centre to meet our agreed recording obligations with the CLL. (Unitec’s “Copying of Copyright Works for Educational Purposes Policy Section 4.3)

Interloans

*If I have interloaned an item can I make multiple copies from it?*
NO. Multiple copies can only be taken from material owned by Unitec Library, the Department, or is your personal copy.

International Newspapers

These are covered by the CLL licence and should be treated as **Hard Copy/Print Journals**. Copying can only be done from material that is in the Unitec Library, owned by a Department or is your personal copy.

**YOU MUST ACKNOWLEDGE ALL MATERIAL YOU COPY**, ie you must reference correctly all material to show where it has been taken from. Click the following link, Acknowledgement to get further information regarding acknowledgement.
Internet

Copies of a page or pages from a website may be stored by educational establishments provided that:

a) The material is stored for an educational purpose
b) The material is displayed under a separate frame or identifier, identifies the author and source of the work and states Unitec's name and the date on which the work was stored
c) The material is restricted to use by Unitec's authenticated users, defined as participants in the course of instruction for which the material is stored, who can access the stored material only through a verification process
d) The stored material is deleted within a reasonable time after the material becomes no longer relevant to the particular course of instruction for which it was stored. It may not be archived and used for any other course

YOU MUST ACKNOWLEDGE ALL MATERIAL YOU COPY, ie you must reference correctly all material to show where it has been taken from. Click the following link, Acknowledgement to get further information regarding acknowledgement.

Can I make multiple copies of pages from a website?
You may copy 3% of a webpage (ie what you can scroll down). For articles or documents on the web you may do 3% or three pages whichever is greater as long as it does not copy the whole work. Some websites will allow multiple copying of full articles or documents for educational purposes but there has to be a clear statement to this effect on the website. You may also write to the owner of the website seeking permission to do multiple copies.

Can I put copies of web pages onto Moodle?
Yes you may make copies a web page(s) to store on Moodle provided you meet the requirements listed (a)-(d) above.

Can I download copies on a CD?
You may copy 3% of a webpage (ie what you can scroll down). For articles or documents on the web you may do 3% or three pages which ever is greater as long as it does not copy the whole work. Some websites will allow copying of full articles or documents for educational purposes but there has to be a clear statement to this effect on their website. You may also write to the owner of the website seeking permission to do multiple copies.
Moodle

YOU MUST ACKNOWLEDGE ALL MATERIAL YOU COPY, ie you must reference correctly all material to show where it has been taken from. Click the following link, Acknowledgement to get further information regarding acknowledgement

What can I put on Moodle?

1) Books : If the library, Department or you, owns a hard copy of a book, one chapter or 10% of a book, which ever is the greater for any one course may be scanned and put on Moodle

2) Journals : If the library, Department or you, owns a hard copy of a journal, one article per issue per course may be scanned and put on Moodle. If the article is taken from one of the Library's Electronic databases please go to the Vendor list to see what your entitlements are.

3) Internet : You can put the link (URL) on Moodle to allow your students to access the site. Copies of a page or pages from a website may be stored by educational establishments provided that:

   a) The material is stored for an educational purpose
   b) The material is displayed under a separate frame or identifier, identifies the author and source of the work and states Unitec's name and the date on which the work was stored
   c) The material is restricted to use by Unitec’s authenticated users, defined as participants in the course of instruction for which the material is stored, who can access the stored material only through a verification process
   d) The stored material is deleted within a reasonable time after the material becomes no longer relevant to the particular course of instruction for which it was stored. It may not be archived and used for any other course
Music

ITP Music Licence allows Staff and students to use music in the following way

1) Perform music in public for educational purposes
   Including lectures, tutorials and polytechnic events where there is no
   charge for entry

2) Make music available including via secure intranets, learning management
   systems and mobile networks for educational purposes

3) Copy or reproduce music for educational purposes
   Including combining music with video or digital recordings

The following warning must be included on any copy

These materials may be used only for Educational Purposes. They include extracts
of copyright works copied under copyright licences. You may not copy or distribute
any part of this material to any other person.
Where the material is provided to you in electronic format you may download or print
from it for your own use. You may not download or make a further copy for any other
purpose. Failure to comply with the terms of this warning may expose you to legal
action for copyright infringement and/or disciplinary action by Unitec.

Can I copy a whole piece of music?
Yes.

Can I put copies onto Moodle?
Yes.

Can I put copies onto CDs?
Yes.

New Zealand Newspapers

YOU MUST ACKNOWLEDGE ALL MATERIAL YOU COPY, ie you must reference
correctly all material to show where it has been taken from. Click the following link,
Acknowledgement to get further information regarding acknowledgement.

What can I copy from a newspaper?
You may copy up to 5 articles from any one issue of a hard copy newspaper at any
one time (Newspapers must appear on PMCA Schedule 1 list)

Can I copy a whole newspaper issue?
No

Can I put copies onto Moodle?
Yes you can scan a copy of up to 5 articles from any one issue and put it on Moodle
Can I put copies onto CDs?
Yes you can scan a copy of up to 5 articles from any one issue and put it onto a CD.

Any multiple copies made from a printed book must be done by the Copy Centre to meet our agreed recording obligations with the CLL. (Unitec’s “Copying of Copyright Works for Educational Purposes Policy Section 4.3)

Penalties

What happens if I break copyright?
There are risks to you and to Unitec if you do not comply with Copyright. A fine could be as much as $50,000, which does not include the legal fees and staff time involved.

Screen Dumps

Computer programs are protected by copyright. If you are just using a few screen dumps to illustrate a teaching point it is unlikely to cause a problem. If you are concerned about the number of screen dumps you have to use, you would need to contact the producer of the program to ask for permission.

Students’ own work

Students own the copyright on any work that they produce. Unless prior agreement by the Department or Unitec exists, permission from the student must be given before their work can be copied.

Tables/pictures

Tables/pictures taken from hard copy books may be included in multiple copies as long as they have Acknowledgement. Click the following link, Acknowledgement to get further information regarding acknowledgement.

If the tables/pictures are taken from a journal or the internet, the surrounding text must be included as well as acknowledgement.

TV/Cable/Radio

You can make multiple copies of radio and television broadcasts as well as cable programmes for educational purposes. Broadcasts must be shown in New Zealand.
You may copy:

- Free to air or pay television or radio broadcasts
- A documentary or news broadcast. A film or infotainment. A sporting event or advertisement
- An excerpt of a programme or an entire series

If your copies are made for the educational purposes of Unitec, they do not have to be made on the premises.

Copies may be made in any format including traditional video, or DVD/CD-ROM

YOU MUST LABEL ALL COPIES AS FOLLOWS.

Made for Unitec for educational purposes
Title of Broadcast
Date of Broadcast
Date this copy was made

Videos/DVDs

You may play original copies of recorded music and videos/DVDs at Unitec for educational purposes.

You are not allowed to:

- Change the format of a video to DVD (or vice versa).
- Make backup copies or multiple copies of commercially bought video/DVDs or recorded music.