

# Copyright Policy

## Scope

This Policy sets out the position and requirements of Murdoch Institute of Technology ('the School') in relation to the use of copyright material and applies to all employees and contractors who are producing, contributing, using or handling any educational materials or content within the School. This Policy also applies to students at the School. The Policy applies to the use and handling of copyright material in all forms of media including online and print. As copyright infringements may result in legal action against the School and/or the individual responsible for the infringement, the appropriate use of copyright material is each individual's responsibility.

## Purpose

In undertaking teaching, research or other educational activities, it is often necessary to use, copy, adapt and incorporate material or content that is owned by someone other than the School. As an educational institution (as defined by the Copyright Act 1968 (Cth)), we are subject to certain statutory rights and exceptions that enable the use of copyright material for teaching and learning purposes. However, these licences and exceptions are subject to limitations governed by the Copyright Act 1968 (Cth) that must be adhered to.

The purpose of this Policy is to:

- Protect the interests of the School by providing guidance on the management of copyright;
- Recognise the rightful ownership of creative contributions to educational material; and
- Establish responsibility in relation to the appropriate use and handling of copyright material.

## Copyright Principles

1. The School has statutory licenses and exceptions as an educational institution that enable it to use Third Party Materials for Educational Purposes. The School has also entered a range of agreements through which content and other copyright material can be sourced for use in teaching and learning.
2. Where a proposed use or activity is not within the scope of any license or exception, Third Party Materials must not be used except with the written permission from the copyright owner or licensee of the Third Party Material. Any permission must include written agreement authorising the use of the material for the intended purpose.
3. All staff, contractors and students must observe copyright legislation and any restrictions or obligations under any licenses or permissions in the use of Third Party Material.
4. The School does not permit the unlawful downloading, copying, compression, storage, transfer, distribution or sharing of any copyright material.
5. The School does not permit the use of, or direction to, any content or material from a third party website for which we do not have written permissions for use. In the case of website material, the School's policy is that a separate link to the website must always be created. Under no circumstances can the content from a third party website be embedded into the School's teaching and learning materials unless the third party has provided their written consent or permission to do so.
6. The School does not condone any activity which infringes the Moral Rights of any third party. Unless the copyright owner has given their written consent to a waiver of their Moral Rights, then these rights must be respected including through an appropriate attribution of authorship (among other things).

7. The School asserts ownership of all original material created by employees in the course of their employment and by contractors in the performance of their engagement, unless there is specific written agreement to the contrary.
8. All employees and contractors must notify the National Manager, Information Resources of any allegations of infringed copyright.
9. The School will provide employees, contractors and students with information and resources to assist them in understanding and complying with their responsibilities under this Policy.
10. The National Manager, Information Resources will maintain a centralised system, in accordance with the Copyright Framework, to facilitate the management of copyright compliance. Employees, contractors and students are expected to adhere to this framework and must not utilise any other systems unless specifically authorised to do so.
11. The School will appoint a Copyright Liaison Officer to assist business units in the administration of the Copyright Framework and to work collaboratively with the National Manager, Information Resources to guide the implementation of copyright processes, controls, auditing, review and sampling (as required).
12. Reviews of Learning Management Systems and other materials used for Educational Purposes may take place at any time with or without prior notice to employees, contractors and students, to determine the level of copyright compliance across the School. 'Sampling' surveys by external legislative agencies with responsibility for managing and reviewing copyright compliance may also occur at the nominated times. All employees, contractors and students must offer their co-operation in the completion of any of these monitoring activities.
13. Employees, contractors and students must not use the School's facilities or equipment in a manner that infringes the copyright of any person.
14. Breaches of this Policy or copyright legislation by employees and contractors may constitute misconduct which may lead to disciplinary action or contract termination.
15. Breaches of this Policy by students may constitute student misconduct which may lead to disciplinary action in accordance with the School's applicable policies.
16. Copyright infringement may also result in legal action against the individual engaged in the unauthorised conduct, potentially resulting in personal liability.

## Terms and Definitions

The following terms and definitions are applicable to this Policy.

Term	Definition
<b>Copyright Liaison Officer</b>	The person appointed by the School to assist the National Manager, Information Resources in the implementation and administration of the Copyright Framework.
<b>Educational Purposes</b>	Means the fair dealing in copyright material for the purposes of research or study and/or criticism or review in accordance with the Copyright Act 1968 (Cth).
<b>Third Party Materials</b>	Materials in which copyright is owned by a party other than the School or which is licensed to the School for use by a third party.

## Useful Contacts

For advice with Copyright contact the local Copyright Liaison Officer assigned your business unit or the National Manager, Information Resources.

## Related Policies and Procedures

- Kaplan Australia's Copyright Framework
- Academic Freedom Policy
- Academic Integrity and Honesty Policy

## Version Control and accountable officers

It is the joint responsibility of the Implementation Officer and Responsible Officer to ensure compliance with this policy.

<b>Policy Category</b>	Academic			
<b>Responsible Officer</b>	Vice President, Academic			
<b>Implementation Officer</b>	College Director			
<b>Review Date</b>	September 2019			
<b>Approved by</b>				
KHE Academic Board				
<b>Version</b>	<b>Authored by</b>	<b>Brief Description of the changes</b>	<b>Date Approved:</b>	<b>Effective Date:</b>
1	Academic Quality and Governance Team	New policy. Aligns standards across Kaplan Australia academic entities.	1.09.2016	15.09.2016