

Interim Policy

POLICY DOCUMENT

COPYRIGHT POLICY

1 Purpose and Scope

Copyright is a legal way of protecting creative works. In Australia, copyright law is contained in the Copyright Act 1968 (Cth).

Australian copyright law grants certain rights and protection to owners of copyright material. The law gives copyright owners exclusive rights over certain use of their material.

Australian copyright law also includes exceptions which permits some users to copy and communicate copyright material under certain conditions. Specific exceptions apply to educational institutions and their staff, students and researchers.

A guide to Copyright Law and exceptions as they apply to staff and students is contained in the *ACPE Copyright Guidelines*, associated with this Policy.

• Purpose

This policy outlines the general principles of copyright that ACPE staff and students need to follow.

The purpose of this policy is to:

- Provide a clear statement to staff, students and other members of the College community concerning their compliance obligations with respect to copyright;
- Mandate compliance with copyright laws by all involved in the College's activities and minimise the risks that flow from copyright non-compliance, particularly the risks that flow from digital and online material use;
- Improve the awareness of members of the College community of the importance of copyright compliance and to foster legitimate uses of copyrighted materials; and
- Demonstrate a commitment by the College and its highest-level managers to a compliance culture.

• Scope

This policy applies to all staff, students (domestic and international), contractors and other persons who study at ACPE or contribute to the functions of ACPE.

2 Policy

ACPE is committed to the proper observance of copyright law under the provisions of the Copyright Act 1968 (Cth), and to upholding the rights of creators and users. Staff and students have an obligation to ensure that they are familiar with the provisions of the Copyright Act, and it is the responsibility of all staff and students to comply with copyright law. It is essential that every individual involved in the use of copyrighted material in connection with ACPE complies with copyright law, and that the College, as an institution, can demonstrate a high level of compliance.

2.1 General Principles

- 2.1.1 The use of material created by others is central to the functions of the College as an institution that is focused on teaching and learning. The College supports and encourages the legitimate use of copyrighted materials to enhance its teaching, learning and research activities.
- 2.1.2 The College does not condone any use of copyrighted materials in breach of copyright laws, and expects all staff, students and other community members to comply with copyright laws and all legal restrictions and obligations regarding the use of copyrighted material.
- 2.1.3 Breaches of copyright law by members of the College community will be treated seriously as the risks that could flow to the College, and to the individual, as a result of non-compliance with copyright are severe.
- 2.1.4 The use of digital and online media in teaching is encouraged and supported, as it enhances and streamlines the College's teaching functions. However, the College urges caution in respect of the special challenges and risks presented by online and digital media in terms of copyright compliance.

2.2 Copyright Obligations and Responsibilities

2.2.1 Staff

All staff are required to comply with this Policy and the Copyright Act 1968 (Cth), and are expected to read and understand the compliance information provided for them in the *ACPE Copyright Guidelines*.

The ACPE CEO together with the Dean are responsible for assistance and staff development for full time and part time academic staff in respect of facilitating their understanding of their obligations under the Copyright Act 1968 (Cth).

All authorised users of the ACPE Library must ensure that they comply with copyright laws in their dealings with the Library in relation to photocopying and printing. Academic staff must also comply with copyright laws in relation to the posting of online readings and resources to the College website. More details of these

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obligations, and the consequences on non-compliance, are set out in the *Copyright Guidelines* and in the *Student Library Rules*.

2.2.2 Student Obligations

All students are expected to read and understand the information provided for them in this policy and in the *Copyright Guidelines*, particularly relating to the copying and distribution of copyrighted sound or video recordings. Students are personally responsible and liable for breaches of copyright arising from their own actions and may be liable for disciplinary action in accordance with the *Student Code of Conduct* and/or the *Academic Integrity Policy*.

2.3 Copyright Licence Agreements

ACPE has entered into several licence agreements which assist it to meet its obligations in respect of certain provisions of the Copyright Act. ACPE also enters into voluntary commercial licence agreements for the use of information resources, information technology and software. Current copyright agreements held by ACPE are noted in the *Copyright Guidelines* associated with this Policy.

ACPE is committed to compliance with its statutory and commercial licences for the use of copyright material. It is also committed to compliance with the terms of open licences such as Creative Commons, and open source software licences. Such licences are attached to the material itself and their terms give users broad rights to deal with the material on certain conditions.

3 Definitions

- **Copyright** is the exclusive right given to the creator of a creative work to reproduce the work, usually for a limited time. The creative work may be in a literary, artistic, educational, or musical form. Copyright is intended to protect the original expression of an idea in the form of a creative work, but not the idea itself.
- **Student** is an individual who is formally enrolled to study at the College and is assigned an individual student identification number.

4 Related Documents

- ACPE Copyright Guidelines
- Academic Integrity
- Student Library Rules
- Student Library Loans and Resource Access Policy
- Student Code of Conduct

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Legislation

- [Copyright Act 1968 \(Cth\)](#)
- [Copyright Agency Ltd](#)

5 Policy Administration

Policy Name & Code:			Copyright Policy (POL-42)
Policy Owner:			CEO / HR
Approval Authority:			Board of Directors. ACPE
Next Review:			September 2023
Approval Date	Effective Date	Version	Summary of changes
April 2020	April 2020	1	<ul style="list-style-type: none">• Policy developed and implemented.• Content checked against a superseded ACPE policy and relevant legislation.• Approved as Interim Policy.
21.03.22	21.03.22	1.5	<ul style="list-style-type: none">• Minor amendments made to reflect recent changes in job titles.

* Unless otherwise indicated, this policy will still apply beyond the review date.