

COPYRIGHT POLICY

Policy / Document Approval Body:	Academic Board
Date Created:	3 August 2015
Policy Custodian:	Academic Resources Manager
Policy Contact:	Academic Resources Manager
File Location:	W:\Data - ALL.Standard\Policies and Procedures\EIT Policies and Procedures
Location on EIT website:	https://www.eit.edu.au/about/policies-procedures/
Review Period:	Three years
Revision No:	3
Date of Revision:	1 March 2022
Date Approved:	22 March 2022
Date Commenced:	24 May 2022

1.0 Purpose

The purpose of this policy is to provide clarity on copyright in all EIT courses in accordance with the relevant legislation (see [Section 16 Related Legislation](#)).

2.0 Scope

This policy is relevant to all EIT academic and administrative staff and students in terms of copyright.

3.0 Introduction and Definitions

Copyright is the exclusive legal right, given to the originator for a designated period of time, to print, publish, reproduce, disseminate communicate literary or artistic material.

If the works are used in any of these ways, without the permission of the copyright owner, then copyright is said to have been breached or infringed.

Copyright is protected under the Copyright Act 1968 (Cth). The Act sets out:

- the works (and other subject matter) in which copyright subsists;
- the acts that constitute infringement;
- the acts that expressly do not constitute copyright infringement, including 'fair dealing';
- copyright offences and remedies;
- broad exceptions to copyright infringement by educational and other institutions; and
- certain other matters.

Management of the copyright policy and procedures is by EIT's Academic Resources Manager as she/he manages all documentation.

4.0 Objectives

EIT is committed to ensuring that copyright is protected. This relates to readings and study materials employed by EIT staff and students for academic purposes.

EIT is also committed to ensuring student assessment content is protected.

5.0 Copying under the Statutory Licence

In accordance with the annually renewed agreement between EIT and the Copyright Agency Ltd., EIT is licensed to copy a certain percentage of copyright materials (single or multiple copying). EIT's licence (Statutory Education license) allows the user to reproduce and communicate defined portions of copyright material for educational purposes without seeking permission from the creators of the material.

The copying can only be made on behalf of EIT and is solely for educational or administrative purposes of EIT. These copies are not to be sold for a profit or distributed outside EIT's normal activities.

Refer to the Copyright Agency Ltd. agreement for more details on what can be copied

6.0 Digital Copying is Restricted

It should be noted that similar restrictions apply to all digital information no matter how it is distributed. All staff and students of EIT should ensure that at all times they have the right and authority to distribute a particular item of digital material. No materials which are copyrighted can be placed in a public place (such as a web or ftp site) for anyone other than staff or students to access.

A warning notice as defined in the Copyright Procedure should be used when distributing copyright materials.

7.0 Computer Software is Protected

EIT only uses software which has been legitimately purchased or acquired generally from another (often proprietary) company.

No copying of software is allowed unless specifically provided for by the vendor of the software in the licence agreement.

EIT staff should try always to ensure that copyright restrictions are adhered to even in developing areas such as remote or virtual labs where copyright issues may not be easily defined.

Any breaches of software copyright should be advised to the Publisher who will take appropriate action. Huge fines are possible; so action taken needs to be expeditious.

8.0 Warning Notice to be Used

A warning notice should be used in all communications of copyright materials, such as emails, as defined in the Copyright Procedure.

9.0 Express Prohibitions

Typical actions that infringe the Copyright Act include:

- Conversion of music CDs to MP3 or equivalent files and sharing with another individual unless specifically allowed by the owner.
- Use of CD or DVD writers or USB-based devices to copy music CDs or DVDs
- Downloading of movie or music files from unauthorised sites

- Distribution of copyrighted materials (movies/data/music) through peer-to-peer services.
- Bypassing of a vendor's protection measures (against unauthorised use) for their software is forbidden.

10.0 Central Repository of Copyright Materials

A central storage area for copyright material for course resources is maintained by the Academic Resources Manager. All copying of materials (such as from textbooks) is managed by this manager.

11.0 Maintenance of Identification of Author and associated details

All information relating to author, publisher and copyright owner should be maintained through all metamorphoses of materials.

12.0 Moral Rights

The Moral Rights Amendment to Part IX of the Copyright Act lists three rights held by authors:

1. Attribution of ownership
2. Not to have authorship falsely attributed
3. Integrity of Authorship (so as not to impact on the author's reputation)

It is thus important to ensure that the author is named as the author of his or her work. Even though, it may be the case that the author is not the copyright owner of the work.

13.0 Student Theses or Project Documents

Full copyright protection should be afforded to all theses and project documents prepared by students. The author however does allow EIT the right to publicise and make the thesis or project materials available (on the web). However, the author retains full copyright ownership (including the possibility of patents) and can publish or do with the works as they see fit.

Subject to negotiation, it is possible the author may want to keep the thesis confidential and this will generally be favourably considered by the Publisher.

14.0 Ownership (of Copyright) for EIT Internally Produced Materials

Generally, ownership of materials produced by members of staff (both contract, casual, and full time) in the usual course of their work, subsists in EIT. This refers to all materials such as teaching materials, videos, documentation and software. This is generally defined in the contracts drawn up between staff and EIT.

Materials which are explicitly produced outside normal working hours in a different domain to that in which EIT operates by a member of staff are not regarded as falling under this restriction.

For any questions on this, the Publisher in the first instance should be contacted to ensure there is no ambiguity and a ruling should be provided in writing.

15.0 Related Documents:

- Academic Misconduct Detection Policy.HE
- Academic Freedom and Code of Ethics Policy.DS

16.0 Related Legislation

- [*Copyright Act 1968 \(Cwth.\)*](#)
- [*Australian Qualifications Framework requirements*](#)
- [*The Copyright Agency: Statutory Education License*](#)

17.0 Accountabilities

The Academic Board is responsible for review and approval of this policy.

The policy is to be implemented via induction and training of staff and distribution to students and EIT's community via the website and other publications.