

Copyright Procedures

1. STRATEGIC PLAN THEME AND COMPLIANCE OBLIGATION SUPPORTED

Strategic Plan Theme: [Learning and Student Experience](#)
[Copyright Act 1968 \(Commonwealth\)](#)
[Copyright Regulations 2017](#)

2. PROCEDURAL DETAILS

This procedure outlines the ways that Curtin staff and students comply with *the Copyright Act 1968* (the Act) and will be read in conjunction with the Intellectual Property [Policy](#) and [Procedure](#) and the Authorship, Peer Review and Publication of Research Outputs [Policy](#) and [Procedure](#).

Use of Copyright Materials for Learning and Teaching (within Australia)

- 2.1. Staff will arrange access to unit readings via the Curtin Library's Reading Lists Service.
- 2.2. Where staff incorporate third party copyright material into teaching materials (e.g. handouts, slides etc.), they will:
 - (a) attribute the source of the content clearly on the materials;
 - (b) insert the Statutory Licence electronic warning notice;
 - (c) not exceed the copying limits of 10% of the words/one chapter per book, or one article per journal issue.
- 2.3. Staff delivering programs to individuals or groups who are not Curtin enrolled students will only use:
 - (a) copies of openly licensed materials (such as Creative Commons licensed content);
 - (b) links to freely available content;
 - (c) content copied with permission of the copyright holder;
 - (d) content copied in reliance on the fair dealing exceptions in the Act. Use of these exceptions will require a risk assessment of the activity and the use must genuinely be for one of the fair dealing purposes as set out in the Act.

Use of Copyright Materials for Learning and Teaching (outside Australia)

- 2.4. Staff will use third party copyright material that is made available from an Australian location only (e.g. content in Blackboard and Reading Lists) or through the Curtin Library (e.g. subscribed database content).
- 2.5. Staff will abide by the copyright legislation in their local jurisdiction if making available third party copyright material from the overseas location.

Takedown requests to remove third party copyright material from University platforms and websites

In order to comply with the requirements set out in Part V Division 2AA of the Act:

- 2.6 Curtin websites and webpages will prominently and publicly display a link to the process to submit a takedown notice.
- 2.7 Requests to takedown third party copyright material from University platforms and websites:
 - (a) must be forwarded to the Copyright Compliance Officer (the 'Designated Officer' for takedown requests) who will investigate the take down request and report the outcome to all parties involved;
 - (b) Schools and Areas will respond to requests for information relating to takedown requests by the Copyright Compliance Officer within two business days;
 - (c) Where appropriate matters of conduct will be referred to the Office of the Academic Registrar, or Heads of School or Area as appropriate for further investigation.

3. RESPONSIBILITIES

- 3.1. The Copyright Compliance Officer manages the Statutory Licence agreements and the music licence, and is responsible for ensuring the University responds to takedown notices submitted to the University as per Section 2.7.
- 3.2. The Library is responsible for administering the Reading Lists service.
- 3.3. Curtin learning and teaching staff are responsible for coordinating access to their unit readings via the Reading Lists service.

4. SCOPE OF PROCEDURES

These procedures apply to all staff, adjuncts, and associates in any location or campus, whether in or outside of Australia.

5. DEFINITIONS

Copyright

Copyright provides creators and/or copyright holders of works certain exclusive rights in relation to use of their works. These rights include the right to copy the work, communicate the work to the public, publish, perform the work in public, and make an adaptation. Copyright holders can permit others to exercise these rights on their behalf, for example through a licensing agreement. In Australia, copyright is governed by the Act and recognises the moral rights of creators. Moral rights are the right of attribution and the right of integrity as defined in Part IX of the Act.

Copyright Material

Refers to works protected under Copyright legislation and related treaties. Categories include literary works (books, journals, newspapers, etc.), dramatic works (plays, etc.), music, artworks (photographs, etc.), audio-visual material (sound, film, broadcast programs, etc.), and software.

Fair Dealing

The Act sets out fair dealing exceptions for the following purposes: research or study; criticism or review; parody or satire; reporting news; for the purpose of access by persons with a disability; and professional legal advice. If the use is a 'fair dealing' and fits one of these purposes, you may copy and communicate limited amounts of copyright material without seeking further permission. Refer to the Copyright at Curtin website for more information.

Statutory Licence

The Statutory Licensing scheme is set out in s113P of the Act. The University participates in two licence agreements. The first covers text and graphic works and is licensed through Copyright Agency. The second covers broadcast programs and is licensed through Screenrights. Both agreements are negotiated on behalf of the sector by Universities Australia.

6. SCHEDULES

Nil

7. RELATED DOCUMENTS/LINKS/FORMS

- [Copyright at Curtin website](#)
- [Curtin Library](#)
- [Academic Integrity at Curtin](#)
- [Authorship, Peer Review and Publication of Research Outputs Policy](#)
- [Authorship, Peer Review and Publication of Research Procedure](#)
- [Information and Communication Technology \(ICT\) Appropriate Use Procedures](#)
- [Intellectual Property Policy](#)
- [Intellectual Property Procedure](#)
- [Web Content Policy](#)

Policy Compliance Officer	Lydia Dawe , Copyright officer, Library Learning, Research, Engagement and Global, Library
Policy Manager	Deputy Vice-Chancellor, Academic
Approval Authority	Deputy Vice-Chancellor, Academic
Review Date	1 st April 2025

REVISION HISTORY

Version	Approved/ Amended/ Rescinded	Date	Committee / Board / Executive Manager	Approval / Resolution Number	Key Changes and Notes
New	Approved	18/06/2012	Vice President Corporate Services	EM1208	Unconditional
	Administratively Updated	18/04/2013	Director, Legal and Compliance Services		Policy Manager & Approval Authority Changed
	Administratively Updated	06/10/2015	Director, Legal and Compliance Services	EC 76/15	Executive Manager Title Changes
	Approved	28/06/2016	Deputy Vice-Chancellor, Academic	EM1621	Unconditional
	Administratively Updated	18/01/2017	Director, Legal and Compliance Services		Review date updated
	Approved	09/11/2021	Deputy Vice-Chancellor, Academic	EM 2190	