

## 1. Purpose of policy

USC is a broad user and producer of copyright material. This policy forms the framework for copyright management within the University and clearly communicates to all staff, other individuals working on behalf of the University, students and visitors their obligations with respect to copyright. The legitimate use of copyright works is encouraged, but the risks associated with improper use must be mitigated.

## 2. Policy scope and application

This policy applies to all staff, other individuals working on behalf of the University, students and visitors.

## 3. Definitions

Please refer to the University's Glossary of Terms for policies and procedures. Terms and definitions identified below are specific to this policy and are critical to its effectiveness:

Copyright is a broad term that encompasses the exclusive economic rights of the creator or author of an original work to control its use, reproduction and communication. A work must be in a material form in order to be protected by copyright.

Third-party copyright material means copyright works created by someone other than yourself.

Oral rights mean the automatic personal rights of an author or creator to protect the integrity of their work.

akedown notice means a notice issued by a copyright owner, or nominated agent acting on their behalf, outlining alleged unlawful activity on a network or online environment.

## 4. Policy Statement

### 4.1 Key principle

As a creator and user of copyright works, the University is committed to upholding copyright law under the provisions of the Copyright Act 1968 (Cth). All staff, other individuals working on behalf of the University, students and visitors are obliged to be familiar with the provisions of the Copyright Act and must comply with copyright law and this policy in all University endeavours.

### 4.2 Compliance

The University supports the legitimate use of third-party copyright material in University activities. Those involved in the development, production, reproduction or delivery of materials of any kind at the University must be familiar with and meet their obligations as set out in the Copyright Act and this policy. Acts of non-compliance put the University at risk and offenders will be subject to disciplinary procedures and possible legal action.

### 4.3 Statutory licences

The University is party to agreements that help it to meet certain statutory licence provisions in the Copyright Act. Section 113P covers the use of text and artistic works as well as off-air copies of radio and television broadcasts in teaching material within strict guidelines. The University is required to comply with the terms of these agreements, including meeting sampling obligations during audit periods and the use of prescribed notices and records.

### 4.4 Music licence

The University is party to a collective remuneration agreement with the Australasian Performing Right Association (APRA), the Australasian Mechanical Copyright Owners' Society (AMCOS), the Phonographic Performance Company of Australia (PPCA) and the Australian Record Industry Association (ARIA) permitting current staff and students to use musical works and sound recordings subject to conditions.

### 4.5 Commercial agreements

The University has entered into commercial licence agreements with publishers and vendors that provide for greater access to academic material, databases and software. Access and use of this material is subject to the individual licence agreements which may, or may not, be more restrictive than the provisions of the Copyright Act. The University must adhere to the conditions of its commercial licence agreements and advocates an institution-wide awareness of the individual terms of use.

#### APPROVAL AUTHORITY

Council

#### RESPONSIBLE EXECUTIVE MEMBER

Vice-Chancellor and President

#### DESIGNATED OFFICER

Director, Information Services

#### FIRST APPROVED

28 July 2005

#### LAST AMENDED

3 June 2019

#### REVIEW DATE

3 June 2024

#### STATUS

Active

#### 4.6 Open access

The University supports the use of open access material in all activities in alignment with the Intellectual Property – Governing Policy. The University encourages staff to make non-commercialised content created in the course of their employment open access and promotes the sharing of knowledge and the creation of Open Educational Resources (OER) and open-source software. Staff and students of the University are encouraged to use open access content in the development, production, reproduction or delivery of materials.

#### 4.7 University network

Staff, other individuals working on behalf of the University, students and visitors must not use University networks, facilities or equipment in a manner that infringes the copyright of a third party (refer also to the Acceptable Use of Information Technology Resources - Governing Policy).

#### 4.8 Infringement/takedown notice

The University will act promptly on receipt of an infringement or takedown notice for potentially unlawful material hosted on its online environments or accessed through its network.

#### 4.9 Moral rights

The University respects the rights of all creators of copyright work, including the moral rights of its staff and students.

### 5. Authorities/Responsibilities

The following authorities are delegated under this policy:

UNIVERSITY OFFICER/S	ACTIVITY
Vice-Chancellor and President	'Responsible officer' in relation to the Copyright Act 1968 (Cth), responsible for the University's obligations under this Act. The Vice-Chancellor has delegated this authority to the Director, Information Services.
Director, Information Services	Responsible for the establishment and management of copyright systems, policies and procedures to ensure effective copyright management and compliance.
Information Officer (Copyright and Compliance)	'Decision Maker' in relation to Copyright Act 1968 (Cth), responsible for making initial decisions regarding copyright management and compliance.
All staff, other individuals working on behalf of the University, and visitors	Responsible for complying with the Copyright Act 1968 (Cth) in all aspects and areas of the University, including the production and use of material generated in the course of their duties or under their direct control, as well as the use of third-party copyright material, in accordance with University policy and legislative requirements.
All University students and visitors	Responsible for complying with the Copyright Act 1968 (Cth) in all aspects of research and study, including the use of third-party copyright material, in accordance with University policy and legislative requirements.

END

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#### RELATED DOCUMENTS

[Acceptable Use of ICT Resources - Governing Policy](#)  
[Acceptable Use of ICT Resources - Procedures](#)  
[Copyright - Procedures](#)  
[Copyright Infringement/Takedown Notice - Procedures](#)  
[Intellectual Property - Governing Policy](#)  
[Intellectual Property: Commercialisation - Procedures](#)  
[Intellectual Property: Commercialisation Revenue - Procedures](#)  
[Intellectual Property: Student IP - Procedures](#)  
[Intellectual Property: Transfer of Rights to Creators - Procedures](#)  
[Staff Code of Conduct - Governing Policy](#)  
[Student Conduct - Governing Policy](#)  
[Student General Misconduct - Procedures](#)

#### LINKED DOCUMENTS

[Copyright - Procedures](#)  
[Copyright Infringement/Takedown Notice - Procedures](#)

#### SUPERSEDED DOCUMENTS

[Copyright - Managerial Policy](#)

#### RELATED LEGISLATION / STANDARDS

[Copyright Act 1968 \(Cth\)](#)