

## COPYRIGHT OVERVIEW FOR STUDENTS

(This information applies primarily to undergraduates and students undertaking a postgraduate degree by coursework – postgraduates undertaking research degrees should refer to the information sheet: [Copyright for Research Degree Candidates](#).)

**The Copyright Act** gives creators of original works the exclusive right to reproduce, publish, communicate, and adapt their material. The Act, however, also provides exemptions to those rights in order to avoid infringement of the law when using copyright materials under certain circumstances, such as those of studying, research, critique, and education.

### Some definitions relevant to the use of copyright material by students

- **Duration of Copyright**

Works are, in general, protected by copyright for 70 years after the death of the author. After this the copyright owner's exclusive rights expire, and the work enters the Public Domain where anyone can make any use of the work.

- **Fair Dealing**

Students may reproduce a 'reasonable portion' of a copyright work without permission from its owner provided that this is done either for the purpose of research or study, or for the purpose of review or criticism. This will probably cover any textual copyright material you may need to use in your studies.

'Artworks', including maps, diagrams, etc., may also be reproduced if they accompany or illustrate copyright text.

- **Reasonable Portion**

A 'reasonable portion' is generally considered to be:

- either 1 chapter or 10% of the pages of a monograph or textbook;
- one article from any single issue of a journal or periodical (you may copy other articles in the issue if you need them for the same research or course of study);
- or a work of up to 15 pages from an anthology.

These portions generally apply to electronic and digital material too, though some internet sites may specify other conditions for copying their material. This is only a selection of the material you may need to copy, so check the website for more detail

- **Moral Rights**

An author maintains 'moral rights' in their work even if they have sold or otherwise assigned their copyright. Moral rights last for the same term as copyright.

Under moral rights legislation:

- the author of a work must always be identified, unless they have requested anonymity;

- an author has the right not to have their work falsely attributed to another person;
- an author has the right to have the integrity of their work respected, meaning that the work must not be subjected to 'derogatory treatment' in a way that is 'prejudicial to the author's honour or reputation'.

- **Plagiarism**

Plagiarism occurs when the work of another person, or persons, is used and presented as one's own – you must always acknowledge the source of each quotation or piece of borrowed material with an appropriate citation or reference.

Apart from your tutors' familiarity with many of the works that you may be referring to, the University uses software that can identify plagiarised material from a huge range of sources.

The University regards very seriously any acts of cheating, or dishonesty by way of plagiarism. There are a range of penalties which may be imposed on a student for plagiarism. Expulsion from the University is the ultimate sanction.

- **Infringement**

Infringement is the term used to define the act of breaking copyright law.

Some actions that infringe the Copyright Act are:

- copying more than 10% of a work such as a textbook or an item from a website, unless:
  - a) you have permission from the author or website owner; or
  - b) the book is out of print; or
  - c) the work is in the public domain – either because it is out of copyright or because the author states that they have ceded their exclusive rights; or
  - d) copyright in the work is owned by Murdoch University.
- downloading copies of music files from unauthorised Internet distribution sites;
- uploading copyright protected music etc to sites such as YouTube;
- distributing or selling copies of music files without the copyright owner's permission; etc.

These prohibitions also apply to DVDs; online films; computer software; and other digital material.

Murdoch University students, and staff, must ensure that they do not make use of or distribute infringing copyright material using the University computers and network. Please be aware that such actions are very traceable and can incur severe penalties under both University policy and federal law.

- **Study Materials**

Copyright protects the materials in your unit readers; other readings made available to you from, for instance, ECMS/e-reserve or online databases; and lectures delivered in Lectopia. You must not copy these and/or pass them on to people who are not staff or students of the University – to do so is an infringement of copyright law.

## **The Internet**

The Web is not a copyright free zone.

The Copyright Act applies to digital material as much as to hard copy material. A web site may include works such as text and graphics, music, software, film, and so on. All of these may have separate copyright owners.

Unless the site specifically invites you to copy freely, you should assume that these works are all protected by copyright. Apart from 'fair dealing', if you want to use any material from a website you should contact the website's manager for their permission.

## Music

You will require permission from the copyright owner if you want to copy (other than to another format for your own use e.g. CD to MP3), record, download, distribute, or perform music.

The 'fair dealing' provision does apply to music, but only in the context of your study: you may be able to use a 'reasonable portion' of a song for instance in a multimedia work created for assessment in a unit or course; but you could not then put that work online, show it in a festival or competition, or as an item of your résumé, without seeking permission to use the music.

Permission to go beyond 'fair dealing' can be sought through the several collecting societies, APRA, AMCOS, ARIA, and PPCA, who represent copyright owners, music publishers, and sound recording companies.

See also this information sheet: [Using Copyright Protected Music on Community Radio](#)

## Your own work

An original work created by a student is protected by copyright. Your permission is required by anyone wanting to copy or communicate your work. For further details on this in the University environment you may refer to University Legislation, [Statute No. 18 - Intellectual Property](#).

**NB:** students who are enrolled in a unit which includes in its activities the publication, or potential publication, of their work are required, as a condition of participation, to give the University a non-exclusive license to publish that work in whole or in part via the web or other formats, under the conditions the University specifies for its publications, including recognition of authorship.

## Creative Commons and Australian Creative Resources Online (ACRO)

Although copyright is automatic, creators can opt out of all or some of the provisions granted to them by ceding their rights or by placing alternative licences on their works.

**Creative Commons** is one of these licensing systems, and provides a search engine where you can find graphics, music, photos, books, and other forms of work which their creators have licensed as free to use with only "some rights reserved". If you accept the provisions that are required, you can use the work without having to contact anyone for permission.

You may also like to consider licensing your own works with Creative Commons.

**Australian Creative Resources Online (ACRO)** provides access to film, video, stills, and audio that have been made available by their creators for other people to use in their own work.

please remember that you are welcome to contact the copyright coordinator if you have any queries about this information or any other copyright matter

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