



## WHAT IS 'FAIR DEALING'?

'Fair dealing' under the Copyright Act permits individuals to reproduce copyright material for specific purposes without infringing the rights of the copyright owner or having to make any royalty payment.

Two of the fair dealing purposes are particularly relevant to anyone working or studying at a University.

### 1: Fair dealing for the purpose of research or study (s.40)

It is considered fair dealing for an individual to copy a 'reasonable portion' of copyright material for the purpose of their own research or study.

This 'purpose' covers copying material (including music and film – S.103C) for an assignment for instance; however, if you later want to publish that work – even on your own website - , submit it for a competition or festival, or include it in a portfolio, you should be aware that the use no longer falls under the provision of 'research or study', and that you will probably need to seek permission to use the material from the copyright owner.

A 'reasonable portion' is up to 10% of the pages or 1 chapter (whichever is greater) when copying from a text of more than 10 pages.

If the text is on the Internet and unpaginated, then 10% of the words would be considered a reasonable portion.

You may also reproduce an article from any issue of a periodical, such as a newspaper, magazine, or journal (you may copy more than one article from any one issue if they are all required for the same research or course of study).

There are circumstances when it may be considered 'fair' to copy more than these amounts; for instance, if a book is out of print or otherwise not available for purchase within a reasonable time, you may be able to copy the whole of it. Please contact the [copyright coordinator](#) for information if you need to copy more than the given portions.

#### Definition of a 'Reasonable Portion' of Material to Copy

### 2: Fair dealing for the purpose of review or critique (s.41)

You may reproduce copyright material for the purpose of review and critique: this must involve engaging with the material e.g. making a judgment of it or the ideas it expresses, or comparing it with other works in order to make such a judgement. You may use such material, for instance, in an assignment, conference paper, or journal article.

Any such use should cite the work and author (unless the author is anonymous or has agreed or directed that they not be named).

#### **N.B.**

Remember that most material on the net is protected by copyright. If you want to use material from the net under the 'fair dealing' provision you must check the website to make sure that any contract or subscription you may have undertaken does not prohibit its use.

See also

[Copying Text and Images from the Internet](#)