



## AN 'INSUBSTANTIAL PORTION' OF A WORK TO COPY

The Copyright Act allows educational institutions to copy and communicate an 'insubstantial portion' of a literary or dramatic work without infringing copyright in that work, and without paying a royalty for the use.

('Literary' refers to most fictional and non-fictional written material; 'dramatic' indicates scripts, choreographic scores, and scenarios. This provision does not apply to artistic works, such as photographs, cartoons, etc., unless the latter is incidental to the text being copied.)

The Act makes a number of stringent requirements to this provision that must be taken into account when relying on it for copying and/or communication for educational purposes.

### An 'insubstantial portion' is:

- not more than 2 pages or 1%, whichever is greater, of a **hardcopy** work;
- not more than 1% of the words in an unpaginated **electronic** work; or
- not more than 2 pages or 1% of a paginated **electronic** work (e.g. a pdf file);
- the words/pages/percentage copied from an **electronic** work must be consecutive i.e. not copied from different parts of the work to make up the permitted amount.

**NB** A whole work may never be copied under this provision: an item such as a pamphlet, a journal article, or a work in an anthology - even if it is only one or two pages long - may not be copied in its entirety under the provision.

### Other terms of the provision to be observed are that:

- the copying must take place on the premises of the University;
- you may make single or multiple copies to be used in specific courses of instruction at the University;
- at least 14 days must elapse before you may copy another part of the same work;
- any part of work made available electronically must be taken down before another part of the work is made available electronically;
- as well as the usual citations, the copy should be marked as made under section 135ZG of the Copyright Act, together with the date on which it was copied.

For more information on this or other copyright matters, please contact the Copyright Coordinator on 9360 7491 or at [copyright@murdoch.edu.au](mailto:copyright@murdoch.edu.au)