

# Copyright Policy

Version number	2
Approved by	Corporate Governance Board
Date of approval	26/03/2021

## Purpose

Integrity in all its operations is crucial to the success of Sydney Institute of Higher Education (SI) as a higher education provider. As such, SI is committed to respecting copyright law and the rights of copyright holders. SI seeks to create an environment in which staff and students are dedicated to making legitimate use of copyright material in accordance with the *Copyright Act 1968*.

This policy has been created to establish the guidelines for not only minimising the occurrence of misuse of copyright incidents at SI, but also in addressing any such incidents.

## Scope

This policy applies to all students and staff of SI.

## Principles

Responsibility for the implementation of this policy ultimately resides with the *Corporate Governance Board*, however, day to day implementation is delegated to academic and operational staff. All actions pertaining to copyright are guided by the principles of fairness and integrity and must comply with the *Australian Copyright Act 1968*.

SI acknowledges the importance of taking preventative measures against copyright infringement and addressing incidents promptly.

SI encourages academic staff to incorporate a variety of resources into their teaching practice. It is imperative that staff, students, and all other members of the SI community follow this policy closely in order to ensure that copyright materials are utilised correctly.

## Procedures

SI is committed to informing and supporting staff and students in fulfilling their obligations to avoid copyright infringement. Executive Management Team, including the Provost, will ensure that understanding of copyright law is up-to-date and accurate, and confer this information to the wider community through the avenues outlined below:

- All staff and students will be trained to comply with copyright law during their respective induction and orientation programs.
- Annual mandatory training for all members of staff. The training will cover key aspects of this policy as well as the *Australian Copyright Act 1968*.
- Provision of the relevant information on SI website, student portal, and as part of class workshops and assignments.
- Managers and academic staff are available to answer questions regarding use of copyright material.

Through the above mechanisms, SI aims to prevent instances of copyright infringement.

### ***Copyright infringement***

SI has established processes to protect against copyright infringement. In respect to student work, where there is copying, the process is established in the *Misconduct Policy*. In respect to other copyright infringements, the process is established in the *Compliance Framework Policy*.

Should SI become aware of a copyright infringement, the issue will be addressed and resolved in a timely manner by the *Academic Board* who provide the *Corporate Governance Board* advice about academic risks.

Following an incident, the Provost and the *Academic Board* will take all reasonable measures to prevent the same situation occurring in the future within the limits of the *Academic Board's* authority and provide the *Corporate Governance Board* advice about further measures that the *Corporate Governance Board* can put in place to mitigate any future copyright infringement at SI.

If the *Corporate Governance Board* is made aware of a case of serious copyright infringement, they may choose to refer the matter to external authorities.

Program Directors will be in charge of overseeing compliance with the *Copyright Policy* amongst students. Executive Management Team will be working with the *Audit and Risk Committee* and will oversee compliance with this policy amongst staff.

### ***Proper use of copyright material***

SI may produce multiple copies of copyright material if it is for the sole purpose of teaching.

As per the *Australian Copyright Act*, academic staff members may produce multiple copies of the following:

- No more than fifteen pages of any literary work.
- A published article from an academic journal.
- Up to 1% of the total number of pages in a document, or two pages of a total document in a literary work, whichever is greater.
- A “reasonable portion” of a copyrighted document, which is less than ten pages or 10% of the total work.

Copies must never be sold for profit. They must be correctly labeled with the original author's name, SI's name, note on proper use of the copy, and copy creation date. One copy of any copied material must be

retained for at least 4 years in accordance with state *Records Authority of NSW GDA23 - General Retention and Disposal Authority: University Records*.

SI may seek permission directly from the copyright holder to use materials outside the above directives, in which case permission must be received in writing and kept on record by SI.

Any copyrighted work may be used freely fifty years after the death of the author (death before 1955) or seventy years after the author's death (death after 1955).

For more information refer to the *Australian Copyright Act*.

## Policy Implementation and Monitoring

The *Corporate Governance Board* delegates responsibility for the day-to-day implementation of this policy to the *Academic Board* and Provost.

The *Academic Board*, in accordance with the *Compliance Calendar*, will review all periodic reports from relevant committees and staff members.

Additionally, the *Academic Board* will review all relevant student complaints, concerns raised by staff members, and instances of student or staff misconduct on an ongoing basis.

The *Academic Board*, in accordance with the *Compliance Calendar*, will submit periodic reviews to the *Corporate Governance Board* regarding compliance with the *Copyright Policy* and the *Copyright Act*.

The *Corporate Governance Board* must ensure that findings are taken into account in planning, quality assurance and improvement processes.

## Definitions

**Copyright:** copyright is defined in the *Australian Copyright Act 1968*, and includes the legal right of the creator to reproduce, communicate, publish, sell, or distribute content and intellectual property exclusively for a fixed number of years.

**Copyright infringement:** a violation of the *Copyright Act* with potential legal ramifications. Can be either intentional or unintentional.

**SI Community:** Consists of staff, students and other stakeholders of SI.

## Review schedule

This policy will be reviewed by the *Corporate Governance Board* every three years.

Version History				
Version number:	Approved by:	Approval date:	Revision notes:	Next review date:
1	Corporate Governance Board	13/11/2017		13/11/2020

2	Corporate Governance Board	26/03/2021	No change. Periodic Review.	26/03/2024
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## Related Documents

		<a href="#">Misconduct Policy</a>
		<a href="#">Intellectual Property Policy</a>
		<a href="#">IT Resources and Online Conduct Policy</a>
		<a href="#">Provost</a>
		<a href="#">Audit and Risk Committee - Terms of Reference</a>
		<a href="#">Corporate Governance Board - Terms of Reference</a>
		<a href="#">Academic Board - Terms of Reference</a>