




COPYRIGHT POLICY

Purpose:	The purpose of this Policy is to recognise and protect the rights of copyright owners.		
Scope:	This Policy is to be adhered to by all stakeholders which include all staff, directors, managers, workers, parents, students, volunteers, contractors, suppliers and visitors at the College.		
References and Legislation:	<ul style="list-style-type: none">• <i>Copyright Act 1968 (Cth)</i>• <i>Copyright Regulations 1969 (Cth)</i>• <i>Copyright Regulations 2017 (Cth)</i>		
Ormiston College Related Documents:	<ul style="list-style-type: none">• Acceptable Use of ICT Services Policy		
Policy Owner:	College Governing Body	Version:	V100725
Status:	Approved	Supersedes Version:	V190623
Authorised By:	MICHAEL HORNBY	To Be Reviewed:	Every 2 years
Date of Authorisation:	16/07/2025	Next Review Date:	July 2027
Signature:			

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POLICY STATEMENT

Ormiston College is committed to:

- Recognising and protecting the rights of copyright owners by complying with the restrictions on reproducing or communicating copyright materials as laid down in the *Copyright Act 1968 (Cth)*.
- Informing students and employees of their rights and responsibilities under legislation and the various licencing arrangements of the College so that they may make full legal use of the materials available to them.
- The fair regulation and management of copyright materials created at the College by employees, volunteers, researchers and students.

PREVENTING INFRINGEMENTS

In accordance with the *Copyright Act 1968 (Cth)*, Ormiston College will take the following actions to prevent infringements of copyright:

- Use Free for Education Material and Free for Education Uses content whenever possible.
- Arrange a direct licence for relevant material whenever appropriate.
- Seek access to appropriate licence arrangements for relevant material through Independent Schools Queensland.
- Undertake all other reproduction and communication of copyright material in accordance with the Fair Dealing provisions of the *Copyright Act 1968 (Cth)*.
- Attribute moral rights whenever appropriate.

EMPLOYEE AND VOLUNTEER COPYRIGHT

In relation to copyright created by Ormiston College employees and volunteers, including people undertaking work experience, vocational placement and researchers:

- Ormiston College controls and manages all copyright created by its employees and volunteers while under the direction and control of the College.
- This includes any material created by employees and volunteers in their own time for use in their employment or engagement with the College.
- However, if an employee and volunteer creates material in their own time, using their own resources for a purpose other than their employment or engagement and then subsequently uses the material in the course of their employment or engagement with the school, the College does not own copyright.

STUDENT COPYRIGHT

In relation to copyright created by Ormiston College students:

- Copyright of work created by students in the course of their studies will belong to the student, unless an agreement to the contrary is established between the student and Ormiston College.
- Whilst a student's work may be used within Ormiston College for educational purposes, permission will be gained from the student and/or parent for any further use of the work.

DEFINITIONS

- Artistic Works – paintings, photographs, maps, graphics, cartoons, charts, diagrams and illustrations.
- Broadcasts – pay and free to air television and radio.
- Films and Moving Images – feature films, short films, documentaries, television programs, interactive games, television advertisements, music videos and vodcasts.
- Dramatic Works – plays, screenplays, and choreography.
- Literary Works – novels, textbooks, poems, song lyrics, newspaper articles, computer software.
- Musical Works – melodies, song music, advertising jingles, film scores.
- Published Editions – means the typesetting, layout and look of a publication.
- Sound Recordings – MP3 files, CDs, DVDs, vinyl and tape recordings, podcasts.

RESPONSIBILITIES

College Responsibilities

Ormiston College acknowledges its responsibility to undertake appropriate licensing arrangements to prevent copyright infringements by Ormiston College students and employees, including attributing moral rights whenever relevant.

Furthermore, Ormiston College also recognises its obligation to undertake the following steps to prevent copyright infringements:

- develop and implement a Copyright Policy
- educate and train employees (especially Library staff)
- display Copyright Notices in various places where reproduction of works occur
- keep appropriate records, monitoring and reporting on copyright license issues
- encourage students and employees to contribute to a copyright-compliant school culture.

Student and Employee Responsibilities

All students and employees at Ormiston College must uphold the College's policy on copyright as follows:

1. All students and employees have a responsibility not to infringe upon copyright either under the *Copyright Act 1968 (Cth)* or under the terms of any licence the College holds.
2. Students and employees should note that the College does not in any way condone the use of school equipment or systems for any type of copyright infringement. In particular, computers or internet accounts should not be used to download infringing copies of music, videos, games or unlicensed software, as under the Ormiston College Acceptable Use of ICT Services Policy.
3. All employees should ensure that they do not instruct, authorise or condone any infringement of the *Copyright Act 1968 (Cth)* by students or other employees.
4. All employees have a duty not to use College copyright material for private purposes unless permission is granted first.
5. Students can make a copy of a "reasonable portion" of copyright material under the Fair Dealings provisions in the *Copyright Act 1968 (Cth)*, for the purposes of research or study. Students should consult the guidelines on the copyright website or speak to relevant employees to gain a better understanding of the amount and uses considered to be "fair".
6. If a student or an employee believes that copyright infringing behaviour is occurring in the College, they should report it to the Copyright Officer (Teacher Librarian).

For more information on the appropriate use of Copyrighted Material

- Contact the Copyright Officer or the Manager of ICT Services.
- Visit the SmartCopying Website: <https://smartcopying.edu.au/>

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PHOTOCOPIER NOTICE

Commonwealth of Australia

Copyright Act 1968

Notice about the reproduction of works and the copying of published editions

Warning

Copyright owners are entitled to take legal action against persons who infringe their copyright. A reproduction of material that is protected by copyright may be a copyright infringement. Certain dealings with copyright will not constitute an infringement, including:

- a reproduction that is a fair dealing under the *Copyright Act 1968 (the Act)*, including a fair dealing for the purposes of research or study; or
- a reproduction that is authorised by the copyright owner.

It is a fair dealing to make a reproduction for research or study, of one or more articles in a periodical publication for the same research or same course of study or, for any other work, of a reasonable portion of a work.

For a published work in hardcopy form that is not less than 10 pages and is not an artistic work, 10% of the number of pages, or one chapter, is a reasonable portion.

For a published work in electronic form only, a reasonable portion is not more than, in the aggregate, 10% of the number of words in the work.

More extensive reproduction may constitute fair dealing. To determine whether it does, it is necessary to have regard to the criteria set out in subsection 40(2) of *the Act*.

A court may impose penalties and award damages in relation to offences and infringements relating to copyright material.

Higher penalties may apply, and higher damages may be awarded, for offences and infringements involving the conversion of material into digital or electronic form.

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AUDIO-VISUAL NOTICE

Commonwealth of Australia

Copyright Act 1968

Notice about the copying of audio-visual items

Warning

Copyright owners are entitled to take legal action against persons who infringe their copyright. Unless otherwise permitted by the *Copyright Act 1968 (the Act)*, unauthorised use of audio-visual items in which copyright subsists may infringe copyright in that item.

It is not an infringement of copyright in an audio-visual item to use that item in a manner that is a fair dealing under Section 103C of *the Act*.

Section 103C of *the Act* relates to fair dealing for the purpose of research or study and sets out the matters that must be considered in determining whether a reproduction of an audio-visual item is a fair dealing.

A court may impose penalties and award damages in relation to offences and infringements relating to copyright material.

Higher penalties may apply, and higher damages may be awarded, for offences and infringements involving the conversion of material into digital or electronic form.