

## Copyright Compliance Procedures

### Table of Contents

1. Governing Policy
2. Purpose
3. Definitions
4. Scope
5. Procedures for staff
  - 5.1. Compliance
  - 5.2. Teaching materials
  - 5.3. Breaches
6. Procedures for students
  - 6.1. Compliance
  - 6.2. Breaches
7. Investigations

### 1. Governing Policy

[Legislative Compliance Framework](#)

### 2. Purpose

To ensure that Flinders University staff and students respect the legal rights of copyright holders and comply with copyright laws; and to enable the University to meet its legal reporting and monitoring obligations.

### 3. Definitions

<b>Copyright</b>	The rights granted by the <a href="#">Copyright Act 1968 (Cth)</a> and international copyright laws in respect of literary works (including computer programs), dramatic, musical or artistic works, sound recordings, cinematograph films, published editions or broadcasts. [More information on copyright is provided on the <a href="#">Copyright website</a> .]
<b>Staff</b>	Includes, for the purpose of these procedures, academic status holders and any other persons who use University resources or are engaged in University business (but not students).

### 4. Scope

- a. These procedures apply to all [staff](#) and students in respect of copyright held by third parties, regardless of whether the copyright material is in digital or non-digital format, and must be read in conjunction with the [Copyright Act 1968 \(Cth\)](#).
- b. In respect of digital copyright material, these procedures must be read and applied in conjunction with the [Information Security Policy](#) and related procedures.
- c. The management of University-owned copyright is governed by the University's [Intellectual Property Policy](#) and related procedures.

## 5. Procedures for staff

### 5.1. Compliance

- a. All [staff](#) must comply with the provisions and exceptions contained in the Copyright Act 1968 (Cth) and any licences (whether statutory or contractual) or other legal agreements applying to the University in respect of use of copyright material.
- b. In particular, all staff must consult the University's [Copyright website](#) whenever adapting, communicating, publishing, performing or reproducing copyright material, and comply with all requirements specified on that website.

[Failure to abide by copyright agreements or the conditions of licence agreements may lead to legal action against the University itself, and/or withdrawal of the University's licensed rights. In some cases, criminal penalties apply.]

### 5.2. Teaching materials

- a. All staff must use the Flinders University Readings Management System to collate all readings lists for all resources, including (but not limited to):
  - books and book chapters
  - articles
  - streaming videos e.g. EduTV
  - digital items e.g. government reports, annual reports
- b. Staff members must NOT upload any copyright material directly to a Learning Management System topic site or any other site, whether operated by Flinders University or not, in connection with Flinders University activities. All such material must be uploaded via the University's Readings Management System

[This enables the University Library to source appropriately licensed resources and administer copyright compliance requirements. For further information, see [Readings information for staff](#).]

### 5.3. Breaches

- a. If University IT systems are used by staff to breach copyright laws, or if the breach relates to computer programs (including software), the staff member may be subject to consequential action in accordance with the [Information Security Policy](#) and related procedures.
- b. If the breach of copyright requirements occurs in the conduct of research, the staff member may be subject to consequential action in accordance with the [Research Integrity Policy](#) and [Breach of Research Integrity Procedures](#).
- c. A serious breach by staff of these procedures may be regarded as misconduct, and dealt with under the relevant University processes. A proven breach may result in disciplinary action, including termination of employment or contract.

## 6. Procedures for students

### 6.1. Compliance

- a. All students are expected to comply with copyright laws, and refer to the information on common copyright issues applying to students published on the University's [Copyright website](#).

### 6.2. Breaches

- a. Where a student has breached copyright owned by the University, the matter may be referred for action under [Statute 6.4 – Student Conduct](#).
- b. In the case of student assessment tasks and/or research projects, a breach of copyright laws by a student may be regarded as a failure to meet the requirements of academic integrity or responsible conduct of research, and be dealt with under the [Student Academic Integrity Policy](#) and related procedures, or the [Responsible Conduct of Research Policy](#) and related procedures.
- c. If University IT systems are used by a student to breach copyright laws, or if the breach relates to computer programs (including software), the student may be subject to consequential action in accordance with the [Information Security Policy](#) and related procedures.

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d. Other breaches of copyright law may result in legal action by the copyright owner against the student.

## 7. Investigations

- a. All reports of allegations that the University is breaching copyright must be referred promptly to the Copyright Librarian ([copyright@flinders.edu.au](mailto:copyright@flinders.edu.au) or phone 8201 7593), who may carry out an investigation in any manner authorised by the Director of Library Services, in conjunction with other relevant University staff. Material may be taken down while an investigation is carried out.
- b. Staff and students must cooperate with the Copyright Librarian on:
  - i. any request for information about copyright compliance, and
  - ii. any investigation into a copyright breach.
- c. A staff member must undertake any action requested by the Copyright Librarian, Director of Library Services, or a staff member's supervisor to remedy a breach, where a breach is found.
- d. If a prima facie case of misconduct or breach of another University policy becomes apparent at any stage of an investigation into a breach of copyright, the matter will be referred for action in accordance with the relevant policy and related procedures.

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\* Unless otherwise indicated, this procedure will still apply beyond the review date.

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