



Copying of Copyright Works for Educational Purposes Policy

Purpose

The purpose of this policy is to facilitate the use of Copyright Works for teaching at Unitec while ensuring we uphold the rights of copyright holders of such Works. Unitec staff and students must comply with the requirements of New Zealand's copyright law and any licensing agreements Unitec has entered into.

Copyright is a property right given to the creator of an original work to control the use made of that work. The Copyright Act permits making multiple copies of a Work for educational purposes by or on behalf of an educational establishment if not more than 3% of the work or edition or 3 pages of the work or edition (whichever is the greater) is copied. If the work or edition is 3 pages or less, then only 50% of the whole work or edition can be copied without infringing copyright.

To facilitate multiple copies of material being made for the benefit of students, Unitec holds licences under agreements with a number of reproduction rights organisations and commercial providers which allows Unitec staff to copy beyond the limits of the Copyright Act. These licences protect staff against any alleged breach provided that copies are made in accordance with the relevant licence agreement.

Unitec has licence agreements with:

- a) Copyright Licensing New Zealand (CLNZ) – this licence enables copying of most print materials (including newspapers), and distribution to students in print format or electronically within the limits set out in Unitec's Copyright Procedures for Staff;
- b) Audio-Visual Copyright Society Limited (trading as 'Screenrights') – this licence enables staff to make recordings, make copies of recordings and to communicate copies of broadcast materials from both television and radio;
- c) Three entities trading as 'OneMusic': APRA NZ, AMCOS NZ and Recorded Music NZ Ltd (previously known as PPNZ Music Licensing Ltd). . These entities respectively administer the rights of the world's songwriters, composers and music publishers in Australia and New Zealand, and the rights of local and international record labels and recording artists with New Zealand; and
- d) Various commercial providers.

Scope

This policy applies to all Unitec staff. This policy does not apply to students at Unitec. Students should be aware, and Unitec will take steps to bring to their attention, that they are bound by the copying limits in the Copyright Act.

Policy Statement(s)

1. Copying by Unitec staff of any Copyright Work must comply with this policy and Unitec's Copyright Procedures for Staff.
2. Unitec will hold staff personally responsible if they fail to comply with this policy, the Copyright Act or with licence agreements and Unitec will be entitled to seek reimbursement from the staff member for the costs, penalties, fines or damages incurred by Unitec as a result of any breach of the Copyright Act or any licence agreements.
3. Director Student Success is Copyright Officer for the purposes of this policy and agreements with licensing agencies.
4. The relevant Copyright Warning Notice must be clearly marked on all print copies of materials, and for all electronic copies a similar notice must be displayed on learning management systems, such as Moodle. The format and content of these Copyright Warning Notices can be obtained from Unitec's Copyright Procedures for Staff.
5. Any variations of the relevant Copyright Warning Notice must be approved in advance by the Copyright Officer.

Associated Procedures

- Copyright Procedures for Staff

Responsibilities

Role	Responsibilities
Director Student Success	<ul style="list-style-type: none">• Copyright Officer responsible for the policy and agreements with licensing agencies
Manager Resources Library and Learning Commons	<ul style="list-style-type: none">• Ensuring that the policy is adhered to

Definitions

Term	Meaning
"Copy" and "Copying"	"Copy" and "Copying" means making multiple copies of any Copyright Works in order to produce course packs, study guides, class handouts, elearning resources (including for Unitec's learning management system), and audio and video tapes and includes the playing of music or showing material by way of a datashow. Copying also means scanning or downloading material and then distributing or making available that material to other people.
"Copyright Act"	"Copyright Act" means the Copyright Act 1994 as amended from time to time.
"Copyright Work"	"Copyright Work" means a work of any of the descriptions in section 14(1) of the Copyright Act in which copyright exists.
"Educational Purposes"	"Educational Purposes" means activities which are integral, immediate and proximate to the education of students. For the avoidance of doubt, any activities that are undertaken by or for Unitec on any of its campuses are presumed to be integral, immediate and proximate to the education of students.

Reference Documents

- [Copyright Act 1994](#)
- [Copyright Procedures for Staff](#)

Approval Details

Version number (this version)	4.0	Issue Date (this version)	March 2020
Version History (Amendments made to this version)	Date of amendment/s: • March 2020	Amendment/s: • Formal periodic review	
Consultation Scope (if appropriate)	Key stakeholders consulted in the review of this policy: • Unitec's Legal Counsel and Professional Subject Librarians		
Approval authority	Executive Leadership Team	Date of Approval	23 March 2020
Policy Sponsor (Has authority to approve minor amendments)	Executive Director - Finance	Policy Owner	Director Student Success
Contact Person	Anna Wheeler	Date of Next Review	March 2023

Amendment History

Version	Issue Date	Reason for Revision	Approved by
1	1998	Brand new document – 1 st edition	Directorate Team
2	Sept 2005	Formal periodic review - changes to reflect Unitec's obligations under current licensing agreements	Senior Executive
2.1	July 2009	Minor – to reflect position title and responsibility changes resulting from Feb 09 organisational restructure	Registrar
3	09/09/2011	Formal periodic review – procedures for staff more clearly defined and transferred from policy into separate procedure document to be read in conjunction with this policy. Policy renamed from Copyright Policy.	Leadership Team
3.1	27/11/2012	Minor – includes new licensing agreement signed with APRA/AMCOS and PPNZ Music Licensing	Executive Director, Finance & Infrastructure
3.2	14/05/2015	Formal periodic review -includes changes to reflect Unitec's obligations under current licensing agreements	Executive Director, Academic Development
4	March 2020	Formal periodic review - changes to reflect Unitec's obligations under current licensing agreements	Executive Director, Finance