

Copyright Guidelines for TV and Radio – Copying for Teaching

Copying TV and radio for teaching purposes – statutory licence

Television and radio broadcasts may be recorded, copied and communicated for the University's educational purposes. This is allowed under the educational statutory licence in the *Copyright Act 1968* (Cth). The licence applies to broadcasts from both free-to-air and pay services, including reception via cable and satellite. Podcasts of free-to-air television and radio broadcasts made available on the broadcaster's website (after the program has been broadcast) may also be copied under the statutory licence.

The University has a remuneration agreement with Screenrights under which it makes an annual payment to Screenrights based on an agreed rate per student.

The definition of “educational purposes” is broad and includes, but is not limited to, use in connection with courses of study, administration that supports the educational activities of the University, and inclusion in the library collection.

There is no restriction on the amount or type of program copied. For example, feature films, advertisements, news, drama or documentary programs may all be copied. Whole programs may be copied, or program segments may be made into a compilation. Copies may be digital or analog and there is no restriction on the number of copies which may be made.

Copies of broadcast materials that can be used under the statutory licence include:

- copies of broadcast materials on disc
- digital copies of broadcast materials providing by streaming services; or streamed through QUT Media Warehouse

Labelling

There is no statutory obligation to label copies of broadcast materials on discs, but attaching a notice to such a copy is one step that a university can take to protect itself from authorisation liability in the event that the content is used in ways that infringe copyright. For that reason, it is recommended that copies of programs made under the licence be labelled with the details below.

<p><i>Copy made for Queensland University of Technology under section 113P of the Copyright Act:</i> Date program was broadcast Date this copy was made</p>

Private copies of radio or television broadcasts used for QUT purposes, should also be labelled in this way.

Alternatively, QUT may make a licensed copy from a legitimate private recording of a broadcast and label that copy. The staff member may then retain the private copy for private and domestic use as permitted by the Copyright Act.

Distribution of copies and notices

Once a program has been copied and labelled, it may be given or lent to a student or staff member of a University if that institution has a remuneration agreement with Screenrights. Copies must not be sold or otherwise supplied for profit.

Copies may be made available online on the University network, but there are a number of conditions which must be observed. Access must be restricted to QUT staff and students only. When the program is put online or otherwise electronically transmitted, a prescribed notice must be attached to it so that the viewer will see the notice before or at the same time as the program appears. The wording for the statutory licence notice is available online in the QUT Copyright Guide at [Notices](#).

Licence limitations – no pre-recorded; no pre 1990

This copying licence applies only to broadcasts from free-to-air and pay television channels and radio stations. It does not apply to:

- Pre-recorded videos that you have purchased or hired or borrowed
- Pre-recorded sound recordings that you have purchased or borrowed
- Podcasts or any other video or audio file or stream on the web, other than the content of a free-to-air broadcast made available on the broadcasting organisation's website after the program has been broadcast.

To copy any of the above, permission from the copyright owners is required.

Even if the purchased video is a program that has been shown on TV, it may not be copied under this licence.

Copies made before January 1, 1990, which is the date the copying scheme came into operation, may infringe copyright. Arrangements have been made with Screenrights which enable the University to keep copies made before 1990, but these tapes must not be copied, as this could lead to action for infringement. This means that as those tapes deteriorate, they cannot be replaced by copying them again. Screenrights maintains a large database of program owners, should you wish to contact them for information on replacing one of these old tapes.

If the old tapes are in the Library collection, the [University Copyright Officer](#) should be consulted for further advice on replacement.

Updated December 2017