

Quick Copyright Information for Students

What is Copyright?

Copyright is a system of laws that is designed to protect the works of authors from unauthorised copying and transmission, whilst at the same time allowing the public to have reasonable access to information. Australian copyright law is contained in a piece of federal legislation called The Copyright Act 1968.

Copyright Terminology

In the language of copyright, the things that a person creates, such as essays, photographs, cartoons, stories, novels, term papers, paintings, maps, plays and musical scores are called "works". So there are:

- literary works (books, letters, articles, written assignments, etc),
- dramatic works (plays, film scripts, scenarios, treatments and the like)
- musical works (compositions of popular or classical music)
- artistic works (photos, paintings, drawings, maps, charts, diagrams, etc).

As well as works, there are:

- films and video
- sound recordings
- broadcasts

Who owns copyright?

In most cases, copyright will be owned by the creator of the work. If you are a student, then you will own the copyright in the works that you create, as a general rule.

OK, so I own copyright in my work. What does that mean?

A copyright owner has a number of exclusive rights, that is things that only he or she can do, or authorise someone else to do. In general, these rights are:

- a. to make copies of the work
- b. to publish the work
- c. to perform the work in public
- d. to make adaptations of the work - e.g. make a novel into a screenplay
- e. to communicate the work to the public - i.e. to put the work online and make it accessible to the public.

While I'm a student, what can I copy?

The Copyright Act has some sections called the "fair dealing" sections. One of these sections relates to fair dealing for research and study. This section says that you may copy a "reasonable portion" of a literary, dramatic or musical work for your own research and study. In brief, the Act says that a reasonable portion is 10% or one chapter of a book, or one article from any one issue of a journal. If the material you want to copy is in digital format, then you can copy one chapter, if the work is in chapters or 10% of the number of words if it is not divided into chapters.

Copying a whole textbook would not be considered fair, even if you need it for your course but you think it is too expensive. If you are a low income student and face serious financial difficulty in meeting your education costs, you will find helpful information on the Equity Services website at <https://www.qut.edu.au/about/equity/our-services>

For artistic work, video and sound recordings, there is no simple rule as to how much you can copy for research and study purposes. There are a number of factors you have to consider.

If you have bought some computer software, or you are a licensed user, the Copyright Act says that you may make a copy of the program for the purposes of backup, research and study, error correction, interoperability (making your program interact with other software) and security testing.

Research and study includes assessment, so you may include fair portions of works in your assignments, projects and theses, provided that you attribute the sources properly. The copyright situation gets more complicated if your project or thesis will be distributed beyond your assessors. If this is likely, consult the Publishing and Communicating section of the *QUT Copyright Guide* on the web at <https://www.library.qut.edu.au/copyrightguide/>.

What about the internet?

You may have heard that all the stuff on the internet is free of copyright. Well, that's not correct. If you want to use material found on the web for your research and study, you may do so under the fair dealing provisions, but remember that you are restricted to using the material for that purpose only. Of course, if the website states that you can use the material for other purposes, then you can use it as permitted.

There's lots of music and movies on the internet - is it OK to download that?

Most of the music and movies available for download from websites or through peer to peer networks is in the form of illegal copies, which infringe copyright. If you come across a website offering lots of downloads from many different bands and artists for nothing or a very small fee, then you can be pretty sure they aren't legitimate.

Using QUT equipment to download, upload, share or store music or movies without the permission of the copyright owner is a breach of the Acceptable Use of IT Resources Policy, and will cause you to be involved in disciplinary action, and to have your account suspended. You will also be vulnerable to prosecution by the media industries if they catch you. Music is particularly dangerous stuff to deal with online. With respect to the music industry, the people who own the copyright in the songs are very keen to defend their property. In 2003, three university students in Sydney were convicted of music copyright offences and one received a jail sentence.

QUT logs network activity. These logs are used to manage IT resources, including detecting security breaches and resolving faults, and to investigate possible unlawful activity or breaches of QUT statutes and rules. If in the course of system maintenance, music or movie files for which you are responsible are discovered on university equipment, you will be asked to (1) prove that you have permission of the copyright owner and (2) justify that the music is for QUT-related purposes.

Where can I get more help?

If you need more information, consult the *QUT Copyright Guide* online at <https://www.library.qut.edu.au/copyrightguide/>.

The Acceptable Use of IT Resources Policy is available online at http://www.mopp.qut.edu.au/F/F_01_11.jsp