

A quick guide to Copyright



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Copyright Basics—what is it

Copyright protects the original works of a creator, regardless of whether the work is published or unpublished.

Under the Copyright Act 1994, copyright automatically applies as soon as the work is put into material form – whether in print, stored on computer or recorded in some way.

New Zealand protects the rights of copyright owners from other countries in the same way it does for our own copyright owners.

The Copyright Act makes it unlawful to copy all or part of a work without a licence or without approval from the copyright owner, unless there is a statutory exception for such copying.

Waiariki Institute of Technology subscribes to the CLL license on an annual basis which enables teaching staff to copy more for students than is permitted under the Copyright Act.

In New Zealand Copyright Licensing Limited (CLL) is the recognised collecting society for the licensed use of New Zealand publishers and authors works and also those of overseas publishers and authors. This assists licensed organisations to maximise the use of information contained in copyrighted material without breaching the Copyright Act.

CLL ensures that creators are fairly reimbursed for the use of their copyright material.

What is protected by copyright

The Copyright Act protects all original works of authorship whether the copyright symbol is shown or not.

Including:

- Literary, dramatic, musical and artistic works
- Published editions of such works
- Sound recordings, films, broadcasts and cable programmes
- Computer software

How long does it last?

In New Zealand, copyright in literary, artistic, dramatic and musical works lasts for the lifetime of the creator, plus 50 years from the end of the year of death.

Publisher's copyright lasts for 25 years from the end of the year in which the first edition was published.

Copyright in films and sound recordings lasts for 50 years from the end of the year in which they were completed or made available to the public, whichever is later.

Copyright in communication works continues for 50 years from the end of the year in which it was first communicated to the public.

What can I copy?

Copying permitted under the CLL License:

- Up to 10% or one chapter of a book (whichever is greater)
 - Up to 15 pages of all (or part) of a single work contained in a collection or anthology of works
 - 1 article (or part of an article) from a journal; additional articles maybe copied from same journal edition *if* on the same subject
 - An artistic work (such as an illustration in a textural work)
 - A complete work, *only* when the work is out of print and unavailable for purchase (permission needs to be granted by CLL)
 - Material obtained through interloan service, *if* it cannot be source from an alternative source.
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What can I copy?

Digital Copies:

- Scanned hard-copy material can be placed on e-campus but must be identified (APA) with source details (*excluding* subscribed database material)
- May not be systematically stored and indexed with the intention of creating an electronic database of works
- May not be made available on a publicly accessible website
- May not be made available to anyone other than students and staff of the licensee via password protected intranet

Excluded from CLL license:

- Works downloaded from the internet
 - Loose maps and charts
 - House publications (publications for employees)
 - New Zealand Newspapers (separate license required)
 - Photographs and illustrations published separately from a textual work
 - Theses, dissertations and student papers
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Databases and Copyright

Te Wairere Library Learning Centre subscribes to a variety of electronic databases, journals and books.

NO material (PDF or HTML) from these may be placed on e-campus.

NO material can be copied multiple times and distributed to students.

If you want your students to read material located on a database provide them with the persistent URL that each database provides.

Public Domain Resources

All works that are not protected by copyright are in what is known as the “Public Domain” and can be freely used without permission. Works generally enter the public domain when copyright expires and are usually identified as being freely available for use and/or copying.

Creative Commons

Creative commons license permit users to utilise the work of the original creator. Depending upon the license that has been assigned to the work you are permitted to copy, distribute, display, and perform the work or derivatives of as long as you recognise the creator (attribution). In addition you need to make your derivative available through creative commons (share alike). For license information please refer to:

http://www.creativecommons.org.nz/licences_explained__1

Consequences of a copyright breach

Waiariki Institute of Technology Policy:

Waiariki Institute of Technology – Whare Takiura is committed to complying with all applicable legislation, including copyright. Failure to comply with copyright requirements puts the individual and organisation at risk of prosecution and may result in disciplinary action.

Copyright Legislation:

Penalties for copyright offences carry a maximum of five years imprisonment and/or up to \$150,000 per offence.

Copyright Licensing Limited:

Copyright Licensing Limited's role is to act on behalf of the copyright owner in the protection of the legitimate use of their works.

CLL takes copyright infringement seriously and will take any necessary action to ensure that rights of copyright owners are maintained.

Information used for this booklet has been obtained from Copyright Licensing Limited's website and print documentation. For more information go to www.copyright.co.nz.

Access the Act at NZ Legislation on the library E-Links page.

Who can I contact for advice?



Wendy Monk
School Liaison Librarian
Te Wairere Library Learning Centre
N Block—3rd Floor
Mokoia Campus
Extn: 8705
Wendy.Monk@waiariki.ac.nz



Copyright Licensing Limited
PO Box 331488
Takapuna 0740
North Shore City

PH: (09) 486 6250
Fax: (09) 486 6260
Email: ccl@copyright.co.nz
www.copyright.co.nz