

 <b>Telford</b> Rural Polytechnic <i>Te Whare Wanaka O Puerua</i>		<b>Ref No.</b>	<b>3 - 14</b>
		<b>Version No.</b>	<b>4</b>
		<b>Date Issued</b>	<b>19 March 09</b>
<b>Title</b>	<b>COPYRIGHT</b>		
<b>Responsibility</b>	<b>Director, Finance and Administration</b>		

## 1. PURPOSE

To ensure that all reprographic activities undertaken by Telford comply with the requirements of the Copyright Act 1994.

To ensure that any material which constitutes Telford's intellectual property contains an approved copyright statement.

## 2. APPLICATION

This Policy and Procedure applies to all Telford and Telford Farm staff, students, contracted parties and members of the general public who may utilise or seek to utilise Telford's reprographic facilities.

## 3. DEFINITIONS

### Copyright

Copyright is a property right that exists in original works of the following descriptions:

- Literary, dramatic, musical or artistic works;
- Sound recordings;
- Films;
- Broadcasts;
- Cable programmes;
- Typographical arrangements of published editions;
- Software and IT-related programmes.

### Copying Printed Material for Education Purposes

In the case of printed literary, dramatic, musical or artistic works, copyright is not infringed by the copying of the work if:

- The copying is done by a reprographic process or by any other means; *and*
- The copying is done:
  - in the course of preparation for instruction; *or*
  - for use in the course of instruction; *or*
  - in the course of instruction; *and*
  - by or on behalf of the person who is to give the course of instruction; *and*
- No charge is made for the supply of a copy to a student who is to receive the course of instruction; *and*
- No more than 3% or three pages (whichever is greater) of the work is copied, or where this would amount to the whole of the work being copied, no more than 50% of the entire work is copied.

### **Copying Printed Material for Research or Private Study**

Copying of printed material for the purposes of research or private study is permitted if it is classified as "fair dealing". To determine if the copying is "fair dealing", it is necessary to determine:

- The purpose of the copying; *and*
- The nature of the work being copied; *and*
- Whether the work could have been obtained within a reasonable timeframe at an ordinary commercial price; *and*
- The amount of the work to be copied; *and*
- The effect of the copying on the potential market for, or value of, the work.

### **Copying Films and Sound Recordings for Educational Purposes**

Any work that is a sound recording, film, broadcast or cable programme is not infringed by the copying of that work if the copying:

- Is undertaken in the course of preparation for instruction; *or*
- Is for use in the course of preparation; *or*
- Is in the course of instruction; *or*
- Is after the course of instruction, where the course of instruction is on how to make films; *and*
- Is done by or on behalf of a person who is to give, is giving or has given the course of instruction; or by or on behalf of a person who is to receive, is receiving or has received the course of instruction; *and*
- That no charge is made for the supply of a copy to any person who is to receive, is receiving, or has received the course of instruction.

## **4. STATUTORY OBLIGATIONS**

This Policy and Procedure complies with the provisions of the Copyright Act 1994.

## **5. POLICY**

- 5.1 All Telford and Telford Farm staff, students, contracted persons or authorised users of Telford photocopying machine must observe the percentages of works to be copied.
- 5.2 Only one copy of printed material for the purposes of research or private study may be made on any one occasion. The copied material may not be used for any other purpose.
- 5.3 Photocopy rules will be prominently displayed on or near all Telford photocopiers.
- 5.4 All staff are responsible for ensuring that curriculum and related programme course delivery documents developed by, or on behalf of Telford and which constitute Telford's intellectual property, contain the approved statement of copyright.
- 5.5 Telford, as a provider of internet access, is regarded as an Internet Service Provider, and as such, has responsibilities in law to police the downloading of copyrighted material – documents, multi-media etc. If Telford identifies that any user of the Telford network has infringed copyright by downloading copyright material, then the user will be barred from accessing the internet through Telford's connection.

## **6. PROCEDURE**

- 6.1 The following approved copyright statement will be included at the foot of the cover or title page of all curriculum and related programme/course delivery material:

© Telford Rural Polytechnic [year]

*All rights reserved. Telford Rural Polytechnic (Telford) is the owner of the copyright in this publication. Other than as permitted by the Copyright Act 1994, no part of this publication may be reproduced, copied or transmitted in any other form, or by any other means, without the prior written permission of TRP, Private Box 6, Balclutha, New Zealand.*

- *is not responsible for the results of any actions or in-actions occurring on the basis of information supplied, nor for any omissions or errors.*
- *while referring learners to manufacturer's websites, or to other resource material from specific suppliers (e.g. information pamphlets) - for reading, viewing photos or other research - is doing so in order to enhance learners' knowledge and awareness. Such references are not an endorsement for any particular service or product, nor are they intended to direct learners away from other services or products of a similar nature.*

6.2 Within a curriculum or programme/course delivery document, each page that has been developed by, or on behalf of Telford and which constitutes Telford's intellectual property must display the © insignia at the foot of that page.

## 7. RECORD MANAGEMENT

Nil.

## 8. ASSOCIATED DOCUMENTS

Nil.

REVISION HISTORY			
Version	Description of Change	Author	Effective Date
1	Major review.	External consultant	April 2004
2	Triennial Review – no change	QMS Team	April 2006
3	Alignment of the QMS with actual practices at Telford in response to the ITPQuality Audit Report, April 2007. Policy 3-14 Copyright Statement version 2 and 3-15 Copyright Procedure version 2 combined. No change to content. Clause 8 added. Responsibility changed from AD to DFA. Minor editing and re-formatting.	QMS Policy Review Committee	1 March 2008
4	Staff brought to the Committee's attention best practice in regard to internet access.	Staff	19 March 2009