

# Copyright Policy

## Section 1 - Purpose and Scope

### Purpose

(1) The University is committed to applying and complying with the [Copyright Act](#) to ensure the fair and equitable balance between the rights of creators, owners and users.

(2) This Policy defines how the University complies with copyright law and the responsibilities of individuals when making use of copyright material.

### Scope

(3) This Policy applies to all University staff, students and affiliates.

(4) This Policy does not cover ownership of Intellectual Property Rights created by Staff and Students of Southern Cross University which is governed by the University's [Intellectual Property Rights Policy](#).

## Section 2 - Definitions

(5) For the purposes of this Policy:

- a. [Copyright Act](#) means the Copyright Act 1968 (Cth).
- b. Copyright Officer means a person appointed by the Vice-Chancellor who is responsible for making certain decisions under this Policy, and if no person is appointed as Copyright Officer, the Director, Library Services.
- c. Open Access means a set of principles and a range of practices through which material is distributed online, free of cost or other access barriers. Through licensing via an open licence (usually a Creative Commons Licence), freely available material can also be legally shared and reused.
- d. Statutory Licence means a licence made under provision of the Act that permits educational institutions to reproduce and communicate a range of copyright material without having to seek explicit permission from copyright owners.

## Section 3 - Policy Statement

(6) All use, reproduction and distribution of copyright material at the University is required to comply with the provisions of the [Copyright Act](#) and any relevant statutory licence agreements currently in force.

(7) Information on the use of copyright material is kept up to date on the University's [copyright website](#).

(8) A breach of this Policy by a Staff member may be treated as misconduct depending on the nature of the breach and will be dealt with in accordance with University policies, procedures and processes.

(9) A breach of this Policy by a Student may be treated as non-academic misconduct which will be dealt with under the [Rules - Student Academic and Non-Academic Misconduct Rule](#).

(10) The University promotes the use of Open Access licensed material as a preferred option to copyright material where possible.

## Section 4 - Procedures

### Statement of Responsibilities

(11) The University is responsible for:

- a. supporting staff, students and individuals associated with the University to understand their copyright rights and responsibilities;
- b. developing, implementing and maintaining systems and processes to facilitate copyright compliance;
- c. monitoring and responding to changes in copyright legislation;
- d. investigating and enforcing alleged breaches of the [Copyright Act](#) reported to the University.

(12) Individuals are responsible for:

- a. developing an awareness and understanding of their rights, obligations and liabilities related to their use of copyright works for University activities;
- b. adhering to the requirements of the [Copyright Act](#), the Copyright Policy, Procedure and processes when using copyright works;
- c. seeking advice from the Copyright Officer to ensure compliance;
- d. reporting any breaches of copyright which they are made aware of;
- e. ensuring that any copyrighted material used under the Statutory licence or any other licence is registered with the relevant Library copyright management system.

(13) The Library is responsible for:

- a. administering the application of the [Copyright Act](#), associated licences, notifications and labelling requirements, and remuneration payments on behalf of the University;
- b. providing and maintaining systems to enable access to copyright material for teaching, learning and research activities.

(14) The Copyright Officer is responsible for:

- a. monitoring copyright compliance obligations set out by the [Copyright Act](#) and license conditions;
- b. promoting the guidelines, processes and systems that support individuals in meeting their obligations;
- c. providing training and expert advice to individuals on the use and attribution of copyright and licensed material at the University;
- d. maintaining the currency and accuracy of information on the University's [copyright website](#);
- e. auditing and reporting on the use of copyright works at the University;
- f. investigating alleged breaches of copyright reported to the University.

## Section 5 - Associated Documents

(15) This Policy should be read in conjunction with:

- a. [Copyright Act](#)

- b. [Intellectual Property Rights Policy](#)
- c. [Copyright website](#)
- d. [Information Technology Conditions of Use Policy](#)

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	9th December 2021
<b>Review Date</b>	9th December 2024
<b>Approval Authority</b>	Vice Chancellor
<b>Approval Date</b>	9th December 2021
<b>Expiry Date</b>	Not Applicable
<b>Responsible Executive</b>	Mary Spongberg Senior Deputy Vice Chancellor +61 7 55893361
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