

USE OF COPYRIGHT MATERIAL FOR EDUCATIONAL PURPOSES POLICY

Section	Academic
Contact	University Copyright Officer
Last Review	January 2024
Next Review	January 2027
Approval	AB24/02/05

Purpose:

The purpose of this policy is to:

- facilitate the lawful and appropriate use of copyright materials in the activities of the university.
- reduce the risks to staff and students associated with the use of copyright materials.
- protect the university's reputation in relation to the use of copyright material.
- protect the rights of copyright owners.
- clarify exceptions to the Act, including under the [Marrakesh Treaty](#), which allow for the reproduction, distribution and exchange of copyright works in accessible formats for individuals with print disabilities; and
- identify responsibility for copyright compliance.

Policy Statement:

1. All staff and student users of copyright materials for educational purposes must comply with the requirements of the Copyright Act 1994 and subsequent amendments, and with the requirements of the copyright licenses held by the university.
2. Electronic journals, e-books and other digital materials provided by the library are covered by publishers' licenses, and any restrictions on these licenses prevail over copyright law, even for educational purposes.
3. All copyrighted materials copied for general teaching and learning purposes must be provided to students through the university's electronic copyright managing and reporting system (eReserve).
4. Copying and/or conversion of materials into accessible formats under the Marrakesh Treaty must be done within the terms of the Act.
5. Records in relation to the use of copyright material for educational purposes must be kept and disposed of in accordance with the General Disposal Authority for New Zealand Universities.

Responsibility:

Staff are responsible for ensuring continued compliance with all copyright requirements in their areas of activity. Staff with teaching or learning-support activities are also responsible for ensuring that students are aware of copyright requirements pertaining to them. This includes referring to information available via the [student copyright information](#) page on the website and seeking advice from the University Copyright Officer (copyright@massey.ac.nz) or the [staff copyright information pages](#) if there is any uncertainty regarding copyright requirements.

Definitions:

The Act: The Copyright Act 1994 and subsequent amendments

Accessible format copy: defined in the Act as: “a copy of a published literary, dramatic, musical, or artistic work, or a part of the work, in an alternative manner or form that gives persons who have a print disability access to the work.”

Copying: reproducing or recording a work in any material form (including any digital format). This includes scanning, photocopying, retyping, transferring, duplicating from any format to any other format, and sharing across systems (e.g., Stream).

Copyright: Copyright protects the expression of an idea, rather than the idea itself. It is intended to protect a particular work, such as a painting or a written work, from unfair plagiarism or unauthorised copying.

Copyright licences: The University has a range of licences which support the use of copyright works and extend the allowances of certain materials under the Act. Information about these is [available here](#). If a copyright licence does not explicitly permit an activity or use, the provisions of the Act apply.

Copyright materials: Any materials in which copyright exists, irrespective of format or purpose, and including printed, textual, digital, educational, literary, dramatic, musical, artistic, typographical, film and /or sound materials.

Educational purposes: refers to making copies of copyright material as part of educational learning resources including, but not limited to, study guides, student notes, handouts, audio, video and other digital resources. This includes uploading copyright works to online environments. Educational purposes also includes copyright works used for instructional purposes in the classroom, for example, including artistic works (graphs, diagrams, illustrations, images), playing music, showing a video or including works from the internet and digital media.

Marrakesh Treaty: The Marrakesh Treaty is an international agreement that allows for the reproduction of copyright works in accessible formats such as braille, audio, and large-print books.

Print disability: The Act defines a print disability, in relation to a person as:

- An impairment that prevents the person from enjoying a printed copyright work to the same degree as a person who does not have that impairment; but
- Excludes an impairment of visual function that can be improved, using corrective lenses, to a level that is normally acceptable for reading without a special level or kind of light.

Staff: Refers to any individual working at, for, or on behalf of, the University (whether paid or unpaid), including but not limited to permanent staff, contractors, subcontractors and their employees, guest lecturers, interns, and volunteers.

Student: Any individual enrolled in a programme of study at Massey University, including those enrolled in short courses and/or micro credentials.

Audience:

All staff and students

Relevant Legislation:

Copyright Act 1994

Legal Compliance:

Further to the definition of Copyright provided earlier in this document, there are no registration requirements for copyright. Copyright arises automatically on creation of a work provided various criteria are met, such as originality

Related Procedures/Documents:

eReserve and reading lists.
General Disposal Authority for New Zealand Universities.
Intellectual Property Policy.
Individual licences held.
Recording of Scholarly Work and Student Work Framework.
Recording of Scholarly Work and Student Work Policy.
Student Copyright Information.

Document Management Control:

Prepared by: Academic Strategy Manager
Authorised by: University Copyright Manager
Approved by: AB24/02/05
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