

COPYRIGHT POLICY AND PROCEDURE

1 PURPOSE & OBJECTIVE

- 1.1 The purpose of this procedure is to ensure that Academy staff and students are aware of and behave in compliance with The Copyright Act 1957 (as amended by the Copyright Amendment Act 2012) of India (the Act), which grants exclusive rights to creators and owners of copyright material.

2 SCOPE

- 2.1 This procedure applies to all Academy students and staff.

3 PROCEDURE

- 3.1 The Principal Administrator manages the Academy's copyright systems and undertakes a compliance check on an annual basis.
- 3.2 All staff involved in the production, reproduction or delivery of teaching materials are advised of legal requirements under the Act as part of their initial induction and are required to undertake 'refresher' training once every three years.
- 3.3 Students are advised of legal requirements under the Act as part of orientation.
- 3.4 Where seeking to rely on the Academy's licences or exemptions, staff must pay particular attention to the limits on the amount that may be copied and the labelling requirements as specified by the Act.
- 3.5 Where a specific licence or permission has been obtained from the copyright owner, staff are responsible for ensuring that their use complies with the terms of that licence or permission.
- 3.6 The notice provided in Appendix A must be included on all copyrighted material (A4: 97mm by 210mm).

4 ROLES AND RESPONSIBILITIES

- 4.1 The Principal Administrator is the accountable officer in relation to the Act, responsible for the Academy's obligations under the Act. The Principal Administrator may delegate this authority to other Academy staff.
- 4.2 The Principal Administrator or the delegate is responsible for the establishment and management of copyright systems and effective copyright management.
- 4.3 All staff are responsible for complying with the Act, including the production and use of material generated in the course of their duties or under their direct control, as well as the use of third-party copyright material.
- 4.4 All students are responsible for complying with the Act, in all aspects of study including the use of third-party copyright material.

5 DEFINITIONS

COPYRIGHT	means the exclusive right of the copyright owner to publish, copy, adapt, communicate, broadcast, rent, or perform material contained in literary, dramatic, musical, artistic works, computer software, sound recordings, films, and broadcasts (or adaptations of those works), and other uses and materials defined in the The Copyright Act 1957 (as amended by the Copyright Amendment Act 2012) of India.
EDUCATION PURPOSES	means the preparation, teaching or administration of an Academy program of study.
MORAL RIGHTS	means the personal rights conferred by The Copyright Act 1957 (as amended by the Copyright Amendment Act 2012) of India in relation to literary, dramatic, musical or artistic works and cinematograph films.
STAFF	means employees of the Academy.
STUDENT	means an admitted or enrolled student of the Academy
TEACHING MATERIALS	means the materials in any form prepared for the teaching of an award course or program that is offered or intended to be offered by the Academy. They include lectures notes, material, assessment materials, images, web content, etc

Appendix 1: Copyright Notice

**The Copyright Act 1957
(as amended by the Copyright Amendment Act 2012) of India**

WARNING

Copyright owners are entitled to take legal action against persons who infringe their copyright. A reproduction of material that is protected by copyright may be a copyright infringement. Certain dealings with copyright will not constitute an infringement, including:

A reproduction that is a fair dealing under the The Copyright Act 1957 (as amended by the Copyright Amendment Act 2012) of India [The Act] including a fair dealing for the purposes of research or study; or

A reproduction that is authorised by the copyright owner.

It is a fair dealing to make a reproduction for the purposes of research or study, of one or more articles on the same subject in a periodical publication, or, in the case of any other work, of a reasonable portion of a work.

In the case of a published work in hardcopy form that is not less than 10 pages and is not an artistic work, 10% of the number of pages, or one chapter, is a reasonable portion. In the case of a published work in electronic form only, a reasonable portion is not more than, in the aggregate, 10% of the number of words in the work.

More extensive reproduction may constitute fair dealing. To determine whether it does, it is necessary to have regard to the criteria set out in Act. A court may impose penalties and award damages in relation to offences and infringements relating to copyright material.

Higher penalties may apply, and higher damages may be awarded, for offences and infringements involving the conversion of material into digital or electronic form.

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