Under the Copyright Act 1968, all educational institutions are allowed to copy and communicate any third party material as long as it is for the educational purposes of the institution. A licence fee is collected by Copyright Agency on behalf of the authors and publishers. This aims to balance the copying needs of schools, universities, TAFEs, private colleges and RTOs with the rights of authors and publishers. The Copyright Agency is appointed by the Attorney General's department to administer this licence.

The Education Copyright Licence

What does the licence cover?
The licence covers the copying and communication of:

- **Hardcopy material** — copies made from a hard copy document, including paper-to-paper copies and paper-to-digital copies; and

- **Digital material** — reproduction in a digital form (e.g. digital to digital) and communication of copies in a digital form (e.g. posting on an intranet).

Who is licensed?

"Educational institutions", as defined in the Copyright Act. Government and catholic schools, universities and TAFE institutions across Australia are licensed as are most private schools, independent colleges and registered training organisations (RTOs).

What is Copyright Agency’s role?

Copyright Agency has been appointed by the Federal Attorney-General to administer the Education Copyright Licence. Copyright Agency aims to secure fair payment for authors and publishers and to provide users with a legal and practical copying system.

How much does a licence cost?
The fee varies for each educational sector. Educational institutions covered by the licence enter into an agreement with Copyright Agency for the payment of a licence fee.

All universities, TAFEs and schools have a negotiated fee with Copyright Agency.

All other providers (i.e. independent private colleges, training arms, RTOs, community colleges etc) pay annually on an individual basis. The fee varies depending on whether the organisation is commercial (i.e. For Profit) or non-commercial (i.e. Not For Profit).
### Copying content

**What works can we copy?**
The Education Copyright Licence allows teachers and students to copy and communicate nearly all text and images. This includes:

- printed and digital content
- local and foreign content
- published and unpublished content
- content from any source including: books, journals, magazines, newspapers, posters, print music, photographs, maps, eBooks and the internet.

**Who can we give the copies to?**
The copying must be for the educational purposes of the educational institution. This includes copying for students and staff.

**Can we copy at another location?**
Yes. An institution can make copies on their own premises or have the copying undertaken at another location. The most important point is that the copying is undertaken for and on behalf of the educational institution.

**Do we have to own the original work?**
No.

**How many copies can be made?**
There is no limit to the number of copies you can make. However, every copy you make needs to be for the educational purposes of the institution and within the copying limits.

### Do we need to monitor electronic copies?
For electronic copies and electronic communications, the institution must take all reasonable steps to ensure that each communication can only be received or accessed by persons entitled to receive or access it.

### Copyright Agency surveys

**Licence participation**
A requirement of the licence is participation, when selected, in a survey.

Each year, Copyright Agency surveys the copying activities of a representative selection of institutions throughout Australia. The survey is structured to take into account variations such as the size, location and type of institution.

The surveys provide Copyright Agency with sufficient information to determine the amount of copying and the identification of the works being copied. Copyright Agency can then use the information as the basis for distributing monies to creators of content.

**The advantages of a survey**
Most educational institutions find it administratively difficult to keep records of all copying all of the time.

Under a survey system, institutions are relieved of the burden of full time record keeping. The survey gives reasonably accurate data, without the administrative cost of keeping and processing records of all copying all of the time.
**Copying limits: digital material**

**How much can be reproduced from digital originals?**

**Literary and dramatic works**
- 10% of number of words;
- the whole work if not published or published on its own; and
- the whole work if not available within a reasonable period of time at an ordinary commercial price.

**Periodical publications**
- one article per issue or more if the same subject matter.

**Musical works**
- 10%;
- the whole work if not published or published on its own; and
- the whole work if not available within a reasonable period of time.

**Artistic works**
- all of an artistic work.

---

"The Copyright Licence is such a simple and cheap solution to avoiding copyright breaches. No more worrying about chasing permission from authors or journals when using articles for teaching purposes. Almost too easy to be true."

*Dr Lucy van Baalen*

*Teacher and Course Coordinator, Australian Medical Acupuncture College*

---

**Copying limits: hardcopy material**

**How much can be reproduced from hardcopy originals?**

**Books and other separately published works**
In respect of a literary, dramatic or musical work contained in a published edition of that work, being an edition of more than 10 pages in length, a reasonable portion may be copied which means the greater of:
- a. 10% of the number of pages in that edition; or
- b. one chapter of that edition.

This does not apply to the copying of an article in a periodical publication.

**Periodical publications**
- the whole or part of an article contained in any issue of a periodical publication; or
- the whole or part of two or more articles contained in any issue of a periodical publication if those articles relate to the same subject matter.

**Anthologies**
The whole or part of a literary or dramatic work in a published anthology of works if that work comprises not more than 15 pages of that anthology.

**Artistic works**
An artistic work may be copied in whole or part if:
- a. that artistic work accompanies a literary or dramatic work for the purpose of explaining or illustrating the literary or dramatic work copied (and the literary or dramatic work has been copied within these limits); or
- b. it is not separately published.

If an artistic work has been separately published, no more than a reasonable portion of that work can be copied unless a new copy of the artistic work cannot be obtained within a reasonable time at an ordinary commercial price.

**Works not separately published**
The whole or part of a literary, dramatic, musical or artistic work (other than an article in a periodical publication) which is not separately published.

**Unavailable works**
The whole or part of a literary, dramatic, musical or artistic work (other than an article in a periodical publication) if a new copy of that work cannot be obtained within a reasonable time at an ordinary commercial price.

"A Copyright Agency Licence allows our students to have access to a diverse range of learning materials in a timely and flexible manner. Being licensed also allows Navitas English to give something back to authors and publishers."

*Helen Zimmerman, Executive General Manager, Navitas English*
Definitions

Reasonable Time
For the purpose of copying unavailable works (including artistic works) ‘reasonable time’ means six months in respect of course materials which are hardcopy textbooks intended to be issued to or otherwise obtained by any student enrolled in any program of study and 30 days in respect of other works. In relation to text books an educational institution should contact Copyright Agency if it is unable to purchase the work within that ‘reasonable time’.

Artistic works
Maps, illustrations, drawings, pictures.

Dramatic works
Plays, scripts.

Literary works
Short stories, texts, poems.

Anthologies
Books of readings, collections of works.

Periodical publications
Newspapers, magazines, journals.

Musical works
Sheet music.

Getting your licence is easy

For more information, contact our Educational Licensing Department below.

Level 12, 66 Goulburn Street
Sydney NSW 2000
www.copyright.com.au