

1.0 POLICY

This document sets out Holmesglen's rule and provides guidelines for the use, management, copying and communication of copyright materials. It is stressed that the penalties for breach of the Copyright Act are severe both for the organisation and the individual. Therefore, employees may only copy materials in accordance with this rule to ensure that Holmesglen does not by any mistake or omission pay for copying under the Educational Statutory Licence.

Print materials

Holmesglen's obligations arise from the [Agreement with Copyright Agency Limited \(CAL\)](#) and the election to copy under Part VB of the Copyright Act 1968. The provision of this rule includes that all employees must ensure that:

- (i) Copyright materials created by employees in the course of their employment must be effectively identified in accordance with attribution requirements.
- (ii) Appropriate permissions and licences are obtained and documented prior to the use of materials.
- (iii) All Holmesglen and non-Holmesglen materials are effectively attributed.
- (iv) Copying of print materials under the statutory licence are within the specified requirements, as set out in this rule.

Audio-visual materials

Holmesglen does not permit the copying of any 'Off Air Broadcast Programs' from television, radio or online for use at or on behalf of Holmesglen under the Copyright Act, 1968, Part VA. Refer to Clause 4.8 and 4.9 in this Rule. Unauthorised showing of such programs may incur penalties.

Refer to [GOV118 Staff Reminder Notice - Off Air Broadcast - No Copying Policy](#).

Management and use of Holmesglen's materials

All copyright materials created by employees in the course of their employment must be properly and effectively identified in accordance with the attribution requirements.

Whenever such materials include third party material, due acknowledgement is required in accordance with the attribution requirements. Refer to Attribution – Clause 4.2 in this Rule.

Employees shall refer to the [Copyright Quick Reference Guide](#) as an overview of Holmesglen's Rule for Copyright. Copies of this booklet are available from the Media Services Department and via the [Media Services Work Request](#) procedure in the Holmesglen Management System via the Staff Intranet. The [Rule for Intellectual Property](#) may also be referred to, where required.

The Learning Commons and Media Services Department are the key contact points for the provision of support, assistance and training for the implementation of this rule.

2.0 DEFINITIONS

2.1 Copyright overview

The following is an overview and not a comprehensive coverage of copyright. It is provided to employees as a source of information.

Copyright is an intangible form of property within an area of law known as [Intellectual Property](#). This area of law includes patents, trade marks, designs, confidential information and passing off (one party misusing another party's goodwill and reputation by misrepresenting that their goods or services are those of or are related to the other party).

In essence, Intellectual Property is a term applied to a number of legal rights which are original in creation and have been expressed in a material form (such as in writing) by the creator.

It is by virtue of the Copyright Act 1968, that copyright exists. This Act is a Commonwealth law applying to the whole of Australia.

The Copyright Act, 1968, protects materials in two broad categories:

- (i) Works that are original literary, artistic, dramatic and musical works:
 - literary works include novels, poetry, song lyrics, articles, databases, computer programs
 - artistic works include paintings, sculptures, photographs, plans, maps, drawings, engravings, cartoons and models of buildings
 - musical works include musical scores for opera, orchestral, band and music for songs and jingles, sheet music or broadsheets
 - dramatic works include plays, radio television or film scripts and other works intended to be performed (ie mime, dance).

For work to attract copyright protection it must be original. An original is the result of an author's own intellectual effort, skill and labour and not copies from another's work. The idea itself is not protected – it is the written version that copyright protects.

- (ii) Subject Matter includes:
 - sound recordings (including CDs, audio tapes, cassettes)
 - films (documentaries, feature films, animated films)
 - broadcasts (television and radio programs)
 - published editions of works (the typographical arrangement is protected).

2.1.1 Copyright – exclusive rights

The Copyright Act 1968, grants to the creator the rights to reproduce, communicate, publish, broadcast and perform the work. These are economic and legal rights for the creator or copyright owner to exploit and protect.

2.1.2 Copyright – protection

The Copyright Act 1968 protects the creator's intellectual endeavours with exclusive rights. Anyone engaging in these exclusive rights without the copyright owner's permission or a legal right to do so infringes the copyright.

The Copyright Act 1968, gives the copyright owner certain legal rights to damages (monetary compensation) and injunctions (right to stop illegal activity).

There are also criminal provisions for certain acts, eg piracy. The period of protection for most works is 70 years from the death of the author.

2.1.3 Copyright – moral rights

Moral rights form part of the Copyright Act 1968:

- right of attribution of authorship
- right against false attribution
- right of integrity of authorship.

Moral rights cannot be assigned and the rights remain with the author.

2.1.4 Copyright – exceptions

In creating exclusive rights and legal recourse the Copyright Act 1968 has also created exceptions to the owner's exclusive rights. These exceptions include fair dealing, library copying, copying by educational institutions and copying to assist persons with a print or intellectual disability.

Fair dealings permit the use of works and are not an infringement of copyright if its use is for the purpose of research or study, criticism or review, reporting news or the giving of professional legal advice.

The Educational Statutory Licence permits educational institutions to copy and communicate works within certain limits.

Library copying permits certain copying by libraries for:

- library users
- other libraries.

2.2 Educational statutory licence – print materials only

The Educational Statutory Licence is contained in Part VB, Copyright Act. This licence permits educational institutions to copy and communicate works (literary, dramatic, musical and artistic works) for educational purposes.

There are two copying schemes under this licence:

- (i) Hardcopy Scheme – Where photocopying and scanning of hardcopy materials are permitted within copying limitations.
- (ii) Electronic Use Scheme – Where all works that appear in electronic and/or digital form are permitted for use within copying limitations.
- (iii) Educational institutions relying on the statutory licence to copy and communicate are required to make an annual payment subject to Victorian TAFE surveys and the Victorian TAFE Association/CAL Agreement.

Copying under this licence must:

- be used solely for educational purposes (ie made or used for course instruction) and retained in the Learning Commons as part of the collection)
- be within the copying limitations
- not be sold or otherwise supplied for financial profit
- not be provided to any other educational institution that is not entitled to copy under the licence.

Attribution requirements will apply to all materials that are copied. Refer to Clause 4.2 in this rule for attribution for Holmesglen and non-Holmesglen materials.

- 2.3 Employees in the rule include persons who are employed and/or contracted by Holmesglen and have access to copyright materials for the development of resources.

3.0 RESPONSIBILITIES

3.1 All employees

It is the responsibility of all employees to familiarise themselves with the requirements of the copyright law and apply the processes established by Holmesglen detailed in this rule to ensure the following:

- (i) Print materials
 - Attribution to all print materials is applied to all Holmesglen materials and third party materials.
 - Copying is within the specified limitations.
 - Permission/licence to copy is obtained and forwarded to Dean/Head of Administrative Department (HOAD)/Head of Department (HOD).
 - [GOV117 Copyright Permission](#) is completed for all permissions and licences obtained. All agreements of licences obtained must be with the approval of Dean/HOAD.
 - The [GOV115 Electronic Use Notice](#) is attached to any electronic document made available online or sent via email containing copyright material.
 - The referencing of online third party materials, with the use of a link will require specific notation, refer to [GOV119 Statement for Linked Pages](#).

(ii) Audio-visual materials

- All audio–visual materials used are authorised and are registered Holmesglen resources. These may only be accessed from the Learning Commons or Media Services Department prior to the showing of materials. Audio-visual items include videos and audio files (analogue and electronic), video and audio tapes, films, records, CDs and DVDs.
- No copies are made of any program broadcasted from television or radio, including online programs for use at or on behalf of Holmesglen.
Refer to [GOV118 Staff Reminder Notice – Off Air Broadcast – No Copying Policy](#).

(iii) Software programs

No copying of software including third party software is undertaken. Employees shall not:

- provide assistance to students to copy software at Holmesglen
- make any back up copy of software
- sell or give away earlier versions of software.

3.2 Copyright Officer/Media Services Department

The Copyright Officer is the Manager Media Services Department and shall assist all Holmesglen employees with queries relating to copyright. The Media Services Department shall:

- (i) conduct an annual review of Faculties/Departments of the Permissions/Licence Register
- (ii) co-ordinate the external survey licence requirements
- (iii) facilitate training/awareness programs across all areas of Holmesglen
- (iv) provide assistance and relevant copyright information to all employees.

3.3 Media Services Department and Learning Commons

The Media Services Department and Learning Commons are responsible for Audio-Visual Materials and shall:

- (i) provide support to employees for the access and use of any off-air broadcast materials
- (ii) acquire relevant broadcast programs from potential suppliers for commercial use. This will include evaluation of cost effectiveness and the educational benefit for Holmesglen
- (iii) retain and access such resources for the benefit of Holmesglen
- (iv) provide access to equipment or facilities for the showing of any broadcast material where permission has been obtained
- (v) address queries relating to all aspects of copyright
- (vi) ensure that the Staff Reminder Notice – Off Air Broadcast – No Copying Policy is displayed at or near all classroom audio-visual equipment and facilities capable of showing an off-air broadcast program. Refer to [GOV118 Staff Reminder Notice – Off Air Broadcast – No Copying Policy](#).

3.4 Technology Services Department

The Technology Services Department shall ensure that:

- (i) appropriate license is available at Holmesglen for the distribution of software
- (ii) all licences for software purchased for relevant departments reside with Technology Services.

The Technology Services Department shall review the Holmesglen network, as required for the existence of any 'Off Air Broadcast Programs' from television, radio or online. Refer to [GOV118 Staff Reminder Notice – Off Air Broadcast – No Copying Policy](#).

3.5 Managers

Managers shall ensure that:

- (i) employees are provided with relevant training to be conversant with the copyright guidelines
- (ii) appropriate permissions and licences are obtained and documented for all materials for use of educational purpose
- (iii) a Permission/Licence register is maintained.
Refer to [GOV114 Sample Permissions/Licences Register](#)
- (iv) a review occurs within the 12 month anniversary date to ascertain that appropriate licences and permissions are in place for materials available online
- (v) the Off-Air Broadcast 'No Copying Policy' is adhered to by all employees which includes:
 - all audio-visual material purchased, supplied free of charge, donated, or a copy made with permission is forwarded to Learning Commons or Media Services Department for Holmesglen identification and registration
 - only registered and authorised Holmesglen copies are used for the showing and playing for educational purposes.
- (vi) master copies are created for students with an intellectual and/or print disability, Refer to [GOV116 Marking for a Master Copy or a Template](#).

4.0 IMPLEMENTATION REQUIREMENTS

4.1 Permissions/Licences

Employees are encouraged to obtain permission or licence from the copyright owner prior to copying materials. All permissions and licences obtained on behalf of Holmesglen are documented on [GOV114 Sample Permissions/Licences Register](#). This register is subject to ongoing review.

- (i) Copyright terms must be verified when sourcing materials from websites. (For most sites click on 'copyright' at the foot of the opening or home page). Where copying is permitted for non-commercial use, clear acknowledgement and copyright notices are included.

Refer to [GOV112 Attribution - Holmesglen Materials](#), [GOV113 Attribution - Copyright/Third Party Materials](#), [GOV115 Electronic Use Notice](#) and [GOV119 Statement for Linked Pages](#).

- (ii) All materials copied must be clearly acknowledged and attributed.

Copying from Department of Education, Department of Employment, Australian Training Products (ATP) and Department of Education and Early Childhood Development must be clearly identified. (Copying is permitted by such departments for educational purposes).

Some copyright owners may grant permission without the need for payment. Materials created by such owners include industry bodies, industry associations, government agencies and departments.

4.2 Attribution (Print)

Copyright for print materials are required to be sufficiently identified where Holmesglen or non-Holmesglen copyright materials are used. All materials used must be within specified limitations.

- (i) Holmesglen materials and resources are the property of Holmesglen. Specific attribution must be attached when creating Holmesglen print materials including:
- title of resource
 - year resource created
 - owner of resource
 - department for resource
 - name/names of persons who contributed to the development of the resource.

Refer to [GOV112 Attribution - Holmesglen Materials](#) for attribution requirements for Holmesglen materials.

- (ii) Non-Holmesglen copyright materials include materials from other institutions. Specific attribution must be attached when using non-Holmesglen copyright print materials including:
- Title of publication
 - Name of author (where applicable)
 - Name of publisher
 - Actual pages (copied).

Refer to [GOV113 Attribution - Copyright/Third Party Materials](#). The GOV113 is to be attached to a resource when using non-Holmesglen materials.

4.3 Use of the Educational statutory licence – print materials

Holmesglen employees are advised that copying and communicating of print materials under the Educational Statutory Licence Hard Copy Scheme and the Electronic Use Scheme is permitted within the specified limitations as follows:

Hardcopy scheme

Copying limits that must be maintained under this scheme include:

- (i) Periodicals, including journals, newspapers, magazines

- Only one article may be copied from each edition of a periodical, journal or newspaper or
 - Two or more articles may be copied from each edition of a periodical, journal or newspaper, where the articles are on the same subject. (ie two articles in National Geographic on Antarctica).
- (ii) Books or similar publications – Up to 10% or one chapter may be copied. This means that the copies are up to 10% of the total pages or one chapter (even if the chapter is greater than 10%).
- (iii) Anthologies – A literary or dramatic work up to 15 pages published in an anthology may be copied. This means that the whole of a work (eg short story, poem, and essay) that is up to 15 pages in length.
- (iv) Artistic works
- The whole work which accompanies or explains text may be copied. This means that copying of text which includes artistic works is permitted.
 - Or the whole artistic work may be copied if it is not separately published.
- (v) Whole works (not including articles in periodical publications)
- The whole work may be copied where the work is not separately published or
 - Where the work is not available for purchase;
 - for text books, within six months
 - for other works, within thirty days.

Electronic use scheme

This scheme determines the limitation of any work in electronic (digital) form that may be copied. The requirements and limitations for copying within the Electronic Use Scheme are as follows:

- Where any work within the specified limitation is made available online, no other part of this work may be made available online at the same time.
- Limit receipt of or access to the work must be limited to employees and students at Holmesglen. This means that:
 - materials available online must not be available for the general public
 - materials may only be sent by email to employees or students of Holmesglen.
- Where any work is made available online or sent via email, the Electronic Use Notice must be attached. Refer to [GOV115 Electronic Use Notice](#).
- Where any work remains available for 12 months or longer online, it is deemed to be another copy.

Copying limits that must be maintained under the Electronic Use Scheme include:

- (i) Periodicals, including journals, newspapers, magazines
- Only one article may be copied from each edition of a periodical, journal or newspaper or

- Two or more articles may be copied from each edition of a periodical, journal or newspaper, where the subject matter is related and where the articles are on the same subject. (ie two articles in National Geographic on Antarctica).
- Two articles must not be treated as related subjects where they fall within a similar category ie articles are on History or fiction.
- (ii) Books or similar publications – Up to 10% of words or one chapter may be copied. This means that the copies are up to 10% of the total words or one chapter (even if the chapter is greater than 10%).
- (iii) Anthologies – A literary or dramatic work up to 15 pages published in an anthology (which is paginated) may be copied. This means that the whole of a work (eg short story, poem, and essay) that is up to 15 pages in length.
- (iv) Artistic works – The whole work which accompanies or explains text may be copied. This means that copying of text which includes artistic works is permitted.

4.4 Non-remunerable copying provision

Some copying of work does not require permission of the owner and does not attract any payment under the Copyright Act. These are summarised as follows:

4.4.1 Copying of an insubstantial part

Employees are permitted to partially copy some literary and dramatic works under specific circumstances. This does not apply to artistic, musical work or any whole work.

- (i) Non- remunerable hardcopy materials includes scanning and photocopying that may be copied by employees where:
 - all copying is carried out on Holmesglen premises
 - only one or two pages are copied
 - a book is greater than 200 pages, 2 or more pages may be copied but does not exceed 1% of total pages in the book.
 - a minimum of 14 days must elapse before copying any other part of the book.
- (ii) Non- remunerable electronic materials that may be communicated are where:
 - all communication is carried out on Holmesglen premises
 - only one percent (1%) of the total number of words that is from a continuous passage and not from different passages (to a total of 1%)
 - a minimum of 14 days must elapse before communicating any other part of the material. Prior to making available online any other part of the material, it is necessary to remove the initial part of the same material. Two sections of the same materials must not appear online at the same time.

4.4.2 Copying for examination

Employees are permitted to copy for examination for literary, dramatic artistic and musical work where the work is:

- part of a question to be answered in an examination

- required as an answer to a question.

Communication of examination material must not be made available via email or online.

4.4.3 Fair dealing copying

Employees and students are permitted to copy under the fair dealing provision that allows some copying of works for specific purposes.

The most relevant fair dealing provision is copying for the purpose of research or study where individuals may:

- make a single copy for purposes of research or study
- copy up to ten percent (10%) or one chapter of a book in hardcopy format
- copy up to ten percent (10%) of the words or one chapter of a book in electronic format
- make a copy of an article.

4.4.4 Copying of published editions

Employees are permitted to copy a whole published edition of work where the copyright has expired. Any editorial or commentary must not be copied as part of the published edition. Refer to clause 4.3 in this rule.

4.4.5 Linking to electronic resources

Employees may choose to use materials which appear on other websites. This applies to text, graphics and audio-visual material on the web. An effective method is to reference this required website by providing a link to the electronic resource. Linking ensures accuracy of context and the message as intended by the original creator. When including an electronic link employees must ensure that:

- (i) The technology does not result in any copying or communication of the linked material. The link must be set up so that only the required material will appear when you actually enter the linked website.
- (ii) Professional acknowledgement and respect to an intellectual property is available on the linked website.
- (iii) A statement appears when accessing a website via an electronic link:
'Please note that by clicking on a link you are directed to a third party's website. The user must remember:
 - that you are leaving Holmesglen's website
 - that Holmesglen does not endorse a linked website or guarantee the accuracy or currency of information contained on the linked website
 - to respect the intellectual property from the linked website'.

Refer to [GOV119 Statement for Linked Pages](#).

4.5 Copying for students with a print disability

Holmesglen permits employees to copy or communicate a literary or dramatic work for the purpose of helping a person with a print disability. Under the Copyright Act copies made of alternate formats of literary and dramatic works must be for the sole purpose of assisting students with a print disability.

Print disability

A person with a print disability is a person who is:

- without sight or whose sight is severely impaired
 - unable to hold or manipulate books
 - unable to focus or move his or her eyes
 - with a perceptual disability.
- i) When copying materials of literary or dramatic works for the purpose of a print disability employees may:
- Make a sound recording of literary or dramatic work. This includes recording the work onto paper, tape, disk or any other device that records sound.
 - Make or communicate a Braille version where no new Braille version is available within a reasonable time at an ordinary commercial price.
 - Make and communicate a large print version where no new large print version is available.
 - Make a photographic version where no new photographic version is available.
- (ii) Where materials are used for the purpose of a print disability, employees must ensure that access is limited to those persons only who are entitled to receive or access the materials. Where copies of materials are in electronic format and/or communicated electronically, the Electronic Use Notice must be attached to the material. Refer to [GOV115 Electronic Use Notice](#).
- (iii) A copy may be made as a master copy or a template from which copies for specific individuals are required where:
- The master is used solely for the purpose of making copies to assist persons with a print disability.
 - Copyright Agency Limited (CAL) is notified of the details of the copy within three months of its creation. Refer to CAL website <http://www.copyright.com.au>
Details to include:
 - name of institution
 - details of work
 - date of work.
- (iv) Under the Copyright Act 1968, all master copies or templates are to be marked appropriately with:
- Holmesglen

- Section 135ZQ, Copyright Act 1968
- Date (on which the copy was made)
- Where the copy is an electronic version, the Electronic Use Notice must be attached to the copy.

Refer to [GOV116 Marking for a Master Copy or a Template](#) for appropriate markings.

4.6 Copying for students with an intellectual disability

Holmesglen permits employees to copy or communicate a literary or dramatic work for the purpose of helping a student with an intellectual disability. Under the Copyright Act copies made of alternate formats of literary and dramatic works must be for the sole purpose of assisting students with an intellectual disability.

Intellectual disability

A person is determined to have an intellectual disability by a medical or other health professional expert in this area.

- (i) Copies and/or communication are permitted provided that no new copy of the version of the work is available for purchase. Employees may copy or communicate:
 - a literary, dramatic, musical or artistic work
 - a sound recording or film
 - a published work included in a sound broadcast
 - a television broadcast.
- (ii) Where copies of materials are in electronic format, employees must ensure that access is limited to those persons only who are entitled to receive or access the materials.
- (iii) The Electronic Use Notice must be attached to all copyright electronic material that is copied and communicated.

Refer to [GOV115 Electronic Use Notice](#).

- (iv) A copy may be made as a master copy or a template from which copies for specific individuals are required where:
 - the master is used solely for the purpose of making copies to assist persons with an intellectual disability
 - the master copies or templates made in hardcopy or analogue form are destroyed no later than three months after the day on which it was made.
- (v) Under the Copyright Act 1968, all master copies or templates are marked appropriately for:
 - sound recording
 - hardcopy
 - electronic copy.

Refer to [GOV116 Marking for a Master Copy or a Template](#) for appropriate markings.

4.7 Electronic Use Notice

Copying and communication of electronic work includes all copyright materials used within the specified limitations in electronic format and where the material is transferred to employees and/or students for educational purposes only.

Under the Copyright Act 1968 and the Educational Statutory Licence, the Copyright Regulation 1969 warning must be attached to all copyright materials in electronic format. Refer to [GOV115 Electronic Use Notice](#).

Electronic use of copyright materials may be communicated:

- online
- via email
- or placed on the Intranet.

4.8 Audio-visual copyright

Holmesglen does not permit the copying of any audio-visual items under the Copyright Act 1968 where prior permission and/or licence are not obtained from the copyright owner. Complete the [GOV117 Copyright Permission](#) for permission and licences obtained. All such permissions/licences are documented on [GOV114 Sample Permissions/Licences Register](#).

Audio-visual items include audio-visual videos, audio tapes, films, records, CDs and DVDs. Copying of any audio-visual items is not permitted regardless of whether the items are borrowed, purchased, supplied free of charge or hired. All such items require the permission/licence of the copyright owner.

Media Services Department or Learning Commons may be contacted for assistance and clarification of nature/source for hired audio-visual material or permission/licence to copy.

The copying of off-air broadcast programs is strictly prohibited; viewing of such off-air broadcast programs may only occur when using Holmesglen registered copies, available from Media Services Department or the Learning Commons.

Conditions of use for audio-visual materials at Holmesglen

- (i) Lending of audio-visual copies
 - Only Holmesglen authorised/registered copies from the Learning Commons are available for loan to employees and students.
 - Copies may not be loaned to or borrowed from other institutions.
- (ii) Hiring of audio-visual material
 - Local video outlets generally only permit hiring for personal use (and must not be shown in class). Where hiring audio-visual resources from other libraries or educational institutions, employees must refer to the conditions of hire and use (conditions of use may vary).
 - Employees must also ensure that the hiring includes the showing/playing of the item for educational purposes only.

(iii) Showing/playing of audio-visual items

- All showing/playing of audio-visual items are permitted only for educational purposes at Holmesglen (ie used for course of instruction).
- The audio-visual collection is retained with Learning Commons.
- There is no charge to participants. Participants include employees and students.
- Items may not be sold or otherwise supplied for financial profit.
- DVDs, CDs, videos or audio tapes recorded off-air are not shown to students unless:
 - the items are registered and authorised copies of Holmesglen accessed from Learning Commons or the Media Services Department (Refer to Learning Commons or Media Services for clarification)
 - the materials are prior to 1 November 2008.

Refer to [GOV118 Staff Reminder Notice – Off Air Broadcast – No Copying Policy](#).

When resourcing audio-visual materials employees are to ensure that:

- An authorised [SER110 Resources Purchase Request](#) is submitted to the Learning Commons.
Refer to [Learning Commons Resource Purchase Requests](#) procedure.

An authorised [Educational Media Work Requisition](#) is submitted to Media Services Department.
Refer to [Media Services Work Request](#) procedure.

4.9 Off air broadcasts – no copying policy

All off-air broadcasts copies must be sourced from the Learning Commons and/or Media Services Department to ensure that Holmesglen registered and authorised copies are used for educational purposes at Holmesglen.

A reminder notice is displayed at or near all classroom audio-visual equipment and facilities capable of showing an off-air broadcast program. Refer to [GOV118 Staff Reminder Notice – Off Air Broadcast – No Copying Policy](#).

4.10 Computer software

Holmesglen generally does not own, but has license to use, software and related documentation. Subsequently Holmesglen does not have the right to copy software unless authorised by the copyright owner under the Copyright Act 1968.

Most purchased software, licences the user for use of the software only. The ultimate ownership of any software package resides with the copyright owner.

It should be noted that the Copyright Act makes no distinction between duplicating software for sale or for free distribution.

Unauthorised duplication of software within Holmesglen exposes Holmesglen to significant penalties, as well as the potential for civil damages action by the copyright owner.

Employees wishing to purchase software within Holmesglen must ensure that submissions are made in accordance with the requirements as specified in the [Authority to Purchase Computer Products](#) procedure. The conditions for use of software under licence include the following:

- (i) Making copies of software is not permitted:
 - where software is licensed to Holmesglen.
 - by providing assistance to students either with the process of copying a software application from a computer's hard disk or from the original or back-up disks. Employees must not support, in any form, unauthorised or illegal copying of software activity by students.
- (ii) Under no circumstance should any unauthorised copy of software be installed, or used on a Holmesglen computer. (Refer to the Educational Institutions Digital and AV Resources).
- (iii) Any rights under licence to make a back up copy of software at Holmesglen is to be determined by the Holmesglen Technology Services Department.
- (iv) Upgrades to software are an element of software and any earlier versions of the software shall not be sold or given away.
- (v) All purchases of software for Holmesglen are to be made through the Holmesglen Technology Services Department. Refer to [Authority to Purchase Computer Products](#) procedure.
- (vi) Open source, public domain, or shareware software is often made available for use with little or no cost under the terms of a special license (ie. – GPL). Once again, the terms of this licensing must be adhered to within Holmesglen, and where the use of such software within Holmesglen is required, employees must:
 - study carefully the specific licensing provisions applicable for use of the software
 - contact the Holmesglen Technology Services Department in relation to its use and deployment within Holmesglen in accordance with the licensing agreement.
 - make provision for registration and fee payment for the software as necessary
- (vii) Where software is accompanied with instruction manuals, the copying of these manuals (ie for use with copies of software used under a site licence or concurrent user arrangements) is not permitted unless specified under the terms of the associated licensing and or copyright.

5.0 DOCUMENTS

[Rule for Intellectual Property](#)

[Copyright – Quick Reference Guide](#)

Copyright Act 1968

Copyright Amendment Act 2006

[GOV112 Attribution - Holmesglen Materials](#)

[GOV113 Attribution - Copyright/Third Party Materials](#)

[GOV114 Sample Permissions/Licences Register](#)

[GOV115 Electronic Use Notice](#)

[GOV116 Marking for a Master Copy or a Template](#)

[GOV117 Copyright Permission](#)

[GOV118 Staff Reminder Notice – Off Air Broadcast – No Copying Policy](#)

[GOV119 Statement for Linked Pages](#)

[GOV120 Agreement with Copyright Agency Limited](#)

[GOV122 Copyright Requirements Checklist](#)

[Media Services Work Request](#) procedure

[Prepare to Deliver](#) procedure

[Course Delivery](#) procedure

[Authority to Purchase Computer Products](#) procedure

[Learning Commons Resource Purchase Requests](#) procedure

[Document Management](#) procedure

Educational Institution Digital and AV Resources