

1. Purpose

This policy outlines Orange College's (OC) commitment to ensuring compliance with copyright legislation and the ethical use of materials in teaching, learning, and assessment. It is designed to protect the rights of the content creator, promote lawful use of resources, and support both staff and student understanding of their responsibilities under copyright law.

The purpose of this policy is to outline responsibilities and procedures regarding the use of third-party copyright material, with the objectives of:

- reducing staff and OC's exposure to the risks associated with the use of third-party copyright material;
- assisting staff in making full legal use of the materials at their disposal by clearly identifying responsibilities;
- promoting copyright compliance

2. Scope and responsibilities

This policy applies to:

- All OC staff, trainers, contractors, and students
- All uses of copyrighted material for educational delivery, assessment, administration, and communications
- Both physical and digital materials, including texts, images, audio, video, software, and online content

All users must comply with the Copyright Act 1968 (Cth) and relevant licenses, including statutory licenses and any third-party permissions. All staff and students must ensure that they understand and comply with the legal restrictions and obligations regarding the use of third-party copyright materials.

Responsibilities include:

- Staff and trainers: Ensuring materials used in delivery and assessment are either owned by OC, in the public domain, under license, or used with permission.
- Students: Using and referencing materials ethically and legally in assignments, projects, or presentations.
- OC Management: Providing guidance, training, and access to copyright-safe resources.

3. Definitions

Intellectual property (IP) is a term used to encompass a range of legal rights that protect the creations of the mind and creative effort. Patents, trademarks and registered designs are examples of IP, as is copyright.

Copyright refers to the rights granted to the creators or copyright holders of original works. Copyright protects owners' rights to control how their works are used. Generally, permission must be obtained before using work protected by copyright. Copyright protection lasts for a specific period of time. Once that period has ended (usually 70 years after the death of the creator), the work can be used without the need for permission or payment.

4. Policy

OC is committed to upholding the rights of copyright owners and ensuring the responsible, legal, and ethical use of intellectual property across all areas of its operations. All materials used, reproduced, adapted, or communicated by OC staff, trainers, students, and contractors, whether in hard copy or digital formats, must comply with the Copyright Act 1968 (Cth), relevant licenses, and moral rights obligations.

All third-party content used in the delivery of training and assessment must be:

- Appropriately attributed; and
- Covered by an applicable license or explicit permission; and

Students and staff must not engage in unauthorised copying, adaptation, sharing, or publication of materials, including the uploading of copyrighted content to online platforms without permission. Unlawful or unethical use of materials will be addressed under relevant disciplinary or misconduct procedures.

This policy forms part of OC's broader commitment to academic integrity, quality training delivery, and legal compliance. All users are expected to exercise due care, seek guidance when unsure, and respect the intellectual efforts of others.

5. Copyright Use and Access

5.1 What is Copyright?

Copyright is a legal right that protects the form in which an idea is expressed, rather than the actual ideas contained in a work. Copyright protection automatically arises as soon as a work is created and can be transferred or sold. This legal protection grants the creator exclusive rights to use, reproduce, or share their work.

5.2 Materials Protected by Copyright

The following are examples of materials protected by copyright:

- literary works and other written texts;
- data that is expressed in a unique or original way;
- dramatic and musical works;
- images, diagrams, charts and maps;
- audio and audio-visual recordings;
- works published either digitally or via print;
- software, computer codes, and online content

What individuals can do with copyright-protected materials depends upon who owns the copyright, whether the use of the material is the subject of an agreement, the type of material used, how the material is used, how much material is used, and the purpose for which the material will be used.

5.3 Permitted Use in Educational Settings

The Australian Copyright Act contains provisions that allow educational institutions to use text, images and notated (print) music in ways that would otherwise require copyright clearance. OC staff can copy and communicate text, images and print music without a copyright clearance if it is for educational purposes

Which content?

OC allows the use of text and images from any source or format:

- digital or hardcopy
- online or offline
- Australian or foreign content
- published or unpublished content

How much of a work?

A 'work' is an item of text or an image, usually created by a single 'author'. An 'edition' (such as a book, journal or newspaper), or a publishing platform such as a website or CD ROM, may contain many 'works'. For example, in a

newspaper, each article, opinion piece, letter to the editor, cartoon and photograph is a separate 'work'. In some cases, a teacher may use only a 'reasonable portion' of a work, not the entire work. For some content, a specified proportion is deemed to be a 'reasonable portion'. More than this specified proportion can be a 'reasonable portion', but there is no guidance in the legislation about how much. Similarly, there is no guidance on what constitutes a 'reasonable portion' of works such as artistic works.

The following is a guide:

There is a general understanding that a student in a course should receive no more than a 'reasonable portion' for that course. For example, a teacher who copies 10% of a commercially available book for a class should not copy another 10% of the book for the same class. Any kind of copyright material can be used in both online and hardcopy exams by educational institutions. This includes broadcast, sound and film

Principle	Entire Work	Demonstrated by
Hardcopy	If: <ul style="list-style-type: none"> unpublished published, but not separately not available (in any form) within area reasonable time at an ordinary commercial price an article in a periodical (such as a journal, newspaper or magazine) - more than one if they are on the same subject a text work of no more than 15 pages published in an anthology 	If work is published as an edition of 10 or more pages: <ul style="list-style-type: none"> 10% of the number of pages, or a chapter (if more than 10% of the pages)
Digital	If: <ul style="list-style-type: none"> if one of the hard copy criteria applies work available for purchase, but only in hardcopy work is an image (even if it is available for purchase in digital form) Otherwise, a 'reasonable portion'.	If work is published: <ul style="list-style-type: none"> 10% of the words a chapter (if more than 10% of the words) 10% of a musical work

6. Staff and Student Responsibilities

OC is committed to ensuring that all students and staff understand and comply with copyright law. OC will:

- Provide accessible information about copyright obligations;
- Monitor legal developments and revise this policy as required.
- Promote awareness of copyright legislation through training and resources;
- Ensure internal materials and platforms meet copyright compliance standards.

All OC personnel and students must:

- Understand the limits of fair use and the meaning of a 'reasonable portion';
- Apply OC's copyright procedures and policies when using external materials;
- Make efforts to verify ownership or permissions before sharing materials.
- Seek clarification from OC if unsure about using third-party materials.
- Report potential copyright infringements or unauthorised use.

7. Non-Compliance

OC's disciplinary procedures may be applied where employees or students fail to comply with this policy or the Copyright Act. Some breaches of the Copyright Act are criminal offences, attracting heavy fines and terms of imprisonment.

Examples of non-compliance are:

- Sharing copyrighted content on social media without permission
- Uploading unauthorised course materials to public platforms like Course Hero
- Distributing entire works

Students are entirely responsible for any copyright infringement resulting directly or indirectly from their actions.