

Practical ways of managing copyright

There are some practical and smart ways to use other people's material for educational purposes without the hassle of managing copyright. Australian copyright law contains a number of special statutory licences and exceptions that enable educators to use third party material without having to seek the permission of the copyright owner. These licences and exceptions can be tricky to apply and in some cases limit what an educator can do with the material.

Below is a list of practices that offer an easy alternative to relying on the statutory licences and exceptions while ensuring that copyright is legally and effectively managed.

A. Linking

Linking is not a copyright activity under the Copyright Act. This is because you are not actually 'copying' any material when you provide a link, you are simply providing a path to the material's location on another website.

As no material is *copied* when a link is provided, no copyright implications arise. It is important however to ensure that the material you are linking to is not pirated. In order to ascertain whether the material is a pirate copy, consider who has made the material available online and the nature of the website it is located on.

It is generally not necessary to obtain the permission of the website owner when creating a link to their website. However, it is good practice to include an acknowledgement of the author and source website.

For example, see Kate McCylmont's article on recent ICAC proceedings in the Sydney Morning Herald: <http://www.smh.com.au/nsw/icac-hears-that-liberal-party-boss-brian-loughnane-knew-of-developer-donations-going-through-federal-channels-20140806-100v1c.html>

B. Embedding

Embedding is a type of linking that allows material to be displayed on your online space (website, blog, wiki etc) without the URL being visible to the viewer. This means that the viewer is able to access and view the material as it sits in its original location online without having to leave their online space. It is commonly used for displaying online films, e.g. YouTube videos.

Embedding it involves copying the HTML code of the content, which is often displayed beside the content, and pasting it onto your online space (website, blog, wiki etc). The result of this is, rather than displaying a link, it will show the content on your webpage.

Some websites, such as YouTube, provide a link for embedding films. This makes embedding material a practical and easy alternative to copying.

C. Free for Education Material and Open Education Resources (OER)

A copyright owner may decide that they want their material to be freely used for educational purposes. In this case, they will licence the material in a way that allows educational institutions to use the material without having to rely on the statutory licences or exceptions contained in the Copyright Act. It also means that your use of the material is dictated by the terms and conditions of the licence rather than copyright law.




Material that can be used for educational purposes is sometimes referred to as 'free for education material'. A lot of free for education materials allow teachers and students to modify and share the material for teaching and learning. In this case, the material is categorised as 'open education resources' also commonly referred to as 'OER'.




Creative Commons

The most common source of free for education material and OER is Creative Commons (CC) licensed material.

CC is a set of license which are freely available online for creators to access and attach to their work. All CC licences allow material to be used for educational purposes. Depending on the type of CC licence that is attached to a work, a teacher and/or student may also modify or share the material.

The table below provides a summary of the different CC licences and what is and is not permitted under each licence.

Licence Type	Licence conditions
Attribution 	Freely use, copy, adapt and distribute to anyone provided the copyright owner is attributed.
Attribution No Derivatives 	Freely use, copy and distribute to anyone but only in original form. The copyright owner must be attributed.
Attribution Share Alike 	Freely use, copy, adapt and distribute provided the new work is licensed under the same terms as the original work. The copyright owner must be attributed.

<p>Attribution Non- commercial</p> 	<p>Freely use, copy, adapt and distribute for non-commercial purposes. The copyright owner must be attributed.</p>
<p>Attribution Non- commercial No Derivatives</p> 	<p>Freely use, copy and distribute to anyone but only in original form for non-commercial purposes. The copyright owner must be attributed.</p>
<p>Attribution Non- commercial Share Alike</p> 	<p>Freely use, copy, adapt and distribute for non-commercial purposes provided the new work is licensed under the same terms as the original work.</p>

Creative Commons Australia, in conjunction with the Schools sector, has compiled practical information sheets on finding and using CC material. These resources are available at: <http://creativecommons.org.au/learn/education/>