

Copyright Guidelines for Staff

1. SCOPE AND PURPOSE

- 1.1 These guidelines are for Bournemouth University staff
- 1.2 These guidelines should be followed when copying copyright materials

2. LINKS TO OTHER BU DOCUMENTS

- 2.1 [Copyright and myBU FAQs](#)
- 2.2 [Copyright guidelines for students](#)

3. REFERENCES AND FURTHER INFORMATION

- 3.1 [Copyright, Designs and Patents Act 1988](#)
- 3.2 [Consolidated text of main UK legislation on copyright](#)
- 3.3 [The Copyright and Rights in Performances \(Research, Education, Libraries and Archives\) Regulations 2014](#)
- 3.4 [The Copyright and Rights in Performances \(Disability\) Regulations 2014](#)
- 3.5 [The Copyright and Rights in Performances \(Quotation and Parody\) Regulations 2014](#)
- 3.6 [Copyright Licensing Agency](#)

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4. FAIR DEALING EXCEPTIONS

Fair dealing is an exemption in the Copyright, Designs and Patents Act 1988 which allows short extracts to be copied for the purposes of:

- Non-commercial research and private study
- Criticism or review
- Illustration for instruction

Sufficient acknowledgement must be given.

The law does not define how much of a work can be copied under the **fair dealing** exception, so it is advisable to ensure that the extract copied is a very small proportion of the whole work.

When deciding what a 'fair' amount is you should consider whether your copying would have any adverse effect on sales of the work. If commercial exploitation would not be affected and where the amount copied is reasonable and appropriate to the context then it is likely that it can be considered fair dealing.

Text and data mining analysis for non-commercial research

A whole work may be copied for the purpose of computational analysis of anything recorded in the work, solely for the purpose of non-commercial research. The copy should be accompanied by a sufficient acknowledgment.

The Copyright Licensing Agency and British Library give [guidance](#) on what may be considered to be commercial or non-commercial copying:

*“commercial’ is a broader term than ‘profit-making’. ‘Commercial’ is in practice synonymous with ‘direct or indirect income-generating’. It is also clear that the purpose **at the time** ... a copy is made is what is important and so some genuinely unforeseen income at a much later date is not relevant to the question. Your intention at the time must be unambiguously non-commercial.”*

5. EXAMS

The “illustration for instruction” exception of the Copyright, Designs and Patents Act 1988 permits copying for the purposes of examination (which includes setting examination questions, communicating the questions to students and answering questions), but fair dealing applies, i.e. short extracts only may be copied, not a whole work.

Dissertations and theses are covered by this exception and students may include third party copyright materials in their academic work, but fair dealing applies, and the materials should be fully referenced.

6. THE COPYRIGHT LICENSING AGENCY (CLA) PHOTOCOPYING AND SCANNING LICENCE

The University has a licence granted by the CLA which allows some photocopying and scanning for educational purposes beyond what is allowed under the Copyright, Designs and Patents Act.

CLA licence guidelines can be found near every Library photocopier, and are available from the [CLA website](#). The CLA website also gives current details of excluded categories, publishers, works and countries.

Surveys of copying and scanning are undertaken from time to time to establish what and how much is being copied.

6.1 Photocopying

The licence allows multiple photocopies of the following to be made for a group of students:

- a single extract or several extracts from a published edition as long as the total copied does not exceed 10% of the whole work; or
- one chapter in a book;
- one article in an issue of a serial publication or in a set of conference proceedings;
- one short story or one poem not exceeding 10 pages in an anthology;
- the entire report of a single case in a set of published judicial proceedings

Diagrams, illustrations, drawings, photographs and other graphic works may be copied, either as a part of the extract limits identified above, or in isolation, provided that they are copied from the pages of a source which is licensed material (refer to the CLA website for lists of excluded material).

6.2 Scanning

The licence allows the scanning of journal articles and book chapters for delivery to a cohort of students, but there are very strict conditions, which include:

- a record must be kept of every item scanned under the licence (Library staff undertake this administration). If you would like an item scanned for myBU, please request this via the reading list for your unit (contact your [Library Subject Support Team](#) for advice);
- the University must own a print copy of the original material;
- the original material must be published in the UK; Argentina; Australia; Austria; Barbados; Belgium; Canada (including Quebec); Denmark; Finland; France; Germany; Greece; Hong Kong; Iceland; India; Ireland; Italy; Jamaica; Japan; Luxembourg; Mexico; the Netherlands; New Zealand; Norway; Philippines; Singapore; South Africa; Spain; Sweden; Switzerland; Taiwan; Trinidad and Tobago; Turkey; USA
- the scanned copy must be part of a course-specific collection;
- the scanned copy may only be downloaded and printed by students on that specific course;
- the scanned copy must be password protected;

There are limits as to how much of an item may be scanned for a cohort of students on a particular programme. These are the same as the limits for photocopying – see section 6.1 above.

7. THE NEWSPAPER LICENSING AGENCY (NLA) LICENCE

7.1 Photocopying newspapers

The University has an NLA licence, which allows copying as part of an internal press cuttings distribution service and for inclusion in study packs. This permits multiple copying of newspaper articles for use with courses. Any copies given to students should state on them “NLA licensed copy. No further copies may be made except under licence”.

The licence does not permit making more than 250 copies of any one article from one issue.

The licence covers photocopying of the following national newspapers:

Daily Express	I
Daily Mail	Independent

Daily Mirror	Independent on Sunday	
Daily Star	Mail on Sunday	
Daily Star Sunday	Observer	
Daily Telegraph	The Sun	
Evening Standard	Sunday Express	Sunday Telegraph
Financial Times	Sunday Mirror	Sunday Times
The Guardian	The People	The Times

The licence also permits copying from regional UK newspapers.
Any copying in excess of 250 copies or for publication must be negotiated with the copyright owner.

7.2 Scanning

Newspaper articles may be scanned under the licence, with the exception of the Financial Times.

However, it may be easier to provide links to [Electronic versions of newspaper articles](#), which can be found in the databases PressReader (90 day archive; full facsimile copy) and Factiva (back to the early 1990s; text only).

8. TELEVISION, RADIO AND VIDEO/DVD RECORDINGS

The University has an Educational Recording Agency (ERA) Plus licence, which allows staff (and students) to record any scheduled 'free to air' broadcasts via the [Box of Broadcasts](#) (BoB) service. Recordings must be used for legitimate educational purposes only.

On-demand services: staff may access and download content from on-demand services such as BBC iPlayer, 4 on Demand, ITV Player, Demand 5 and Clic (S4C) in a similar way to personal private users. Staff should check the terms and conditions of the services for exact details.

If you require a DVD or a downloadable file, please contact the IT Service Desk (ext. 65515) to make arrangements to record a radio/TV programme for your personal research or teaching use. The Library does not add off-air recordings to stock.

Programmes which are not covered by a licensing scheme, such as those broadcast on subscription channels such as Sky, may be still be shown or recorded for non-commercial educational purposes.

Commercial videos **may not** be copied in their entirety but it *may* be possible to copy short excerpts under one of the fair dealing exceptions (see section 4, above). Commercial videos/DVDs may be shown in a classroom environment.

9. UK GOVERNMENT DOCUMENTS

UK Government documents are protected by Crown Copyright. This is similar to other copyright, except for some differences in duration, which can last up to 125 years after the creation of the work. Some materials protected by Crown copyright may be freely copied provided they are properly acknowledged, are not used for advertising or promotion, or for malicious purposes, and are not altered in any way. These materials include Acts of Parliament, Statutory Instruments, explanatory notes to Acts, Measure of General Synod, National Curriculum material (teacher guidelines), public records unpublished at point of deposit or open for public inspection, some court forms, official press releases.

The [Open Government Licence](#) exists which [covers the re-use of public sector and Crown copyright information](#). There is no need to register or formally apply for the Open Government Licence and no

charges or fees are involved for using information under the licence. Users simply need to ensure that their use of information complies with the terms.

The [Open Parliament Licence](#) covers the re-use of information covered by Parliamentary copyright.

Works not covered by these licences can only be re-used with permission or under another licence held by BU (e.g. Ordnance Survey) or copied under the fair dealing exceptions of the Copyright, Designs and Patents Act (see section 4, above).

10. ORDNANCE SURVEY

The University subscribes to Digimap which contains a range of Ordnance Survey material and can be accessed via the [Library's web pages](#). Full terms and conditions are available via the Digimap database but please follow this link for a [summary of permissions for educational use](#).

11. STANDARDS

The University subscribes to the British Standards Institute (BSI) full-text database of standards, which is available via the [Library's web pages](#). Under the database licence, the following provisions apply:

What you may do:

- print one hard copy of any standard within our subscription for personal use;
- copy a maximum of 10% of a standard and paste to another document for use within the licensed site;
- download a single electronic copy of a standard.

What you may not do:

- build up electronic or printed collections of standards either in the Library or in offices. A collection is defined as comprising more than 5% of the number of Standards within the package that BU subscribes to;
- copy standards or reproduce parts of standards for external use;
- copy or circulate standards electronically (including internal e-mail)
- copy downloaded standards for distribution to others, including BU staff and students. Staff and students should be advised to obtain their own personal copy.
- copy more than 10% of a standard into another document for internal use – permission must be sought from BSI first.

12. ELECTRONIC MATERIALS

Electronic information, including web pages, e-mails, and computer programmes, is also protected by copyright. It is therefore important to bear the following points in mind:

- just because a web page may be available free of charge does not mean that it can be freely copied;
- forwarding or publishing material either in print or electronic format may be an infringement;
- some web sites give express permission for copying. If a site does not, then some copying may be possible under a fair dealing exception (see section 4, above).
- do not use 'deep links' – i.e. always link into the home page of the site so as not to bypass copyright statements, credits or advertising materials, and to ensure that the author is identified;
- be careful when using frames – you would be infringing someone else's copyright if the link into their page is surrounded by your logos, information, etc;
- do not carry out unauthorised downloading of software or music, e.g. by file swapping. This is illegal and penalties can be severe.

The Library subscribes to many databases, e-journal and e-book collections. The use of all electronic resources is subject to the terms and conditions of the [licence agreements](#) between Bournemouth University and service providers. However, contractual terms cannot override what is permissible under the law.

13. COPYING ITEMS FOR myBU

For information on the use of materials within myBU, please refer to the guide [Copyright & myBU FAQs](#).

14. PERMISSION

You may copy materials beyond the limits imposed by the law or licences if you have received the permission of the copyright owner (this may not always be the author of the work), and paid any required fees.