

Copyright Policy

Document

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| Document Name | Copyright Policy |
| Brief Description | This policy describes the copyright obligations, responsibilities and principles applicable to work undertaken at Sydney Institute of Business and Technology (SIBT). |
| Responsible Officer | Academic Director |
| Delegated Authority | Academic Board |
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Related Documents

| Name | Location |
|---|---|
| Academic Freedom and Freedom of Speech Policy | SIBT Website |
| Student IT Acceptable Use Policy | SIBT Website |
| Unit Guides | SIBT Intranet |
| Moodle Assessment Information | Moodle |
| Copyright Act 1968 | https://www.legislation.gov.au/ |

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1 Purpose

- a) This Policy has been prepared in accordance with the Copyright Act 1968 and outlines Sydney Institute of Business and Technology's (SIBT) approach to managing copyright responsibilities, duties, and principles. It sets out how SIBT complies with relevant legal standards and regulations regarding copyright in the context of its operations.
- b) SIBT subscribes to three licences that allow our staff to use some copyrighted material without the need to request permission. The way material can be used depends on the terms and conditions of these licences.
- c) The purpose of this policy is to ensure that all staff and students at SIBT understand their rights and responsibilities in relation to applicable copyright legislation, treaties and conventions. It aims to promote lawful and ethical use of copyrighted materials in teaching, learning, research, and administration.

2 Application

This policy applies to:

- a) All SIBT staff, students, and affiliates;
- b) All materials used, created, or distributed within SIBT, including digital and physical formats; and
- c) All activities that involve the use of copyrighted content, including teaching, research, publishing, and communication.

3 Policy Statement

- a) SIBT is committed to ensuring staff and students comply with the legal obligations under the Copyright Act 1968 and relevant copyright licence agreements and is responsible for promoting an understanding and awareness of copyright law across the college.
- b) SIBT is responsible for managing and appropriately implementing protections to ensure its rights as a copyright owner are protected according to legislation and relevant copyright treaties and conventions.
- c) SIBT is responsible for managing and appropriately implementing protections to ensure the rights of other copyright owners, whose work may be used as part of college activities, are protected according to legislation and relevant copyright treaties and conventions.
- d) SIBT does not tolerate the misappropriation of copyright and may implement action for any breaches, in accordance with SIBT policies, procedures and codes.

4 Legal Framework

- a) The Copyright Act 1968 allows educators like SIBT to copy, adapt, and share text and images in ways that would otherwise require permission. SIBT educators can copy, adapt and share text and images without needing copyright clearance (permission) if:
 - i. They are employed by SIBT that has fair compensation arrangements in place; and
 - ii. Their usage is strictly for educational purposes.
- b) When using text and images from sources such as books, research papers, newspaper and journal articles, websites, and blogs for educational purposes, it is

essential to have the appropriate copyright licence – the Statutory Education Licence. This ensures compliance with copyright laws and prevents any potential infringement of the [Copyright Act 1968](#).

5 Copyright Licences

- a) Copyright Statutory Education Licence
 - i. SIBT holds an agreement with the Copyright Agency that allows staff to copy and share text and images from anywhere in the world for educational purposes without needing to seek permission.
- b) Under this Licence staff can:
 - i. Copy and share extracts of text, and images, from printed and digital sources including books, journals, magazines, newspapers, posters, photographs, maps, eBooks and online sources including the internet;
 - ii. Make copies by photocopying, printing, scanning and photographing;
 - iii. Make as many copies as are needed for educational purposes;
 - iv. Make copies offsite;
 - v. Make text and images available on a learning management system;
 - vi. Share text and images with students via email or other messaging services; and
 - vii. Adapt and compile materials with other resources or text written by educators.
- c) How much can staff copy with a licence?
 - i. The Copyright Act notes that staff can copy an amount that does not “unreasonably prejudice the legitimate interests” of the owner of the copyright. Refer Appendix 1 for details of amounts.

6 Screenrights Licence

- a) Screenrights manages the application of the Education Statutory Licence to TV and radio broadcast content.
- b) This licence allows Staff to:
 - i. Copy programs from television and radio;
 - ii. Upload copied programs to an intranet or learning management System (e.g. Moodle);
 - iii. Email programs to students and staff; and
 - iv. Manage content digitally.
- c) Under this licence staff can:
 - i. Copy any program, including movies, current affairs, documentaries, and news;
 - ii. Copy any amount - from five minutes to an entire program;
 - iii. Make copies anywhere, including at home or in the library;
 - iv. Copy from any channel - free-to-air TV, pay TV, or radio;
 - v. Copy from broadcasters' websites or official YouTube channels, including podcasts, vodcasts, and catch-up TV;
 - vi. Copy from online simulcasts of broadcasts, including online radio; and
 - vii. Use any format - digital downloads, hard drives, or other devices.
 - viii. Update old formats (e.g., DVDs or VHS) to digital formats.
- d) Permitted uses include:
 - i. Showing programs in class;
 - ii. Keeping them in the library as a resource;
 - iii. Storing them on a network for staff and students;

- iv. Emailing them to staff and students; and
- v. Displaying them on electronic whiteboards.

Note: This licence does not cover other YouTube videos or online content that are not official broadcasts. Using such content in education requires separate permission from the copyright holder.

7 Music Licence

This licensing agreement with the Australasian Performing Right Association Limited (APRA) and the Australasian Mechanical Copyright Owners Society (AMCOS) allows staff and students to copy, store, communicate, and publicly perform music.

7.1. APRA - Performing right

- a) A performing right is exercised when a song or composition is performed in public. This includes:
 - i. Live performances at events;
 - ii. Broadcasts on TV or radio;
 - iii. Streaming on digital platforms; and
 - iv. Playback in public spaces (e.g., shops, restaurants).
- b) Use in exercise classes or on YouTube.

7.2. AMCOS - Reproduction right

- a) The 'Reproduction right' is exercised when a song or composition is copied in any form for commercial purposes, including:
 - i. Use in third-party commercial products (e.g., CDs, streaming);
 - ii. Synchronising music with film or TV; and
 - iii. Reproducing sheet music.
- b) Music can be used for educational purposes, for college events, and on college premises subject to the conditions of the licence.
- c) Under this licence staff can:
 - i. Play music on campus and at education provider events:
 - Live and background music at ticketed events (up to \$40)
 - Music at graduation ceremonies (no ticket cap)
 - Background music in teaching and administrative areas
 - Telephone on-hold music.
 - ii. Play event recordings and audio-visual content:
 - Recording events where music is played.
 - Including music in course-related AV content.
 - Sharing recordings with students and staff via secure platforms
 - Streaming events on the College website or social media.

8 Who owns the copyright?

- a) Normally the creator owns the copyright on the work created. The easiest way to find the copyright owner is to look for the © symbol on the work. For example, © 2025 SIBT. SIBT indicates that SIBT owns the copyright, and the copyright began in 2025.
- b) As the employer, SIBT owns the copyright in educational materials staff create. If academic staff leave to teach elsewhere, SIBT allows the staff member, as author, to

take a copy of any educational materials which they individually created whilst working at SIBT. Staff should acknowledge that the educational material was created at SIBT.

9 Who owns the copyright in material generated by Artificial Intelligence (AI)?

- a) SIBT recognises the increasing use of artificial intelligence (AI) tools. Under current Australian copyright law, copyright protection is generally bestowed on human beings.
- b) If a work is entirely generated by AI without human creative input, it may not be eligible for copyright protection under the Copyright Act 1968.
- c) AI systems cannot own copyright, and purely machine-generated material is not protected. Work generated by Gen. AI or with the assistance of Gen. AI is considered to be original if the author has made considerable intellectual effort by writing the prompts and used their judgement to e.g. interpret, select, rearrange, re-word and / or add to, and / or make creative decisions about the output or outputs generated. The final work must not be a close derivative of a single identifiable source, nor can it be the raw AI output.
- d) As this area of law is still evolving, staff and students will be:
 - i. Seeking guidance from the Library or Navitas Legal and Compliance Services when using AI tools for content creation.
 - ii. Clearly documenting their role in the creation of AI-assisted content.

This ensures that SIBT remains compliant with current legal standards and is prepared for future developments in copyright law.

To learn more about copyright and Artificial Intelligence, review the Arts Law Centre of Australia's [information sheet](#) and the Australian Copyright Council's comprehensive collection of education-focused fact sheets and resources.

10 Moral Rights

- a) Creators have legal rights - known as *moral rights*. These include the right to be properly acknowledged, the right not to be falsely named as the creator of someone else's work, and the right to have their work treated with respect. These rights apply even if the creator does not hold the copyright and cannot be sold or completely given away, although they may give permission for specific uses.
- b) Examples of moral rights:
 - iii. A student quoting a researcher in an assignment must include the researcher's name and source;
 - iv. A teacher using an artist's image in a presentation should not edit it in a way that distorts or mocks the original work; and
 - v. A school publication should not credit a photo to the wrong photographer.
- c) When using someone else's work in studies, teaching, or research:
 - vi. Give proper credit to the original creator;
 - vii. Avoid false attribution, such as claiming someone else's work as your own or misnaming the creator; and
 - viii. Use the work respectfully, ensuring your use does not damage the creator's reputation.
- d) These responsibilities may not apply if:
 - ix. The creator has given clear permission for specific use; and
 - x. Your use is considered reasonable under the law, such as under fair dealing or educational exceptions.

For further information on Moral rights go to: [Moral rights - Copyright Agency](#)

11 Subscriptions and Licence Restrictions

- a) While the Statutory Education Licence allows certain uses of content for teaching and learning, ebooks, databases, and other digital resources accessed through subscriptions or licences may have additional restrictions. These agreements often include specific terms and conditions that can override the permissions granted under the Statutory Licence.
- b) Before using content from these sources, always:
 - xi. Check the licence terms provided by the publisher or vendor; and
 - xii. Look for usage restrictions on copying, sharing, or modifying content.
- c) Failing to follow these terms could result in breach of contract or loss of access to valuable resources for the College.

12 Responsibilities

- a) SIBT staff and students will use any materials bound by copyright in accordance with the law or any contractual licencing arrangements.
- b) The Academic Director is accountable for the ongoing development, implementation, awareness, and effectiveness of this policy.
- c) The Senior Management Team and functional managers are responsible for ensuring their staff are aware of this Policy and their responsibilities defined herein.
- d) Staff are responsible for being aware of and complying with this Policy.
- e) Students are responsible for being aware of and complying with this Policy and should seek assistance from appropriate sources in respect of this policy, where necessary.

13 Compliance

- a) Recording and Reporting
 - i. The Academic Director and Program Convenors are responsible for implementing this procedure across their disciplines/course and ensuring the academic team are aware of this procedure and related policy.
 - ii. Staff and students are responsible for adhering to this procedure and associated policy and carrying out their work in accordance with the relevant codes of conduct.
- b) Breaches
 - i. Non-compliance with this policy may result in disciplinary action. Breaches of copyright law can also lead to legal consequences.
- c) Relevant Legislation
 - i. Copyright Act 1968

14 Review

- a) This Policy is reviewed a minimum of every three (3) years by the Responsible Officer and the Quality and Compliance Manager and at the time of any changes to the regulatory compliance requirements, legislation, regulation, and guidelines.

Appendix 1

How much content can you use?


Copyright Agency acknowledges that the following amounts meet this test


February 2023


How much content can you use?


Your institution has access to the Statutory Education Licence, enabling employees to:


- Photocopy content
- Print, scan, download and email content for distribution to students
- Store and display content on the intranet
- Share content in course materials


 **10% of a book** or one chapter (whichever is greater)


 **A play, script, short story, text or poem in an anthology** if that work comprises not more than 15 pages of that anthology

 **10% of sheet music**

 **An image, map or illustration** if it accompanies text for the purpose of explaining or illustrating the text or is not published separately

 **An article** contained in any issue of a periodical publication (i.e. newspaper/journal) or **two or more articles** contained in any issue of a periodical publication provided they relate to the same subject matter

 **A book, text, image, play or sheet music** if a new copy of that work cannot be obtained commercially within a reasonable period of time

 **When sharing text and image content digitally** under the Statutory Education Licence, an Electronic Use Notice such as the following should be included.

WARNING

This material has been reproduced and communicated to you by or on behalf of [INSERT INSTITUTION NAME] in accordance with section 113P of the *Copyright Act 1968* (the Act). The material in this communication may be subject to copyright under the Act. Any further reproduction or communication of this material by you may be the subject of copyright protection under the Act.

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