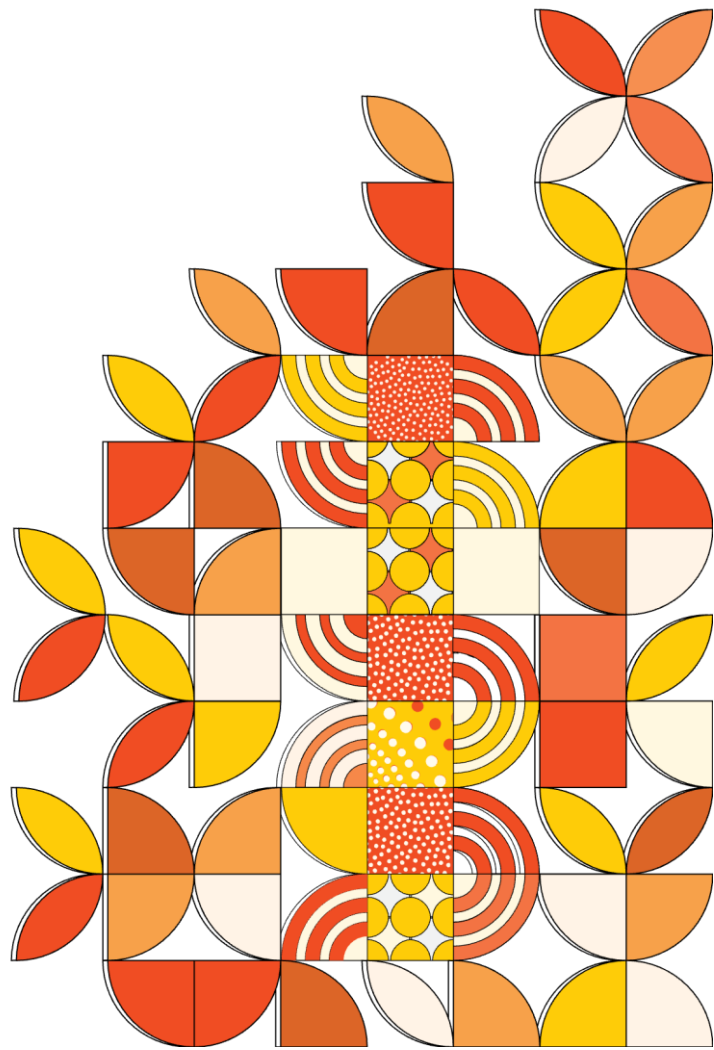


Copyright Policy



SECTION 1

Purpose

1. The purpose of this Copyright Policy is to establish clear guidelines and principles for the lawful use and protection of copyrighted materials within the Institute of Health & Management (IHM).
2. This policy ensures compliance with the [Copyright Act 1968 \(Cth\)](#) and related regulations, fostering a culture of respect for intellectual property and promoting responsible and ethical practices in accessing, reproducing, and distributing copyrighted works. This policy aims to:
 - a) Establish copyright compliance requirements for IHM staff and students, ensuring adherence to legal standards and institutional guidelines.
 - b) Provide a precise protocol for the creation and utilisation of third-party materials to foster intellectual property, innovation, and excellence without infringing on the rights of others.
 - c) Outline the obligations with respect to copyright law, including actions for potential breaches of this policy, to protect the rights of creators and copyright holders.

Scope

3. This policy applies to all IHM students, international and domestic, and all staff, full-time, part-time, casual, contractors, and individuals representing IHM.
4. Failure to comply with this Policy or copyright laws by IHM staff may be considered misconduct and may lead to disciplinary actions, including termination. Breaches of this Policy by students may be considered student misconduct. Individuals who commit copyright infringement may face:
 - a) Personal liability: Under the [Copyright Act 1968 \(Cth\)](#), individuals who infringe copyright may be personally liable for damages and other remedies (Sections 115-116).
 - b) Potential criminal prosecution: The Act includes provisions for criminal offences related to copyright infringement, which can include fines and imprisonment (Sections 132-132AN)

Definitions

5. Definitions for key terms are presented in the [Glossary of Terms](#).

Suite documents

6. This Policy is linked to the following:
 - a) Copyright Procedure

- b) See also Associated Information listed in the 'Related Internal Documents' in Section 4 below.

SECTION 2

Policy

7. Principles

- 7.1 IHM supports and encourages the lawful use of Third-Party Materials. All staff and students must comply with copyright legislation and any restrictions or obligations specified in licenses or permissions when using such materials, as mandated by the Copyright Act 1968 (Cth).
- 7.2 Staff are encouraged to prioritise the use of Open Educational Resources (OER) whenever possible. This supports the principles outlined in the Copyright Act 1968 (Cth) and aligns with best practices for educational resource sharing
- 7.3 Where suitable OERs are unavailable, IHM's educational licences and exceptions under the Copyright Act 1968 (Cth) allow the use of Third-Party Materials for educational purposes. These include provisions for research, study, criticism, and review, subject to specific limitations.
- 7.4 HM has obtained commercial licenses granting access to Third-Party Materials, including electronic resources and software. These agreements may impose different restrictions compared to educational licences.
- 7.5 If a proposed use falls outside existing licenses or exemptions, written permission or a license from the copyright owner is required. This aligns with the requirements set forth in the Copyright Act 1968 (Cth).
- 7.6 Educational licences do not cover activities such as research consultancy, public lectures, scholarly publications, administrative tasks, or promotional activities. This is in accordance with the limitations outlined in the Copyright Act 1968 (Cth).
- 7.7 In cases of doubt about potential copyright infringement, staff should consult IHM's Librarian for guidance.
- 7.8 The use of Third-Party Materials for offshore activities must comply with the copyright laws of the respective country.
- 7.9 IHM will provide resources to assist in copyright compliance. Staff must use central systems authorised by IHM for content management and compliance.
- 7.10 Third-Party Materials used for teaching should be managed in accordance with the Procedure for Using Third-Party Materials for Educational Purposes.
- 7.11 Staff must cooperate with IHM's Librarian in providing details of copying or communication of Third-Party Materials for compliance or audit purposes.
- 7.12 IHM does not condone copyright infringement. The Librarian is responsible for handling allegations of infringement, and staff and students must report any potential breaches.

7.13 Staff and students must not use IHM facilities or equipment in ways that infringe on copyright, as outlined in the Cyber Safety and Security Policy and Procedure.

7.14 All staff and students must respect the Moral Rights of authors and provide appropriate attribution to creators of Third-Party Materials as required by the Moral Rights Act, Part IX of the Copyright Act 1968 (Cth)

7.15 All staff and students comply with IHM commercial license agreements with publishers and vendors to access academic materials, databases, and software that are governed by individual license agreements.

8. Expectations of IHM staff members

8.1 All IHM staff are expected to:

- a) Comply with statutory licenses in the Copyright Act 1968 for the legitimate use of third-party copyright materials within the educational environment. This includes information on fair use, licenses, permissions, and proper attribution when using third-party materials.
- b) Adhere to IHM regulations with an acceptable use of ICT Resource Usage policy or all activities involving the use of IHM networks, systems, platforms, and databases without any actions that infringe upon the copyright of third parties.
- c) Take responsibility for the utilisation of audio-visuals, images, graphics, PowerPoint presentations, articles, eBooks, YouTube videos, and website content, ensuring their appropriate reproduction for educational purposes.
- d) Ensure written permission or a license is obtained from the copyright owner prior to the use of third-party materials where activity is not within the scope of the existing license.
- e) Ensure provisions of [section 113P](#) (formerly part VB warning notice) under the Copyright Act 1968 is considered while copying, providing/communicating educational materials to students.

9. Expectations of IHM student members

9.1 All IHM students are expected to:

- a) Comply with the Copyright Act 1968, which allows students to make fair use of copyrighted materials for educational purposes such as research, study, and presentations.
- b) Adhere to the licensing agreements and terms of use when accessing IHM lectures, tutorials, and other digital third-party materials such as e-books, online articles, and multimedia resources.
- c) Take accountability for the utilization of course materials provided by instructors, such as textbooks, lecture slides, and handouts, recognizing that they may be protected by copyright and should be used exclusively for educational purposes.

10. Respect and integrity

- 10.1 IHM respects copyright holders' rights by obtaining proper authorisation before using copyrighted materials for education and ensuring creators are acknowledged and works aren't subject to derogatory treatment.
- 10.2 All staff and students at IHM must conduct themselves professionally in academic pursuits and acknowledge the authors or creators of any work they reproduce or communicate, as per the provisions outlined in the Moral Rights Act, Part IX of the Copyright Act 1968.

11. Consequences of breaching copyright Policy

- 11.1 IHM does not authorise any infringement of copyright, as it may lead to the risk of possible legal consequences in accordance with copyright law and can affect the IHM reputation.
- 11.2 Staff not complying with this policy may be liable for disciplinary measures as outlined in their employment agreements.
- 11.3 Students not complying with this policy are liable for breaches arising from their own actions and may be liable for disciplinary action in accordance with the Student Code of Conduct and Student Misconduct Policy.
- 11.4 IHM holds the right to disable or block users from accessing internal systems, platforms if the user repeatedly breaches the Copyright Policy, Copyright Procedure and/or Cyber Safety and Security Policy.

SECTION 3

Responsibilities

12. The Copyright Policy serves to protect IHM from legal liabilities while promoting respect for intellectual property rights.
13. All staff and students need to familiarise themselves with the procedures and obligations regarding the use of third-party copyrighted materials.
14. Academic Dean, Head of Schools and Course Coordinators must ensure curriculum and course materials comply with copyright regulations.
15. Librarian must manage copyright infringement allegations and provide advice on copyright matters.
16. People and Culture department is responsible for facilitating staff training on copyright compliance.
17. Risk Managers must monitor and address potential risks associated with copyright infringement.

SECTION 4

Associated Information

Related Internal Documents	<p>Academic Honesty and Integrity Policy Academic Honesty and Integrity Procedure Course Design and Development Policy Course Design and Development Procedure Library Policy Library Procedure Privacy Policy Privacy Procedure Staff Code of Conduct Student Assessment and Examination Policy Student Assessment and Examination Procedure Student Code of Conduct Student Code of Conduct Implementation Guidelines Student Misconduct Policy Student Misconduct Procedure</p>
Related Legislation, Standards, and Codes	<p>Australian Qualifications Framework (2013) Copyright Act 1968(Cth) Copyright Regulations 2017(Cth) Higher Education Standards Framework (Threshold Standards) 2021 Patents Regulations 1991 (Cth) Tertiary Education and Quality Standards Agency Act 2011 Trade Marks Act 1995 (Cth) Trade Marks Regulations 1995 (Cth)</p>
Date Approved	07.08.2024
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Responsibility for implementation	Academic Department
Document Custodian	Academic Dean
IHM Doc ID	IHM-CP1-3.0

Change History

Version Control		
Change Summary	Date	Short description of change, incl version number, changes, who considered, approved etc
Version 1.1	22/02/2013	Approval of Board of Governors
Version 2.0	09/08/2023	Policy and Procedure are separated into two documents. Policy and Procedure updated to align with Copyright Act 1968
Version 3.0	02/08/2024	The definitions relocated to IHM glossary of terms. Template updated Procedure combined for staff and students Changes to align policy and procedure with Copyright Act 1968 added sections on expectations from staff, students, Respect and integrity, consequences of breaching policy.