



Copyright Policy

Details

Policy & Procedure Owner	CEO Office/ERFA Board	
Approved by	ERFA Board of Directors	
Date Approved	Date of Last Revision	Next Review
5 November 2015	July 2020	July 2023

Abbreviations

ACFID	Australian Council for International Development
CAL	Copyright Agency Limited
ERFA	Edmund Rice Foundation Australia

Definitions

ACFID Member	A not-for-profit organisation that has obtained accreditation with ACFID
Staff	Employees, contractors, subcontractors, outworkers, apprentices and trainees, work experience students, volunteers, employers and any other person who performs work for ERFA or ERFK

Contact information

Chief Executive Officer	Bren Arkinstall - barkinstall@edmundrice.org
Programs Director	Emily Faller – eifaller@edmundrice.org
ERFA Board Chair	Paul Gallagher – chair@erf.org.au
ERFA	www.erf.org.au or +61 7 3621 9649
ACFID	http://www.acfid.asn.au or +61 6 02 6285 1816

Implementation plan

- Included as part of staff induction

Compliance

This policy applies to all ERFA Staff.

Organisational overview

Edmund Rice Foundation Australia (ERFA) believes education is the key to sustainable change. We are an international development organisation that focuses on sustainable and transformational education. We operate in some of the poorest communities in the world, including East Timor, the Philippines, Papua New Guinea and countries in Africa. We also partner in domestic programs in Australia. ERFA's vision is for access to quality education and life-long learning opportunities for all, supporting empowered communities who determine their own futures. ERFA-funded education programs range from pre-school learning to advanced microfinance projects and are designed with the needs of the community at their core.

Contents Page

Section	Page
1.0 Policy overview	3
2.0 ACFID context	3
3.0 Importance of copyright	3
4.0 Works protected by copyright	3-4
5.0 Copyright material created at work	4
6.0 Infringement	4
7.0 Copying for schools or ministries	4
8.0 Resources	4

1.0 Policy overview

Edmund Rice Foundation (Australia) (ERFA) is committed to crediting the original authors of creative and educational material that it may use for organisational activities. As a development organisation that funds and supports education programs, copying educational material forms an integral part of ERFA's work activities. To maintain the incentives for authors to continue to publish educational and cultural work that benefits society, as set out in this Copyright Policy, ERFA complies with Australian copyrighting law, as contained in the Commonwealth Copyright Act 1968. All ERFA Staff are required to comply with Australian copyright requirements.

2.0 ACFID context

The ACFID Code of Conduct makes recommendations for Members to meet the following conditions:

- Keep records of the origins of images and case studies, permissions and copyright releases, as well as key details including name, age location, date, program association and form of consent gained.

This Copyright Policy fully satisfies these conditions.

3.0 Importance of copyright

Many authors and publishers create literary works such as books and journals for a living. While other people may rely on a salary, authors and publishers rely on 'royalties' from the use of their works. Copyright laws are the basis of their entitlement to 'royalties'.

Widespread copying of works without permission deprives author and publisher of their income and provides no incentive for the creation of new works. The advent of the photocopier and many other electronically transmitting machines has eroded the control that copyright owners had over their works and dramatically affected the dynamics of the publishing industry. Copyright is an essential element in maintaining an equitable balance between the rights of copyright owners and copyright users.

In Australia, copyright applies automatically. A person does not have to apply to any authority to obtain copyright over specific material. As soon as an original work appears in a material form (e.g., written, artistic, visual, recorded, audio, electronic) it is protected by the Commonwealth Copyright Act 1968.

As a result of international treaties such as the Berne Convention, most foreign copyright owners are protected in Australia, and Australian copyright owners are protected in most other countries.

4.0 Works protected by copyright

Material protected by copyright includes:

- textual material such as journal articles, books, novels, poems, song lyrics, reports and computer programs;
- artistic works such as paintings, drawings, cartoons, sculpture, craft work, photographs, maps and plans;
- musical works;
- dramatic works such as plays and mime;
- computer programs;
- compilations such as anthologies, directories and databases;
- cinematograph films such as feature films, television programs and commercials;
- sound recordings such as recorded music or a recorded lecture.

Recent changes in copyright law have introduced moral rights for creators. The creator of a work has the right to:

- be attributed as the creator of the work;
- take action if his or her work is falsely attributed as being the work of someone else;
- take action if his or her work is distorted or treated in a way that is prejudicial to his or her reputation.

5.0 Copyright material created at work

The employer will generally own copyright in any material created as part of an ERFA Staff member's job unless that Staff member and the employer have an agreement that says otherwise. Universities generally have policies on ownership of copyright in material created by academic staff. For more information, see the Copyright Council's publication *Teachers & Academics as Creators*.

6.0 Infringement

Using copyright material in a way which is exclusively controlled by the copyright owner requires permission unless the copyright has expired or a special exception to infringement applies. Failure to get permission will usually result in copyright being infringed. Using part of a work without permission may also infringe copyright, if that part is important to the work – it does not need to be a large part. You may also infringe copyright if you authorise an infringement (that is, if you sanction, approve or countenance someone else to infringe copyright).

It is important to remember that one item may contain a number of separate copyrights. For example, a book may contain a literary or dramatic work, photographs, drawings and typesetting, each of which may be separately protected.

There are some defences, or exceptions, to infringement which allow some uses of copyright material without permission – for example by students who are using copyright material for their research or study.

There are also special provisions for copying by educational institutions, libraries and governments. In some cases, certain procedures must be followed, and in some cases, fees must be paid.

7.0 Copying for schools or ministries

On advice from the Australian Copyright Council, staff at ERFA may copy copyright material for use by Staff or students or Board Members in Edmund Rice schools. This would be covered by the agreement that the individual schools have with CAL (Copyright Agency Limited) by which schools pay an annual payment for permission to copy material under certain conditions.

8.0 Resources

- Australian Copyright Council website: www.copyright.org.au
- Copyright Agency Limited - web site at www.copyright.com.au
Particularly helpful is Information Sheet G53 "Copying for Research or Study."