

Glasgow Caledonian University

Intellectual property and copyright advice

The following document provides guidance on copyright including electronic copyright. Copyright in the UK is regulated by the Copyright, Designs and Patents Act 1988 and the Copyright related Rights Regulations 2003 (Statutory Instrument 2003/2498). The document does **not** constitute official legal advice.

What is Copyright and how do you get Copyright Protection?

Copyright is a means of protecting a person's intellectual property by ensuring that other people do not copy or adapt the material. Copyright protection comes into being when the material is created. A copyright statement is not required in order for a work to be covered by copyright, so just because there is no copyright statement this does not mean that no copyright is held. All kinds of items and mediums are protected by copyright, even electronic resources including:

- *Literary Works*
Any original written work e.g. novels, poetry, letters, directories, the lyrics of musical works; and so Web pages, email messages, news bulletins etc. will all be examples of literary works protected by copyright. Computer programs are also protected as literary works
- *Dramatic Works*
Dramatic works are distinguished from literary works by the inclusion of spoken words, or described actions.
- *Artistic Works*
Includes photographs, sculptures, maps, plans etc. All pictures, images, logos and other graphics on the Web will be protected as artistic works.
- *Sound Recordings*
All sound recordings are protected by copyright.
- *Films*
Moving images and video clips are protected as films.

In some media e.g. web pages, films there may be many different copyrights for the text, pictures and sounds.

Who owns Copyright?

Copyright is theoretically owned by the **creator of the work**, be it a literary work, a musical work, a dramatic work etc. But **if the creator is an employee**, and the works were created in the course of employment, the copyright will belong with the **employer**. This is, to a large extent, a matter of contract law and you should read your employment contract. This becomes far more problematic when there is joint ownership of works, which is of course very common with Web sites. Also ownership of copyright can, like any other property, be sold or assigned, and may therefore change hands after its initial creation. Articles already published should be a particular consideration by academics. The copyright of published articles may well be held by the publisher **not** the author.

How long does copyright last for?

Copyright lasts for various lengths of time depending on the work. Generally they are as follows:

Literary, dramatic, musical or artistic works

Copyright lasts for 70 years after the year of a known author's death. For unknown authors it expires 70 years from the end of the calendar year in which the work was first made available to the public. If a work is produced by two or more authors then the copyright lasts for 70 years after the last of the authors to die.

Photographs

Photographs are protected for 70 years after the death of the photographer. However if they are subject to Crown copyright then it applies for a maximum of 125 years; if subject to Parliamentary copyright it applies for 50 years from the taking of the photograph.

Sound recording, broadcasts, cable programmes and computer generated works

Copyright lasts for 50 years from the end of the year they were made, released or first broadcast.

Typographic arrangements

Typographic arrangements are protected for 25 years after the end of the year in which the *edition* was first published.

If in doubt whether the copyright in a work has expired seek advice from the University Copyright Adviser.

Fair dealing

The Copyright, Designs and Patents Act 1988 allows individuals to copy a certain amount of copyright materials, under the 'fair dealing' clause, for specific purposes. These are:

- research or private study
- criticism or review
- news reporting

In the case of 'research or private study' copying is limited to:

- one whole article from any one issue of a journal (even if that one article is the *whole issue*)
- one chapter or up to 5% (whichever is the greater) of a book
- up to 10% of a short book of up to 200 pages
- one poem or short story (up to 10 pages) from an anthology; or
- an entire report of a single case from any law report.

'Private study' is undefined but is intended to exclude copying for group or class study. 'Research' includes that undertaken for educational, commercial, and industrial purposes.

For criticism and review purposes fair dealing allows copying of up to a limit of 400 words in one extract or several extracts of less than 300 words and totaling no more than 800 words.

Providing sufficient acknowledgement of the source is given, anyone may copy from a work (but not photographs) for the purposes of reporting current events. No

acknowledgement is required for reporting done by sound recording, film, broadcast or cable programme.

Copying for instructional use is permitted provided it is done by the lecturer or student and not by any reprographic methods (photocopy etc), that is copies can be made in *longhand* for classroom purposes.

Copying for examination purposes is allowed by reprography, provided it is not a musical work. However if these exam papers were to be published at a later date then permission/s would need to be obtained for any copyright material in the exam paper.

Copying for commercial research/consultancy

Photocopies and digital copies can be prepared for the purpose of an HEI's commercially funded research – for example a contract or collaborative research project or consultancy. Copies made for this purpose can be supplied to:

- members of an HEI's research team (e.g. staff/postgraduate students)
- a third party organization wholly (or partly) funding the research

Licences

Licences are contracts between persons or organisations which give formal permissions or exemptions. They regulate specific aspects of copyright law and are partly administered by agencies set up after 1988 Act.

The main ones are

- Copyright Licensing Agency (CLA)* Held by Principal's Office. Contact John Crawford ext. 273-1248
- Educational Recording Agency (ERA)* Held by AVS. Contact Mark Galloway ext. 273-1088.
- Open University (OU)* Held by AVS. Contact as above
- Ordnance Survey (OS)* Contact John Crawford 273-1248
- Design & Artists Copyright Society (DACS)
- British Standards Institution (BSI)* Held by the Library. Contact Resource Management staff on 273-1380

Glasgow Caledonian University holds those marked with an asterisk. The DACS licence is mainly used by art schools and colleges. Contact AVS for details about the Educational Recording Agency and Open University licences as indicated above.

The Copyright Licensing Agency (CLA) Higher Education Trial Licence August 2005 July 2008

The University holds a licence from the [CLA http://www.cla.co.uk/](http://www.cla.co.uk/) which integrates permission for HEIs to make:

- multiple photocopies of extracts of printed books, journals and magazines

AND / OR

- Digital Copies_of extracts of printed books, journals and magazines

for distribution or delivery to a group of students enrolled on a course of study.

Terms and conditions

1. The licence permits the photocopying and / or scanning of pages in printed books, journals and magazines consisting either wholly of text, pages consisting wholly of images (e.g. illustrations, photographs and other works produced by visual creators) and of pages consisting of a combination of text and images.
2. The licence permits the making of photocopies and digital copies sourced from books, journals and magazines either owned by the HEI or copyright fee paid copies supplied by a document supplier holding a CLA document delivery licence (usually the British Library)
3. Copying for non credit bearing courses is permitted, for example, pre-sessional, English language short courses for business/professionals

Staff

The licence covers all full time and part time members of academic and administrative staff whether on permanent or fixed term contracts. The licence does not extend to 'walk in' users or to staff employed by the National Health Service based either at GCU or elsewhere

Points to note

Distance Learners

Irrespective of whether based in the United Kingdom or located abroad, Distance Learners enjoy the same rights as campus based students to receive photocopies and receive, view, download and print Digital Copies. However, the licence only permits copying in the UK, so neither photocopies nor Digital Copies can be made by any Authorised Person outside the UK.

Visually Impaired Persons and Dyslexics

The licence permits HEIs to make and supply accessible versions of printed books, journals and magazines to students and members of staff who are Visually Impaired subject to the HEI owning an original published edition of a title which is not otherwise commercially available in an alternative accessible format. (see further below)

Photocopying

1. This licence only covers material published in the United Kingdom, Australia, Canada, Denmark, Eire, Finland, France, Germany, Greece, Hong Kong, Iceland, Jamaica, Netherlands, New Zealand, Norway, Republic of Ireland, Singapore, South Africa, Spain, Sweden and Switzerland.
2. Many publishers have signed up to the licence and are therefore included in the licence. However, some publishers have not given the CLA a mandate to allow copying from their material so before making copies check the list of excluded UK publishers at

http://www.cla.co.uk/licenceinformation_listofexcludedcategoriesandexcludedworks.php

3. . For a list of US publishers who ARE included in the licence check http://www.cla.co.uk/us_participating_publishers.php
4. Please note that some categories of printed publications are not included at all, e.g. printed music. For list of these please see <http://www.cla.co.uk/> and follow links.

Photocopying

What material can be photocopied?

The licence permits photocopying of extracts from most books, journals, periodicals, conference proceedings and law reports published in the United Kingdom, Australia, Canada (including Quebec), Denmark, Finland, France, Germany, Greece, Hong Kong, Iceland, Jamaica, the Netherlands, New Zealand, Norway, Republic of Ireland, Singapore, South Africa, Spain, Sweden and Switzerland.

Extent Limits – how much can be photocopied?

The proportion of a book, journal or magazine that can be photocopied or scanned is restricted to whichever is the greater of:

up to **5%** or **one chapter** of a **book**

up to **5%** or **one article** of a **journal issue**

up to **5%** or **one paper** of one **set of conference proceedings**

up to **5%** or **one case** of one **report of judicial proceedings**

up to **5%** of an **anthology** of **short stories** or **poems** or **one short story** or **one poem** of not more than **10 pages**

Quantity limits – how many photocopies can be made?

The licence applies a maximum limit to the number of copies that can be made. The number of copies of any one extract of Licensed Material should not exceed the number needed to ensure that each student enrolled on a Course of Study (together with the course tutor) are supplied with one copy.

Please note that there should be no *systematic* or *repeated* copying of the same Licensed Material by the *same set of students* in the context of any one Course of Study.

Who can make and receive photocopies?

- registered students, contracted members of staff and visiting academics based in the United Kingdom can make and receive photocopies of extracts of licensed material
- registered students and contracted members of staff based outside the United Kingdom can receive photocopies of extracts of licensed material
- officers contracted by regulatory agencies such as the Quality Assurance Agency and the Research Assessment Exercise can receive photocopies of extracts of licensed material

Scanning

What material can be scanned?

Printed books, journals and magazines published in the United Kingdom can be scanned, subject to not being listed in either:

- the List of Excluded Works (photocopying and scanning)
- OR
- the list of Works Excluded from Scanning under the HE Trial Licence as published on the CLA website

Extent limits – how much can be scanned?

In relation to students enrolled on a Course of Study, the proportion of a book, journal or magazine that may be scanned is subject to the same extent limits as applies to the photocopying of extracts, i.e.

up to **5%** or **one chapter** of a **book**

up to **5%** or **one article** of a **journal issue**

up to **5%** or **one paper** of one **set of conference proceedings**

up to **5%** or **one case** of one **report of judicial proceedings**

up to **5%** of an **anthology** of **short stories** or **poems** or **one short story** or **one poem** of not more than **10 pages**

Images

The licence permits a Digital Copy to be prepared of a whole page visual image (e.g. a plate) and the disembedding of a part page visual image.

E Books and E Journals

The licence does not incorporate any rights for digital copying. The terms and conditions applying to the use of electronic books and electronic journals are set out either in direct agreements with publishers or with groups of publishers through agreements under the National Electronic Site Licence Initiative (NESLI) – See below

Sharing

With a view to minimising the staff and equipment costs associated with scanning throughout the Higher Education sector, the licence permits an HEI to supply or receive a digital copy from another CLA licensed Higher or Further Education institution provided that each institution owns an original published edition (or a copyright fee paid equivalent) and has a CLA Licence including scanning rights.

However, the permission to transfer and exchange digital copies between licensed institutions does not extend to allowing any single HEI (or consortium of HEIs) establishing a central repository of digital copies for the purpose of providing a service to either the Higher and / or the Further Education sectors.

Course Collections – how can Digital Copies be supplied?

To ensure that Digital Copies can only be accessed by those students on a course of study for whom the Digital Copy has been created, HEIs are required to place Digital Copies into course based collections.

This requirement corresponds with standard practice in HEIs for organising courseware into a series of self contained course based “silos” or course repositories where each course designer is responsible for building a collection of learning and teaching materials tailored for a specific course.

HEIs are required to apply strict procedures for Secure Authentication (by some combination of user name, password and / or course enrolment key) to make sure that a digital copy created under licence is limited to the enrolled students.

In this framework, Digital Copies **cannot** be stored in “open” resources such as an institutional or subject repository, an Electronic Reserve or Digital Library where delivery across course boundaries is enabled.

However, the Course Collection framework does permit:

1. the same extract of a book, journal or magazine can be made simultaneously available to students on more than one discrete course of study
2. a Digital Copy of a different part of the same book, journal and magazine can be made available to students on another course of study

Who can create and add Digital Copies to a Course Collection?

The permission to create and add Digital Copies to a course collection is restricted to a group of designated individuals nominated by the HEI.

For the purposes of good practice and audit procedures, it is recommended that HEIs keep accurate and up-to-date records of designated persons.

Copyright Notice

All Digital Copies must contain in a prominent place a Copyright Notice that includes the form of words and the bibliographical / course information set out in the Third Schedule of the Licence.

Who is entitled to access Digital Copies?

Digital Copies stored in Course Collections may be downloaded and printed out (once only) by the following Course Users:

- students registered for that course and members of staff and visiting academics teaching or auditing the course
- officers contracted by regulatory agencies such as the Quality Assurance Agency and the Research Assessment Exercise

However, other Authorised Persons may *view* Digital Copies – a need to peruse a set of course readings might be relevant, for example, to the process of a student selecting or transferring to another course of study.

Online Reading Lists

Digital Copies can be cited in an online reading list organised by reference to a course of study but should not be indexed or listed in a general library catalogue.

Hyperlinks can be used to enable staff and students to browse a list of entries in an online reading list and link seamlessly from the citation to the Digital Copy.

However, the processes of browsing, hotlinking and viewing a Digital Copy should not facilitate a Digital Copy being downloaded and printed out by anyone other than a Course User.

A one page Quick reference guide to the licence for placing beside photocopiers and scanners can be found at

http://www.abdn.ac.uk/library/HE_TrialLicence_QuickReference.pdf

and more comprehensive user guidelines at

http://www.cla.co.uk/assets/169/uuk_guild_he_trial_licence_user_guidelines.pdf

Internet

Digital Copies cannot, under any circumstances, be made available on the publicly accessible internet. However, remote networked access to Digital Copies stored on Course Collections can be enabled via the internet, provided that the technical means

of access is by a process of secure authentication that excludes anyone other than a Course User.

Off air recording

Under the Copyright Act of 1988 educational establishments were given the right to record off-air radio and television programmes for educational purposes, with the proviso that if certified licensing schemes were set up, educational establishments must comply with these.

Glasgow Caledonian University holds licences from the ERA (Educational Recording Agency) and Open University as indicated above. The ERA licence covers programmes broadcast by BBC, ITV and Channel 4 (other than Open University).

The licence allows :

- Unlimited numbers of copies to be made for use within the institution for educational purposes.
- No restriction on length of time they can be kept.
- Recordings can be made at home by teaching staff, but are usually made by AVS.
- Extracts can be recorded and used
- Limited editing is possible. Extracts from several programmes can be edited together, or irrelevant sections in one programme you are using may be edited out. You must not separate sound and vision or edit the material so it is out of context or the meaning of the piece is changed.
To have programmes recorded, under either licence, contact Mark Galloway ext. 3688.
- The Open University licence allows us to record the programmes. Annual fees are payable.

British Standards

Unlimited copying from the BS website is permitted under the licence, both printing and downloading.

Digimap and copyright

Detailed issues can be found at http://edina.ac.uk/digimap/faq_copyright.shtml in the form of Frequently Asked Questions. The main points are:

- The service is available to all staff and students who must register as individual users. It may not be used for recreational purposes, consultancy or any other income generative purposes
- OS maps and data from Digimap may only be used for the purposes of teaching, educational research, academic research and limited internal business use such as 'how to get to' site maps. It may not be used for Facilities Management purposes
- Digimap may be accessed only on Campus
- Digimap data held on an individual PC may not be issued to any third party
- On completion of a dissertation data held on any individual PC must be deleted
- OS data may only be downloaded on to PCs in the UK
- Use of OS data must always be acknowledged and in the following format:
© Crown Copyright Ordnance Survey. An EDINA Digimap / JISC supplied service.

- Map extracts may be included in the following documents, either paper or electronic, subject to size restrictions which can be found on the website: conference papers relating to teaching, academic or educational research; academic articles qualifying for the RAE; working papers and course notes relating to teaching, academic or educational research; dissertations and theses prepared by students; poster sessions to illustrate particular teaching, academic or educational research projects; web sites illustrating teaching, academic or educational research projects; limited internal business use
- OS maps and data from Digimap may not be published in books
- OS maps and data from Digimap may not be displayed on a website except as indicated above
- OS maps and data from Digimap may be displayed at conferences under certain circumstances – see website for details
- One temporary backup copy of Digimap data may be kept until the project concerned is completed after which it must be deleted
- Digimap data may be used for course packs provided no charge is made and the packs are supplied only to GCU students
- OS data from Digimap may be shared with other institutions which subscribe to Digimap
- There is no limit on the number of plots which can be produced within the conditions of the licence
- There is no limit to the number of copies of maps which can be taken but some size limits apply. See website for details

The licence is administered by Dr John Crawford, University Copyright Adviser, to whom further enquiries should be addressed. 273-1248

Electronic Copyright

Electronic copyright covers issues relating to the use of software, the Internet, CD ROM, online and off-line electronic databases. Copying electronically includes:

- using an optical scanner to convert copyright protected works into electronic format
- re-keying paper-based copyright material into a word processor
- downloading to print, disk or computer from databases, CD-ROM and the World Wide Web
- Faxing copyright works
- Sending copyright works through email
- Disseminating copyright material on a network

Copyright law protects material which is available in electronic format in the same way as printed works. There is nothing in the Copyright Designs and Patents Act to say that fair dealing does not apply to works in digital form. The Joint Information Systems Committee (JISC) and the Publishers Association (PA) have produced 'Guidelines for fair dealing in an electronic environment' which gives clear guidelines - <http://www.ukoln.ac.uk/services/elib/papers/pa/fair/intro.html>

Also useful is

<http://www.ukoln.ac.uk/services/elib/papers/other/jisc-tltp/jisc.pdf>

- JISC advice ...'such [electronic] copying [from WWW] is only a real problem if the person who owns the copyright loses income as a result of your infringement, or if you gain income as a result of the infringement' **but** 'If you wish to use material that is currently on the Internet for your project, our advice is to approach the copyright owners and request permission'

The following regulations apply to electronic resources:

Databases

These have full copyright protection for 70 years if the content and arrangements are considered original. Databases that are not original are protected by Database Right, which lasts for 15 years after the database was made or changed substantially. Downloading from an online database to paper format is permitted only under the relevant terms of the licence from the database owner, as part of the contract. Subscribers to databases should look at the terms of their contracts. Resource Management staff (ext. 1380) may be able to advise you. However a NESLI model site licence exists which covers usage of electronic information services and should be referred to for general guidance. It can be found at http://www.nesli2.ac.uk/NESLi2_Model_Licence_guide_v1.pdf

. The principal points are

3.2 Authorised Users and Walk-in Users may:

3.2.1 Search, view, retrieve and display the Licensed Material;

3.2.2 Electronically save parts of the Licensed Material for personal use;

3.2.3 Print off single copies of parts of the Licensed Material;

3.2.4 Distribute single copies of parts of the Licensed Material in print or electronic form to other Authorised Users.

3.3 Only Authorised Users may:

3.3.1 Incorporate parts of the Licensed Material in printed or electronic course or study packs for the use of Authorised Users in the course of instruction. Each such item shall carry appropriate acknowledgement of the source, listing title and author of extract, title and author of work, and publisher. Copies of such items shall be deleted by the Licensee when they are no longer required for such purpose. Course packs in non-electronic non-print perceptible form, such as audio or Braille, may also be offered to Authorised Users who, in the reasonable opinion of the Licensee, are visually impaired.

(This covers the inclusion on Blackboard or in print form of journal articles in journals to which we subscribe electronically. The proviso is that any such

inclusions are properly acknowledged and that they are removed when no longer required for courses)

World Wide Web/Internet

Copyright and Database rights apply. Just because material is widely available, free of charge does not mean that it can be copied - unless it is out of copyright. Always look for copyright information - which is usually on the home page of the site. However, copying is normally only a problem if the copyright owner is deemed to have lost real or potential income, or if the person making the infringement gains income.

Uploading copyright materials onto the Web needs permission from the copyright holder. Placing material obtained from the Internet onto your own web pages carries risks. Even when the site supplying the material declares that copyright will not be asserted and that it can be used freely, the site itself may not be the ultimate copyright holder.

Downloading someone's World Wide Web home page to use as the basis of your own home page is also a copyright infringement. If the original page included a trade mark there may also be a trade mark infringement. It is best to create web pages from scratch.

Hypertext links

Making reference to an individual URL or email address does not itself break copyright law. Links to Internet sites should not bypass the home page as this may contain important copyright information.

Fax

Copying copyrighted material and sending it by fax is a legal grey area. Faxing involves:

- storing the work in electronic form
- making a copy which is 'transient or incidental to some other use of the work'

These are both infringements of the Copyright, Designs and Patents Act 1988 [s.17 (2) & (6)]. However, if the material was copied under fair dealing or library privilege provision of the Act it is unlikely that a case would be brought to court. Nevertheless, it is advisable to destroy the copy that was made to use in the fax machine or send it to the requester who can then destroy the faxed copy.

Electronic mail messages

Copyright belongs to the author/sender or his/her employer if the email is sent in the course of work. Email are usually compared to letters for legal purposes.

You need a licence to broadcast or email copyright protected works obtained (either through keying in or scanning) from an online or CD-ROM source. Check the terms of any contract or seek permission.

Disseminating copyright electronic material around a local area network

Allowing several users to access the same database (networking) is usually the subject of separate contractual arrangements.

Computer programs

These are protected as literary works and therefore have full protection under copyright law. The CLA Licence does not give the users any right to store material in an electronic form, to make any electronic copies, or to print out from an electronic copy.

What can be copied electronically?

Although no definitive legal position exists with regard to electronic copyright it is generally accepted that information found on the Internet is protected by copyright and therefore should be treated in exactly the same way as you would printed works. Always consult the copyright notice found on most Web sites and unless specifically allowed under this notice multiple copies of works should never be made.

Compiling your own web pages

When compiling your own web pages make sure that the materials you use are either your own copyright, or you've obtained permission from the copyright holder to put them there. Remember! You must not scan photographs, diagrams etc. or use audio/video clips without first obtaining permission from the copyright holder as this would make you vulnerable to copyright infringement.

The internet is global, and information placed on web pages could be seen world wide, therefore the scope for misuse in countries where copyright protection is not as good as in the UK is very high. However the same rules apply if your website is simply going to be viewed on the intranet.

Copying for the visually impaired

Under the terms of the Copyright (Visually Impaired Persons Act) 2002 extensive copying is permitted. Allows making of 'accessible copies' of books by or for visually impaired individuals

- Visually impaired person must have either bought the master copy or there must be a copy in the University library
- Multiple accessible copies can be made from a master copy by a library
- Not permissible if a commercial alternative exists
- Must not infringe moral rights or commercial exploitation
- Only available to educational bodies or not for profit agencies
- Does not apply to musical works or databases

This provision has now been extended to dyslexics

Under the terms of the Higher Education Trial Licence issued by the Copyright Licensing Agency (CLA) (August 2006- July 2008) the disability exemption provisions have been extended to include dyslexic students. This allows unlimited copying in a 'suitable alternative accessible format' provided that the University owns a copy of the item and there is no commercial alternative available. CLA does not specify formats but it is likely that two options will be preferred.

- Printing on coloured paper
- Electronic copying

In the case of electronic copying manipulation of the text is permitted but a digitisation for electronic purposes must be recorded as a digital copy under the terms of our Scanning Licence and course and student name must be recorded.

Crown and Parliamentary publications including HMSO material

The Crown waives copyright in many types of work, including statutes, statutory instruments, measures of the General Synod, public records, press notices, court forms.

The click-use licence allows free, licensed use of the great majority of other Crown material for which there is no waiver. For material or uses not covered by the click-use licence (such as OS maps, UKHO charts) it is still possible to get a tailored licence. Details of click-use and its coverage are at:

<http://www.hmso.gov.uk/copyright/licences/click-use-home.htm>

In respect of paper publications the following copying is permitted from sessional and Parliamentary papers, Acts of Parliament, lesser legislation and press releases:

- In higher education a single copy may be made for each student. Outside higher education only one photocopy may be made for anyone individual.
- Multiple copies of extracts may be made as long as they do not exceed 30% of the document or one complete chapter whichever is the greater.

For all other government publications normal fair dealing limits apply.

Copyright in sound recordings used in student videos

The legal basis is sections 32 (2) and (3) of the Copyright, Designs and Patents Act 1988. Section 32.(1) states that copyright in a literary, dramatic, musical or artistic work is not infringed by its being copied in the course of instruction or of preparation for instruction, provided the copying—

- (a) is done by a person giving or receiving instruction, and
- (b) is not by means of a reprographic process.

2) Copyright in a sound recording, film, broadcast or cable programme is not infringed by its being copied by making a film or film sound-track in the course of instruction, or of preparation for instruction, in the making of films or film sound-tracks, provided the copying is done by a person giving or receiving instruction.

(3) Copyright is not infringed by anything done for the purposes of an examination by way of setting the questions, communicating the questions to the candidates or answering the questions.

On the basis of the Act the MCPS provides the following conditions in the enclosed URL

<http://www.mcps-prs-alliance.co.uk/Pages/default.aspx>

On the basis of the above the following should apply

- Commercially produced music may be copied for use in students' videos – no limit of amount is specified
- The copying should be done only by academic staff and students (not technicians)
- The video should be only for teaching and assessment purposes
- The recording must be directly related to study for a recognised exam
- Recordings must be carried out on the premises of the educational establishment
- The copyright owner must be acknowledged in the video credits
- The video must be destroyed once the assessment, including external assessment is completed
- However should the video be required for such purposes as open days, an example of quality work or part of a student's portfolio for potential employment purposes a Limited Availability Product Licence should be obtained from MCPS. This permits the making of up to 100 copies at a cost of £17.63 for each video (This is not a blanket licence).

This section has been approved by the legal department of the Mechanical-Copyright Protection Society (MCPS)

Work based Learning issues

This is a new area and little discussed. Glasgow Caledonian University current policy with work based learning students is to hold one copy only of all parts of each student's portfolio for the external examiner and QA purposes. The components of the portfolio may belong to several copyright owners. No part of the submission is lodged permanently in any University department. Relevant lecturers are advised to obtain signed statements from both students and employers as evidence that both students and employers understand that copyright material is being copied but that the essential test is being observed i.e. no harm is being done to the rights of copyright owners.

And finally

A comprehensive listing of UK University intellectual property and copyright websites may be found at <http://www.lboro.ac.uk/library/crightpages.html>

JISC (Joint Information Services Committee) is a valuable source of copyright advice. Useful URLs include **Intellectual Property Rights: Overview of Intellectual Property by the JISC Legal Information Service**
<http://www.jisclegal.ac.uk/ipr/IntellectualProperty.htm>

and **Intellectual Property Rights (IPR) in Networked E-Learning** at http://www.hefce.ac.uk/pubs/hefce/2003/03_08.htm

A list of useful links can be found at <http://www.jisclegal.ac.uk/ipr/IntellectualPropertyLinks.htm>

TASI (The Technical Advisory Service for Images) has a website at <http://www.tasi.ac.uk/copyrightstatement.html>

IPO (The Intellectual Property Office) is a source of information about copyright, designs, patents and trade marks. <http://www.ipo.gov.uk/home.htm>

Ratified by Learning Services Group 7/10/05 and revised January 08.