

*COPYRIGHT AND PLAGIARISM
(SCHOOLS)*

POLICY 15

St Francis Xavier Province of the
Christian Brothers
(Queensland and Northern Territory)

MAY 2002

1. INTRODUCTION

This Policy is designed to inform students of their responsibilities when conducting research or projects in relation to plagiarism and copyright laws.

2. SCOPE

This policy applies to all students of Edmund Rice Schools when conducting research, projects or other works, whether using the internet or otherwise.

3. POLICY

- 3.1 Students are not permitted, during the course of their studies or whilst using the resources of the school, to plagiarise the work of another (whether they be another student, the author of a text or work obtained from the internet) or to breach copyright laws.
- 3.2 Students found to be in deliberate breach of this policy shall be deemed to have failed the assignment or project submitted and may be subjected to disciplinary action in accordance with the Disciplinary Policy and Guidelines for Students.
- 3.3 Teachers should help students to understand the ethical and legal issues relating to plagiarism and assist them to develop an efficient approach to keep track of, and properly cite, their sources of information.
- 3.4 Copyright laws are based on the underlying social principle that people should have the right to compensation for their creative work. A 'work' (text, music, picture, etc.) is automatically protected by copyright from the moment it is created: no copyright notice or registration is required. The Copyright Act recognises that it is in the public interest to allow some people to use copyright material without seeking permission from the copyright owners or their representatives. This is called the "fair dealing defence". The purposes allowed are:
- research and study;
 - criticism or review;
 - reporting the news;
 - giving legal advice; and
 - participating in judicial proceedings.
- 3.5 Additionally, the dealing must be 'fair'. Fairness is judged by:
- whether the amount of information copied is less than 10% of the total work;
 - the purpose and character of dealing;
 - nature of material;
 - effect on the market for the material;
 - commercial availability of the material; and
 - amount and sustainability of the part used.
- 3.6 Staff and students should be encouraged to assume that a work is protected by copyright and to treat it accordingly. They need to ask permission from the creator of the work. On the Internet, it is quite easy to send the creator an email message requesting permission to use their work.
- 3.7 While the 'fair dealing' defence provides a limited basis by which people can use a "work" without getting permission from the creator, it is possible to purchase a licence to allow access to many "works". It is often impractical for large

users of different works to seek a licence from each and every copyright owner. For that reason, different groups of copyright owners have, over the years, formed societies. The collecting societies which will issue licences upon the payment of a fee are as follows.

- The Australasian Mechanical Copyright Owners Society (AMCOS) - musical works.
- The Australian Performing Rights Association (APRA) - broadcast and performing composers and music publishers.
- Screen Rights (Audiovisual Copyright Society Limited) - right to record and make off air copies of broadcasts including television and film.
- Copyright Agency Limited (CAL) - copies of published literary works, authors, etc.
- The Phonographic Performance Company of Australia (PPCA).
- Vi\$copy—visual and graphic arts.

4. RESPONSIBILITIES

It is the responsibility of the school and teachers to educate students in relation to the avoidance of plagiarism and respect of copyright and methods for citing sources of information and to communicate the terms of this policy, including consequences of breach.