

Wiltshire College guide to

Copyright

What is copyright

Copyright is part of the family of Intellectual Property Rights (IPR) and exists to give protection to the works of authors and performers.

Copyright protects the **expression** of an idea. It is not possible to copyright that the earth is round but a globe you have made can be copyrighted as can a painting of the earth or a book on physics.

The rights of the author, details of protection and copying are covered in the UK by the Copyright, Designs and Patent Act 1988 and further statutory instruments as may be published. The Digital economy Act 2010 will have an impact on copyright as well.

Copyright is automatic and doesn't have to be registered, the copyright symbol © is not necessary to ensure an item is copyright protected

Copyright exists to protect the work of the creator or performer for a specified length of time during which the author can protect or exploit their work as they wish. **Therefore you may not make a copy or use someone else's work without either a licence agreement or the author's express permission**

Authors have the right for the work to be acknowledged as theirs and not to be altered or adulterated without their express permission.

An employer normally owns the copyright of works created by employees

The standard term of protection is 70 years but there are different terms for different materials

Publishers have a 25 year copyright on their published works so even if an author is out of copyright their works may still be protected

As well as protecting the creators of original materials though copyright law has to balance the needs of the creator against the needs of users who want to access the material.

Copyright is designed to encourage creativity so users must have some permissions to research the work of others without the fear of prosecution. The Act includes therefore some exceptions and limitations to the rights of the authors. The main exceptions [also called permitted acts or statutory provisions] are:

Fair dealing ; copying for educational purposes ; and copying by librarians and archivists. These exceptions are still challengeable in a court of law.

The Act recognizes that educational establishments need copying above and beyond the statute. Therefore under section 36(3) of the Act licences can be set up for educational

establishments to copy resources for educational purposes. The licences set out what can and can't be copied.

It is the policy of Wiltshire College that all copying is done under the rules of the following licences:

CLA (Copyright Licensing Agency) http://www.cla.co.uk/Further_education_licences.php.

ERA (Educational Recording Agency)
http://www.era.org.uk/what_license.html.

NLA (Newspaper Licensing Agency)
<http://www.nla.co.uk/default.aspx?tabid=69>.

OS (Ordnance Survey)
<http://www.ordnancesurvey.co.uk/oswebsite/>.

OPSI (Office of Public Sector Information)
www.legislation.gov.uk

JISC Collections
http://www.jisc-collections.ac.uk/model_licence.