

COPYRIGHT AND UTS STUDENTS

Copyright – What can you copy?

Australian copyright law allows you as a student or researcher to copy and use limited amounts of other people's material (third party material protected by copyright) in your study or research without the permission of the copyright owner and free of charge.

The **Fair Dealing provisions** (see over) of Australian copyright law allow you to copy a 'reasonable portion' as indicated below.

The copying must be for your study or research purposes, not for providing copies to others or for making the copied work accessible to others, e.g. online or electronically, or for publishing your work (see fact sheet [Publishing your student work](#)). You may include the copied material in your work which you submit to your lecturer or examiner.

Copyright material	Copyright amount (a reasonable portion)
<i>From a literary, dramatic or musical work in a hard copy edition of 10 pages or more</i>	10% of the number of pages, or One chapter where the work is divided into chapters.
<i>From a literary or dramatic work in electronic form</i>	10% of the number of words, or One chapter where the work is divided into chapters.
<i>From a newspaper, magazine, journal or other periodical publication</i>	One article, or More than one article in the same publication where the articles are related to the same research or course of study. However, copying most of the publication is unlikely to be a 'fair dealing' if the publication is available for purchase.
<i>From other works such as artwork, craftwork, designs, images, films, CDs, DVDs, and broadcasts of radio and television programs</i>	Limited amounts based on the five factors specified in the Fair Dealing provisions (see over) which allow you to determine what amount is a 'reasonable portion'.
<i>From the internet</i>	Check the terms of use on the website (on some sites this may be called 'Conditions of Use' or 'Copyright Conditions'). Where the terms of use do not specify an amount: a limited amount based on the five factors specified in the Fair Dealing provisions (see over) which allow you to determine what amount is a 'reasonable portion'.

If you want to copy more

You can copy more than the amounts set out above if

- you have permission to do so from the copyright owner (see fact sheet [Publishing your student work](#)), or
- the work is out of copyright (see fact sheet [Publishing your student work](#)), or
- you believe you are entitled under the **five factors specified in the Fair Dealing provisions** (see over).

Further advice and information

See the *Australian Copyright Council* [information sheets](#) on *Fair Dealing* and *Research or Study*

Contact the UTS Copyright Advisor at copyrightcontactofficer@uts.edu.au

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Copyright – the Fair Dealing provisions

Australian copyright law allows limited amounts of copyright material to be copied as a ‘fair dealing’, without the permission of the copyright owner and free of charge, provided the copying fits one of the following purposes:

- For research or study
- For criticism or review
- For reporting the news
- For parody or satire
- For providing legal advice.

The ‘research or study’ provision will most likely accommodate your needs as a student or researcher. It covers research or study undertaken as part of your enrolled course, professional employment or personal investigation into a particular subject. This provision covers the gathering and compilation of information as part of your research or study but not the publishing of that information (see fact sheet [Publishing your student work](#)).

The five factors specified in the Fair Dealing provisions

In some instances you may need to assess the ‘fairness’ of your copying, including what could amount to a ‘reasonable portion’. Australian copyright law provides five factors to consider.

Fair dealing factors (Australian Copyright Act)	Considering fairness and a reasonable portion
<i>The purpose and character of the dealing</i>	Is your copying genuinely for your research or study purposes? Copying for your university studies is more likely to be fair than copying material to include in your work which you wish to sell.
<i>The nature of the copyright material being copied</i>	Are you copying material that has been created with a high degree of skill? It may be fairer to copy more basic material to meet your research or study needs.
<i>The possibility of obtaining the copyright material within a reasonable time at an ordinary commercial price</i>	How easily available is the material you wish to copy and can it be purchased at an ordinary commercial price? To meet your research or study needs it may be fairer to buy the material (if it is reasonably available for purchase) than to copy it.
<i>The effect of the dealing on the potential market for, or value of, the copyright material</i>	Will your copying of the material affect the commercial value of the copyright material? To meet your research or study needs it may be fairer to buy the material (if it is reasonably available for purchase) than to copy it, or to copy a small or less significant part of the material than to copy a large or important part.
<i>Where part of the copyright material is copied: the amount and substantiality of the copied material in relation to the entire source material</i>	Are you copying more than you genuinely need? To meet your research or study needs it may be fairer to copy a small or less significant part of the material than to copy a large or important part.

You should remember

- Your purpose for copying should be genuine and fair within the ‘research or study’ provision
- To include in your work a reference to the copied material and an acknowledgement of the author or creator
- Copying any amount of copyright material for your commercial benefit, without the permission of the copyright owner, may not be considered as fair.

Further information on the Fair Dealing provisions

For a concise assessment, see the ARC Centre of Excellence for Creative Industries and Innovation guide (section 3.3) [Blog, Podcast, Vodcast and Wiki Copyright Guide for Australia](#) or the Australian Copyright Council [information sheets](#) on *Fair Dealing* and *Research or Study*

For the relevant parts in the Australian [Copyright Act 1968](#) see sections 40, 41, 42, 43, 103A, 103B and 103C