



# Copyright Guidelines

## Digital thesis submission

The [GRS Thesis preparation and submission procedures](#) (section 18) requires that you have permission to use copyright-protected content (also known as third party copyright material) in your thesis.

Any material that you have not created yourself, and reproduce in your thesis, is third party copyright material and is very likely to be copyright-protected content. You should keep a record of this content and its status: whether it is used under a licence or agreement, by permission from the author or under a Fair Dealing exception (all addressed below).

When submitting your digital thesis to UTS Library, you will be required to indicate on the digital thesis submission form whether you have permission to use the copyright-protected content in your thesis.

Permission can be gained in one of the following ways:

- **By assessing the licence conditions of the work from which you are reproducing the copyright-protected content.**

Most published works will be covered by a licence or terms and conditions or a copyright statement that indicates who owns the work and, sometimes, how that work can be reused.

You will need to find and assess these licence conditions to see if it allows you to reproduce and/or publish parts of the work. Where the licence conditions are unclear or do not cover your intended use, you can use one of the ways below.

- **By assessing your legal right to use the copyright-protected content under Australian Copyright Law *Fair Dealing* exceptions.**

The *Fair Dealing* exceptions allow people to reproduce someone else's work for specific purposes, such as where you are analysing, critiquing or reviewing that work (*Fair Dealing for Criticism or Review*). If your use fits one of the exceptions, you do not need to seek permission.

Note that certain conditions apply (including acknowledging the work and author) and that the *Research or Study* exception is aimed at personal research or study needs and should not be relied on when communicating or publishing your work, such as your publicly accessible digital thesis in the UTS Digital Repository ([OPUS](#)).

See *Fair Dealing* in the [UTS Copyright Toolbox](#) for more information.

- **By assessing any contractual agreement that covers your previously published work.**

In those cases where you are using your previously published work (or your work that is about to be published) in your thesis, you will need to review your publication agreement to assess the conditions for reproducing your work in a digital thesis and/or institutional repository. Where the publication agreement or conditions are unclear or do not cover your intended use, you can seek permission from the publisher of your work.

- **By applying to the owner of the copyright-protected content for permission to use the material in your thesis.**

Whilst this can be time consuming, it is the safest way to reuse other people's copyright-protected content in your work. It may also be useful in the future when dealing with a potential publisher of your work, as most publishers will want to check the copyright status of a work before publishing it.

See **Seeking Permission** in the [UTS Copyright Toolbox](#) for more information.

- **Permission is not required for material that is out of copyright: where the legal copyright duration period has expired**

Where the duration of copyright protection has expired for certain copyright content, that material can be freely used without needing permission. Most copyright content is protected for at least 50 to 70 years, but this can vary for different types of content. See the [Australian Government Copyright Duration](#) guidelines for copyright duration of different types of copyright content.

## Agreement and Statements on the Digital Thesis submission form

### Third Party Copyright Statement

When lodging your digital thesis on the UTS Library [Digital Thesis Submission site](#), you must complete a Third Party Copyright Statement indicating one of the following:

- I have used no third party copyright material, including charts, diagrams, graphs, photographs and maps in my thesis.
- I have obtained permission to use all third party copyright material in my thesis when it is published.
- I have not obtained permission to use some third party copyright material in my thesis when it is published. Indicate these in the section below. *Please note: These may need to be redacted.*

Where applicable, use the third option to indicate those parts of your thesis where you have used third party copyright-protected content but do not have permission.

### Third Party Copyright Agreement, Authenticity Statement and Licensing Agreement

You will also be asked to confirm a final Agreement that addresses a Third Party Copyright Agreement, an Authenticity Statement and a Licensing Agreement.

These are important because:

- The **Third Party Copyright Agreement** indicates you understand that UTS may need to remove or screen parts of your digital thesis due to copyright restrictions. In some few cases, UTS may only make available the abstract of your thesis, for example, where you have been granted an embargo of the thesis (per section 17 of the *GRS Thesis preparation and submission procedures*).

Removing or screening some parts of your thesis will not change your approved thesis, only the digital version that is made publicly available.

- The **Authenticity Statement** indicates you have lodged the approved version of your thesis.
- The **Licensing Agreement**
  - (1) confirms your permission for UTS to archive, reproduce and communicate your thesis (in whole or in part) via the UTS Digital Repository ([OPUS](#)), and
  - (2) confirms your rights over your thesis or dissertation. In accordance with the UTS Intellectual Property policy, graduate research students own the copyright in the original content of their thesis, unless there is a pre-existing arrangement.

Other useful resources:

- [Copyright advice for Researchers](#) (UTS general guidelines about using copyright content, publishing your work, retaining your intellectual property)
- [Manage Your Content](#) (UTS guidelines and legal considerations in using or creating copyright content in different ways)
- [Services for Researchers](#) (UTS Library general advice for researchers about training, workshops and consultations, UTS digital thesis collection, UTS scholars centre)
- [Australian Copyright Council Home Page](#) (practical guidelines for using copyright materials including professional and industry-specific copyright uses)