

<b>Department</b>	Vocational Education & Training		<b>Author</b>	RTO CEO	
<b>Quality Controlled Document No. &amp; Title</b>	26.0	Copyright Policy	<b>Approved</b>	RTO CEO	
<b>Version</b>	1.0		<b>Authorised</b>	RTO Academic Board	
<b>SRTOs 2015</b>	Standard 8		<b>Distribution</b>	Internal	RTO Staff
				External	Prospective Students

## 1.0 Overview

The Copyright Act 1968 (Cth) grants exclusive rights to copyright owners to use copyrighted material, including the right to reproduce or copy, publish, perform, communicate, translate or adapt the material. It is essential to Marriott Academy's continued success and functionality that every individual involved in the use of copyrighted material in connection with Marriott Academy complies with copyright law, and that the RTO as an institution can demonstrate a high level of compliance.

The purpose of this policy is to:

- a) Provide a central and clear statement to staff, students and other members of the Marriott Academy community of their compliance obligations with respect to copyright;
- b) Mandate compliance with copyright laws by all involved in the RTO's activities and minimise the risks that flow from copyright non-compliance, particularly the risks that flow from digital and online material use;
- c) Improve the Marriott Academy community's awareness of the importance of copyright compliance to the ongoing viability and improvement of the RTO as a higher education provider and research facility, and foster legitimate uses of copyrighted materials; and
- d) Demonstrate a commitment by Marriott Academy and its highest-level managers to a compliance culture.

## 2.0 Scope and Application

This policy applies to anyone involved in the use, on behalf of the RTO or in connection with the RTO, of copyrighted material: namely, material for which a person or entity other than the RTO owns the exclusive rights under the Copyright Act 1968 (Cth) to use that material. This Policy applies to all staff, students, titleholders, affiliates and authorised users of the RTO IT facilities. This policy also applies to contractors or volunteers who are contributing to the core functions of the RTO or producing RTO materials (including teaching materials or marketing materials).

This policy is not intended to limit use by the Marriott Academy community of material for which the RTO owns copyright. The management of RTO-owned copyright is governed by the Intellectual Property legislation.

## 3.0 Policy Principles

### 3.1 General principles

- a) The use of material created by others is central to the functions of the RTO as a public teaching, learning and research institution. Marriott Academy supports and encourages the legitimate use of copyrighted materials to enhance the teaching, learning and research activities of the RTO.
- b) Marriott Academy does not condone any use of copyrighted materials in breach of copyright laws, and expects all staff, students and other Marriott Academy community members to comply with copyright laws and all legal restrictions and obligations regarding the use of copyrighted material.
- c) Breaches of copyright law by members of the Marriott Academy community will be treated seriously as the risks that could flow to Marriott Academy as a result of non-compliance with copyright are severe.
- d) The use of digital and online media in teaching is encouraged and supported, as it enhances and streamlines the Marriott Academy's teaching functions. However, Marriott Academy provides central coordination and management of the digitisation and posting of copyrighted material through the Digital Resources Management Centre, so that the more complicated challenges and risks presented by online and digital media in terms of copyright compliance can be better managed.

## 4. Compliance obligations of the Marriott Academy community

### 4.1 Staff obligations

- a) All staff are required to comply with this Policy and the Copyright Act 1968 (Cth), and are expected to read and understand the compliance information provided for them.
- b) Staff who do not comply with this Policy and the associated copyright compliance requirements may be liable for disciplinary action, and may be subject to sanctions under the Copyright Act 1968.

### 4.2 Student obligations

All students are expected to read and understand the information provided for them on the RTO's Copyright Website, particularly relating to the copying and distribution of copyrighted sound or video recordings. Students are personally responsible and liable for breaches of copyright arising from their own actions and may be liable for disciplinary action in accordance with RTO Policy 12.0 s. 12.0.

### 4.3 IT Users

All authorised users of the IT facilities must ensure that they comply with copyright laws in their online dealings.

## 3. Content management

Marriott Academy recognises its responsibility to manage copyright content, particularly in RTO hosted online resource areas. Marriott Academy will ensure that systems facilitating content management are in place to support compliance with the Copyright Act and this Policy, including central monitoring of online content to ensure that the RTO as a whole institution is complying with copyright laws and operating within the terms of its statutory copyright licences.

## 4. Dealing with alleged breaches of copyright

- a) Breaches of copyright law by members of the Marriott Academy community will be treated seriously by the RTO. As outlined above, staff and students respectively may face disciplinary action if they fail to comply with this Policy and the legal requirements relating to copyright.
- b) Where a staff member, student or some other member of the Marriott Academy community believes that the availability of any material on the RTO's IT system may be in breach of copyright, that potential infringement must be reported to the RTO CEO.
- c) Where a notice is received from outside the RTO alleging that the availability of any material on the RTO's IT system may be in breach of copyright, the notice must be forwarded to the RTO CEO.
- d) Teaching staff or other persons involved in the production, reproduction or delivery of teaching materials must be familiar with and meet their obligations as detailed in the Copyright Guidelines, including the proper labelling of educational material.
- e) Staff, students or other persons (including volunteers or contractors) who are engaged in areas where copyright issues regularly arise, such as Music, must ensure that the specific copyright requirements applicable to their area of activity are complied with.
- f) Where copyrighted material is to be used in connection with a commercial activity of the RTO, or in relation to fee-for-service teaching, the use is not likely to be covered by the statutory licences authorising use for educational purposes. Staff or other persons involved in such activities on behalf of Marriott Academy must ensure that appropriate arrangements are made to use the material in compliance with copyright laws. Advice must be sought from the RTO CEO before material is used in such a manner.

Also refer to RTO document 12.0 Training & Assessment Policy v 1.1, section 12.0 Academic Dishonesty and Plagiarism.