

QCAA Copyright policy

July 2014



Queensland
Government

QCAA

Queensland Curriculum
& Assessment Authority

For all Queensland schools

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Purpose

To ensure that people who reproduce or refer to QCAA materials in their publications:

- correctly acknowledge QCAA materials
- pay fees for using the materials, if appropriate
- adhere to the provisions of the *Copyright Act 1968* (Cwlth).

Background and intent

Copyright law exists to protect the owners of intellectual property from having their works used without their agreement, and without attribution.

All QCAA materials are protected by copyright, in whatever format they are created and published; the same protection applies to electronic and print publications.

It is essential for QCAA materials to be accurately acknowledged, whether you are using a small part or a complete work.

In principle, the QCAA is pleased for other organisations and individuals in the education sector to use our materials to provide products and services to the education sector. However, licensing fees may be charged for commercial use of QCAA material. The QCAA is also a signatory to NEALS — an agreement between Commonwealth, state and territory education departments, and the Catholic and independent school sectors that allows schools to copy and communicate each other's material free of charge for educational use (see page 5).

When permission is required

Summary

Permission is required for the following uses of QCAA material:

- in a commercial publication
- adaptation of QCAA materials, unless the material has been explicitly provided for adaptation
- any use of the QCAA logo
- any reproduction of QCAA test papers or extracts from test papers (permission will not be given to reproduce test papers on internet or intranet sites)
- any reproduction of QCAA materials on a school internet or intranet site
- any reproduction of QCAA materials for use outside Australia.

Application for permission to use QCAA materials must be made in writing to the QCAA, giving relevant details about the publication, event or activity and the QCAA material that will be included. Please use the application form — under Copyright — on the QCAA home page.

All copyright enquiries and requests should be directed to the Manager, Publishing Unit: telephone +61 7 3864 0352 or email publishing@qcaa.qld.edu.au.

Details

Permission is needed to use QCAA copyright materials in all cases, except as detailed in the section 'When permission is not required' (page 3).

If permission is granted, it will be valid for a once-only use. New editions, reprints or revisions will require a new application.

If the QCAA publication contains material that is acknowledged to a third party, the user must apply directly to the copyright owner of that material, as well as to the QCAA. This is common in test papers.

Commercial use

Written permission must be sought for any commercial use of QCAA materials, except as provided for by the Copyright Act. A fee may be charged.

Adaptations

Some materials, such as templates, may be provided expressly for use, including adaptation, and no further permission is required to use them. However, other QCAA materials should be used unaltered, or permission sought for an adaptation.

QCAA logo

Written permission must be sought for any use of the QCAA logo.

School internet and intranet use

Written permission must be sought from the QCAA before placing any QCAA material on a school internet or intranet site.

Schools are encouraged to provide links to the QCAA website, rather than reproducing large extracts from QCAA materials. Permission is not required to link to the QCAA website. Please note, however, that 'deep links' (i.e. links to pages deep inside the website) may not remain valid for long, and that links should never lead directly to a PDF or other document.

For examples of preferred ways to link to the QCAA website, see 'Linking to the QCAA website' (page 4).

Test papers

Written permission must be sought for any reproduction, in whole or in part, of any test paper produced by the QCAA. Please note that sets of test papers from the past three years are available for purchase from the QCAA website.

One reason for this restriction is that test papers generally include a large quantity of third-party copyright material. Obtaining all the necessary permissions is difficult and time-consuming.

Permission will *not* be given for papers, or extracts, to be reproduced on internet or intranet sites. Permission may be given to refer to papers on intranet sites, giving a link to the QCAA website www.qcaa.qld.edu.au.

Permission to reproduce QCAA test papers is only likely to be granted if:

- the user clears all third-party copyright material in exam papers
- the material is not reproduced in the exam paper format
- there is value-added material included in the publication
- a fee is paid for commercial use.

Entities without a licence from the Copyright Agency Limited (CAL)

Written permission must be sought for any reproduction, in whole or in part, of any materials produced by the QCAA.

Copyright fees

Generally, there will be no copyright fee charged when the proposed publication is to be produced by non-profit organisations solely for the purpose of private study, research or for educational purposes within Australia (in accordance with Section 200 of the *Copyright Act 1968*).

Requests by publishers or individuals outside the education sector will be assessed individually, and permission will depend on the material requested and the proposed use. A copyright fee will generally be charged when the proposed publication is intended for sale for profit.

For use of QCAA-generated material (whether printed or published electronically), when a fee is charged, the minimum fee will be \$200 + GST.

Amounts above the minimum fee will be determined taking into account details such as:

- purpose, audience and quantity produced or attendance (at events/activities)
- price of the publication/event/activity
- quantity of QCAA material used
- percentage of QCAA material used, compared to the work as a whole.

When permission is not required

Summary

QCAA material that is used in a non-commercial publication or activity may often be reproduced without written permission from the QCAA.

Australian educational institutions have a licence from the Copyright Agency Limited (CAL) that allows them to use QCAA materials for educational purposes.

In addition, the National Educational Access Licence for Schools (NEALS) agreement allows schools to copy and communicate each other's material free of charge for educational use.

In all cases, the source of the material must be accurately acknowledged.

All copyright enquiries and requests should be directed to the Manager, Publishing Unit: phone +61 7 3864 0352 or email publishing@qcaa.qld.edu.au.

Details

Other than the usual provisions for 'fair dealing', copyright material owned by the Queensland Curriculum and Assessment Authority may be copied, without written permission, only by:

- individual students, for private use and research
- Australian schools and entities possessing a CAL education licence, but within the limits of that licence¹ and, if they are copying from an electronic source, within the limits of the *Copyright Amendment (Digital Agenda) Act 2000*
- Australian libraries, educational institutions, and institutions helping people with a disability, within the limits² of the *Copyright Amendment (Digital Agenda) Act 2000*.

Except that a Queensland school, accredited by Education Queensland, may reproduce the whole of a work for use by teachers, parents and educational administrators (for non-commercial, personal or educational purposes only).

Libraries, educational institutions and other institutions helping people with a disability may:

- supply another library with digital copies of a work, or parts of a work that they hold, if the other library cannot get the work in a reasonable time at an ordinary price
- display digital works within their premises
- make a digital copy for research or study
- for administrative purposes, make a digital copy of a work held in printed format
- make a copy of an artistic work to display on their premises if the original is lost or in danger.

Direct quotation of Subsection 49(5A), Copyright Amendment (Digital Agenda) Act 2000:

If an article contained in a periodical publication, or a published work (other than an article contained in a periodical publication) is acquired, in electronic form, as part of a library or archives collection, the officer in charge of the library or archives may make it available online within the premises of the library or archives in such a manner that users cannot, by using any equipment supplied by the library or archives:

make an electronic reproduction of the article or work; or
communicate the article or work.

The QCAA is also a signatory to NEALS which allows schools to copy and use each other's material free of charge for educational use.

NEALS covers non-commercial curriculum, administration and policy documents. It applies to print and digital material published by schools and educational bodies but does not apply to films or sound recordings.

NEALS is designed to reduce copyright fees paid by educational bodies (departments, associations and dioceses) on behalf of schools. All material published by member schools, education departments, associations and dioceses (educational bodies) for educational purposes is automatically covered by NEALS unless expressly excluded.

If material belonging to a third party is reproduced, the user must apply directly to the copyright owner for permission.

In all cases, use of QCAA materials must be properly acknowledged (see Acknowledgement, below).

¹ *Copyright Amendment (Digital Agenda) Act*

² An example of a limit is the amount you may download and copy, as specified in s.10(2A).

Linking to the QCAA website

Permission is not required to link to the QCAA website. The QCAA encourages people to link to source information on the QCAA website, rather than reproducing large extracts from QCAA materials. This ensures that readers have access to the most up-to-date information, and know that it is provided by the QCAA.

Please note that links should never lead directly to a PDF or other document but rather to the relevant page on the QCAA website that contains the link to the document.

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Acknowledgment

Appropriate acknowledgment is required for all uses of QCAA's copyright material.

Acknowledgment in printed materials

Acknowledgment should be made both on the imprint page, and close to the reproduced material.

Preferred style for imprint page acknowledgment

The material on pp. xx, xx, xx (etc.) is reproduced from [title and date³, copyright The State of Queensland (Queensland Curriculum and Assessment Authority). Further information, including any updates, is available at www.qcaa.qld.edu.au.

Example 1: Print source

The material on pp. 16 & 25 is reproduced from the *Legal Studies Senior Syllabus 2007*, copyright The State of Queensland (Queensland Curriculum and Assessment Authority). Further information, including any updates, is available at www.qcaa.qld.edu.au.

Example 2: Electronic source

The material on p. 17 is reproduced from *Welcome to Country and Acknowledgment of Country*, accessed 19 Mar 2011, www.qcaa.qld.edu.au/downloads/senior/snr_atsi_10_handbook.pdf with the permission of The State of Queensland (Queensland Curriculum and Assessment Authority). Further information, including any updates, is available at www.qcaa.qld.edu.au.

Preferred style for acknowledgment close to the reproduced text

QCAA [title and date of work⁴], p. xx [other access details, if appropriate]

³ date of publication (print materials) or date of access (electronic materials)

⁴ date of publication (print materials) or date of access (electronic materials)

Example 1: Print source

QCAA *Legal Studies Senior Syllabus 2007*, p.14

Example 2: Electronic source

QCAA *Welcome to Country and Acknowledgment of Country*,
www.qcaa.qld.edu.au/downloads/senior/snr_atssi_10_handbook.pdf

Acknowledgment in electronic materials

If QCAA materials are used in an electronic publication, the acknowledgment should appear close to the reproduced text, and should contain all the relevant information:

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Example 1: Print source

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Example 2: Electronic source

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Welcome to Country and Acknowledgment of Country,
www.qcaa.qld.edu.au/downloads/senior/snr_atssi_10_handbook.pdf.
Further information, including any updates, is available at www.qcaa.qld.edu.au.

More information

For more information, contact the Manager, Publishing Unit by phone: +61 7 3864 0352 or email: publishing@qcaa.qld.edu.au.

⁵ date of publication (print materials) or date of access (electronic materials)