



## COPYRIGHT 101 for sole traders

### Good Copyright Governance is an important part of operating an ethical and compliant practice.

You might want to build a collection of materials from published sources for use in your business, or to share amongst your practice team, or hand out to clients.

As you use literature in your practice, some questions might come up, such as:

- Can I reproduce this for free?
- Do I need to ask permission if I copy less than 10%?
- Is it enough to cite the source?

Having the right permissions in place ensures you are hitting a benchmark for copyright compliance and fairly supports the creators of the content you use.

## COPYRIGHTAGENCY

We represent over 40,000 members across the publishing, media, visual arts, education and surveying sectors. We license copyright material, so companies can legally reuse content created by others, and be confident that creators are being compensated fairly for their work – thus practising Good Copyright Governance. Licensing revenue is distributed to our members, ensuring the Australian creative economy remains strong.

### Copyright 101 – key concepts

In Australia, copyright law is set out in federal legislation (Copyright Act 1968), and in court decisions which have interpreted the Act.

**Copyright is a form of intellectual property** and gives copyright owners exclusive rights to deal with their works in certain ways.

**Copyright owners have economic rights** – transferable by assignment or by exclusive or non-exclusive licence.

**Copyright protects a range of material**, including text, photos, illustrations, artworks, maps, plans and music. It is the expression, not the idea, which is protected.

**Reproduction and communication** of an original work is not permitted unless rights are granted by the copyright owner or a specific copyright 'exception' applies.

**Copyright protection is automatic** – duration of copyright protection, in most cases, is life of creator plus 70 years.

**Copyright liability** is 'strict' and does not excuse good intentions or ignorance.

**Statute of limitations** in Australia is 6 years. This means that a copyright owner can bring action against infringement up to 6 years after the infringement occurred.

## Some common copyright terms



### Reproduce

Making any type of copy – including making a digital copy, scanning, photocopying, photographing or even by hand copying.



### Communicate

Either transmitting copyright material (for example, by email) or making it available online (for example, on the internet or intranets).



### Substantial part

Copyright owners usually have rights, not only when their complete work is used, but also over parts that are distinctive, important or essential – even if these parts are comparatively small.



### Moral rights

Moral rights are the right for a content creator to:

- be credited for the work they have created
- not to have their work falsely attributed
- not to have their work treated in a derogatory way

Copyright Myths	Copyright Reality
If it's on the internet, anyone can use it.	Copyright still exists on the internet. Most websites contain a copyright notice or information about terms of use but even if they don't, copyright still applies.
I can use other people's content provided I credit them.	Crediting the copyright owner relates to moral rights. The economic rights also need to be addressed. Depending on how you're using the work the creator might only want a credit, but they might want a payment too.
I don't need permission if I copy less than 10% of a work.	Using even a very small part of someone else's work can require permission if that part is an important or integral part and was the result of skill and time.
I paid for a copy, or have access to research papers, so I can do what I like with them.	Just because you have a copy of a paper or access to papers does not mean that you have the right to further reproduce or communicate the material.
I paid for the newspaper and/or magazine, so I can reuse it.	Purchasing a copy or an online subscription does not mean you purchased the reproduction or communication rights of the copyright owner.

The Australian Government provides information on copyright:

- [Attorney General's Department](#)
- [Australian Business Licence and Information Service \(ABLIS\)](#)

## Practising Good Copyright Governance is easy

Contact us to discuss your licensing options, including a discounted rate for APS members