

COPYRIGHT QUICK GUIDE

Using Artistic Works – learning and teaching

Showing in class

Section 28 [s28] of the *Copyright Act (1968)* allows images to be shown in class. s28 does not allow for images to be recorded by Lectopia, placed online, these types of uses are covered under the Copyright Agency educational licence. Images can be scanned from books, or downloaded from the internet and shown in class. Reference details must be included in all uses of image.

Images beware!!

Image services such as Flickr, Photobucket, Imageshack, Twitpic, Pictiger, Pict.com all host images including creative commons licensed images. These sites may also contain images that could be considered a breach of copyright for example an image that is a photograph of a copyrighted work - a photograph of a painting taken at a Gallery or Museum such as this [Brett Whiteley](#) work.

Before using any image you must ensure that the image doesn't infringe copyright. If in doubt contact the photographer to establish if permission has been obtained to photograph the work.

Downloading images

Images can be downloaded from the internet to be shown in class or used in learning and teaching technologies. Images used for online learning and teaching purposes need to be done so either under the Copyright Agency educational licence, a creative commons licence, or other educational use licence. It is best to try and source creative commons, or educational use images.

Images that have been downloaded that you intend to place online must be registered into [eReserve](#) when relying on the Copyright Agency educational licence. Once the images have been registered and placed into eReserve they can be used across the University for learning and teaching purposes in any authenticated teaching technology.

THINK ABOUT – Creative Commons images instead of Google. [Search Google](#) for creative commons images.

Many galleries, museums and websites allow educational use of images that can be used for learning and teaching purposes including online use. Images available on these sites must not be used for public display, or publication purposes without the permission of the copyright holder.

Website terms of use and/or copyright statements need to be checked to establish if the images on the site can be used for educational purposes, are available under a creative commons licence, or a educational licence. Example [website terms](#) [creative commons], [website terms](#) [educational use]

Scanning images

Images can be scanned from books, journals and other publications under the Copyright Agency educational licence to be provided to students or placed online however– there are requirements - [eReserve](#) and [marking](#)!

Images that are scanned from books, journals or published works that you intend to place online must be registered into [eReserve](#) when relying on the Copyright Agency educational licence. Once the images have been registered and placed into eReserve they can be used across the University for learning and teaching purposes in any authenticated teaching technology.

Lecture presentations provided to students as printed materials that contain scanned images must include the required [marking](#) notices below. The notice can be placed once as the first page, or slide of the materials provided to students.

Placing online, learning & teaching technologies

Images scanned from published works or downloaded from the internet can be used in all RMIT authenticated teaching technologies under the Copyright Agency educational licence. Images used under the Copyright Agency licence must be placed into [eReserve](#) once registered the images can be used in any of RMIT's authenticated teaching technologies. The educational licence does not apply to public learning technologies, blogs, wikis or social media sites.

NOTE: Images sourced under creative commons licenses or where website terms allow educational use do not need to be placed into eReserve.

THINK ABOUT – Creative commons images instead of Google images. [Search Google](#) for creative commons images.

The [Learning Repository](#) provides online access to licensed images for use in RMIT's authenticated learning and teaching technologies, you can download images from the Repository for use.

[Permission](#) is required for all other images that are not placed into eReserve, or being used under a creative commons or educational use licence – and are directly uploaded to a teaching technology platform.

Google images

Images found on Google are protected copyrighted works Google is a search engine that searches the internet for images residing on the internet. When using Google images check the copyright statement or terms and conditions of the website to establish what is permissible, or undertake to search Google for images that you can use freely such as creative commons images.

[How to search for creative commons images using Google](#)

Social media, YouTube, Flickr, Yammer, Facebook, blogs and wikis

Externally hosted public sites such as Flickr, Twitter, Yammer, or blogs and wikis contain terms of use that you are required to agree to in order to set up an account. Care needs to be taken to read and become familiar with the terms and conditions on the site. In accepting the terms of use you are agreeing to abide by the conditions outlined.

You can use [creative commons](#) images on social networking sites. If the site hosts advertising you should not use creative commons non-commercial licensed images. Obtaining revenue from advertising could be considered a commercial undertaking.

Adapting, changing & modifying

The 10% myth of modifying an image so that it is free of copyright restrictions is a myth. There is no 10% adaption rule for images, text or audio visual copyright works. The only instance where permission would not be required is where a new work has been created based on the concepts of the first work, and the new work is substantially different from the first work

The [moral right of integrity](#) is an important consideration. If an existing work is modified to a point where a copyright holder feels the modification has affected the integrity of the work, including the authors reputation and honour. The author can bring an infringement accusation under right of integrity against you.

Marking requirements – Copyright Agency Educational Licence**Print notice**

The notice is to be used for images sourced in a printed format, images that originate in a printed format and are provided to students in a printed format.

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under Part VB of the Copyright Act 1968
in reliance on
s135ZL
on ___/___/___ (date)

Electronic use notice

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Copyright Regulations 1969
WARNING

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Do not remove this notice.

Getting advice

The [Copyright Management Service](#) can assist with further advice feel free to [contact us](#) with any query you may have.