Copyright Guide

Copyright Frequently Asked Questions

General

How much of a print book or journal can I legally copy?

Under UK copyright law you may copy an insubstantial amount for personal use for private study or non-commercial research. The law does not define the term insubstantial but it is usually taken to mean no more than one article from a journal issue or one chapter or up to 5% of a book.

Many of our publications are also covered by the Copyright Licensing Agency Higher Education Licence which allows you to make a single copy of:

- one chapter of a book
- one article from a journal issue or set of conference proceedings
- one short story or poem of not more than 10 pages from an anthology
- one law case from a volume of judicial proceedings or 5% of a given work, whichever is greater.

Teaching

Can I make multiple photocopies of a print journal article or book chapter for my students?

The answer is often yes, under the terms of the Copyright Licensing Agency Higher Education Licence. The following conditions apply:

- Copies should be made from a book or journal held in the Library or a departmental collection, or from a copyright fee paid copy of a chapter or article supplied by the British Library: ask your Faculty Engagement Librarian about this option.
- You may make a single copy for each student enrolled on the course.
- CLA recommends that you use their Check Permissions search tool to check coverage UK: all books and journals unless specifically excluded by the copyright holder
  Other countries: see the International Territories section of the CLA website http://www.he.cla.co.uk.

Can I make a scanned copy of a print journal article or book chapter available for my students?

Yes, subject to the same conditions which apply to making multiple photocopies (see question above), you may make scanned readings available for students on a course of study via your Talis Aspire reading list on SurreyLearn.

First check whether the University has access to an electronic version. If so you should link to it via your reading list: for information about this see the Library web page Linking to Online Articles.

If there is no electronic version available you may request that the reading be digitised via the Library’s centralised scanning service. The digitisation software automatically checks that the request is copyright compliant, adds the required Copyright Licensing Agency cover sheet and records the details for inclusion on the annual CLA return. CLA has the right to audit the University’s systems at any time so it is important that we comply with the terms and conditions of the licence.

For further information or help with Talis Aspire please contact your Faculty Engagement Librarian.

Can I make multiple copies of an electronic journal article or e-book chapter? Can I put it on SurreyLearn for my students?

This depends on the publisher and the licence signed by the Library when purchasing or leasing the item in question. Some publishers, such as Elsevier, Wiley and SAGE, allow articles and chapters to be included in print and electronic course packs; others prohibit this unless you obtain prior permission for which there is generally a fee.

You can in many cases eliminate the need for permission by giving your students the link to the full-text electronic version or linking to it from SurreyLearn: for information about this see the see the Library web page Linking to Online Articles.

What if I want to copy two chapters from a book or otherwise copy beyond the limits allowed by the University’s licences?

You need to obtain permission from the copyright holder. Look on the publisher’s website for information on rights / permissions / copyright clearance: some websites offer online clearance. When seeking permission bear in mind the following:

- Allow plenty of time as publishers can take several weeks to reply.
- Get it in writing and keep it for future reference.
- Be aware that the copyright owner may impose conditions and charge a fee.
- A lack of response cannot be taken as permission to go ahead.

Can I make photocopies of an article from a print newspaper for my students?

Yes, provided that the newspaper is covered by the Newspaper Licensing Agency licence. A maximum of 250 copies may be made and copies should be marked “NLA licensed copy. No further copies may be made except under licence”.

Can I copy an article from an online newspaper for my students?

The answer is generally no but check the terms and conditions on the newspaper’s website to make sure. Many newspapers allow readers to make a single copy for personal non-commercial use so you could give your students the relevant web link and ask them to visit the website and read or print a copy for themselves.
Can I include images in my teaching materials?

The copyright of images is complicated. It is often difficult to trace the copyright owner of photographs but in UK law such ‘orphan works’ are still under copyright. However there are ways to make legal use of images without needing to seek permission.

- Under the terms of the Copyright Licensing Agency HE Licence you may photocopy images in print books or scan and add them to SurreyLearn within the licence’s restrictions.

- There are a number of specialist websites which offer copyright free images for educational use. You can usually – check the site’s terms and conditions – print and download these images and post them to SurreyLearn. A good starting point is the JISC Digital Media website which offers a detailed written guide on Finding Video, Audio & Images Online, www.jiscdigitalmedia.ac.uk/crossmedia/advice/finding-video-audio-and-images-online for use in teaching and learning.

How can I include a TV or radio broadcast in my lecture?

The University has an ERA Licence from the Educational Recording Agency: this permits recording for educational purposes of radio and TV broadcasts of ERA members including BBC, ITV, Channel 4, E4, Channel 5 and the Open University. You can make and store digital recordings on the Box of Broadcasts National service, http://bob.surrey.ac.uk/bob_user Guide/index.html (accessible with your University of Surrey user account details): these can be played in a lecture or distributed to students in the UK via SurreyLearn.

For queries about BoB National please contact the Department of Technology Enhanced Learning.
tel@surrey.ac.uk

Can I show a pre-recorded DVD in my lecture? Can I put it on SurreyLearn?

The ERA Licence does not cover the copying of commercially produced pre-recorded DVDs, videos and CDs: these may be played in a lecture but not made available via SurreyLearn.

Can I play pre-recorded music in my lecture? Can I put it on SurreyLearn?

Pre-recorded music can be played in a lecture or seminar but if you want to copy it you must obtain the appropriate permission. Music copyright is both difficult and expensive to clear: however there are ways to make legal use of pre-recorded music without the need to seek individual permissions.

- The University has a Limited Online Music Licence from PRS for Music which authorises the adding of online music tracks to SurreyLearn for on-demand streaming.

- There are numerous websites which provide free and / or paid music online which have little or no rights restrictions. Check the terms and conditions to make sure you are allowed to use the material in the way you intend. The JISC Digital Media website offers a detailed written guide on Finding Video, Audio & Images Online http://www.jiscdigitalmedia.ac.uk/crossmedia/advice/finding-video-audio-and-images-online/ for use in teaching and learning. It also has a useful set of frequently asked questions on audiovisual copyright.

Can I include copyright material in exam questions?

Yes, in UK copyright law there is a specific exception which allows copying for the purposes of examination: setting, communicating and answering questions. The use must be proportionate and fair, i.e. the extent should be justified by the context. You may publish exam papers including copyright material on a university intranet.

Research

Should I sign the publisher’s copyright agreement when my article is accepted for publication?

Don't sign on the dotted line without reading the agreement first. Each publisher has its own publication agreement so the rights you retain will vary. If you transfer your copyright without keeping any rights you may be limiting your ability to reuse your work, distribute it or communicate it to the public. Always check carefully to see what rights you are retaining. If the agreement is too restrictive you can negotiate to keep the rights to use the work in the way that you want.

Please see Author Rights and Copyright for further advice on this.

Can I put all my published papers on a website for others to read?

The answer is probably no. When publishing these papers it is likely that you signed a copyright transfer agreement giving the publisher the exclusive right to distribute the publication and communicate it to the public. Read the publication agreement for each journal article to see which rights you retained.

The current version of the copyright agreement is usually displayed on the ‘for authors’ section of the publisher’s website.

Theses & Dissertations

Do I need to ask permission to include other people’s work in my thesis?

In UK copyright law there is an exception which allows copying for the purpose of answering examination questions and this includes assessed work which counts towards a final examination mark. So you can copy material, including images, tables and diagrams, for incorporation in your thesis or dissertation. The use must be proportionate and fair, i.e. the extent should be justified by the context. The source should be properly acknowledged and referenced.

If you wish to include longer extracts from copyright material you must obtain written permission for its inclusion. For further guidance and templates for permission seeking letters see the Library web page Copyright Material in Theses.

Further information

If you have a question not covered by these FAQs or you would like more information please contact the Copyright and Digital Resources Advisor, Gill Dwyer, or your Faculty Engagement Librarian.

Gill Dwyer
2016