CONUL Briefing Paper on Copyright

Revised Edition
January 2008

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1 Introduction

- This briefing paper aims to provide library staff in CONUL member Libraries with an introduction to copyright regulations. The Copyright and Related Rights Act 2000 brought Irish legislation on intellectual property rights into line with current EU Directives. The 2000 Act represented a major change in emphasis on copyright, giving far greater protection than previous legislation to the economic rights of people who create “works of the intellect”.

- The CONUL Subcommittee on Copyright and Regulatory Matters was formed to advise CONUL on the implications of the new Act and other relevant legislation for Libraries. The Subcommittee submitted an initial report to CONUL in July 2002. This paper is a major rewrite of that report incorporating legislative change since 2002, legal advice received and making the information more accessible to library staff.

- The Act provides for the establishment of authorised licensing bodies to provide additional reproduction permissions in return for the payment of a licence fee. This document explains the legal framework and regulations and suggests models of good practice for Libraries.

- Throughout this briefing paper the Copyright and Related Rights Act 2000 will be referred to as ‘the Act’ and the various sections of the Act will be referenced where relevant in the following format: s.17, i.e. section 17. Various Statutory Instruments which have been signed into law to provide clarification and detail to the relevant sections of the Act are referred to throughout as e.g. S.I. 16/2002, Statutory Instrument 16 of 2002.
2 Irish Copyright Legislation

2.1 What is copyright?

- Copyright is a property right protecting the economic interests of people or organisations that create works of various types and own the rights in their work. This right cannot be taken from them nor can their works be used without their permission. (s.17, s.37).

- Copyright is a moral right, which includes the right to be identified as the creator of a work, not to have works falsely attributed to you or have your work falsely attributed to someone else. It also covers the right not to have your work changed or adapted in any way without your permission (s.107-119).

- As a property right it can be transferred, e.g. by inheritance or contract.

2.2 What is protected by copyright?

- Any expression of ideas or facts, once they are fixed in some way, has copyright protection. There are many ways of “fixing” including writing down, filming, making a sound recording, printing, painting, performing, broadcasting and entering on a database. The ideas or facts themselves cannot be protected by copyright.

- Copyright is established automatically and is international.

- Copyright applies to all categories of information in Libraries, irrespective of format, and includes traditional areas such as literary, dramatic, musical and artistic works, as well as “new” categories such as computer programmes, databases and websites.

- There is no definition given in the Act of what constitutes a “work”. Legal advice received by CONUL defines a work thus:

  “A work is a work in the normal sense – that is each copyright work is taken separately, i.e. a poem, an essay, a song, a broadcast (as distinct from the content of the broadcast) etc. In some instances the collection of a number of works may constitute a database which is maybe a separate copyright work in itself; the relevant consideration is not whether the work is sold by itself or with other material.”
2.3 How long does copyright protection last?

- In most cases a work is protected by copyright for 70 years after the death of the creator (s.24).

- Sound recordings, broadcasts and the typographical arrangements of published works are protected by copyright for 50 years (s.29, 191, 193).

- In many media there can be several rights valid simultaneously e.g. an author and publisher can have different rights to the same published edition at the same time.

- While the content of a work may be out of copyright if the author has been dead more than 70 years, a publisher will continue to have copyright in the typographical arrangement of any published edition of that work for 50 years.

- Where material is published in volumes or parts or broadcast in episodes, the period of copyright protection starts from the date on which each part was made available.

- Rights equivalent to authors’ rights may be acquired for 25 years by anyone who first makes a work available to the public (e.g. by publication) after its original copyright has expired, as long as it has never before been made publicly available.

- Database copyright applies to anyone who makes a substantial investment in obtaining, verifying or presenting the content of a database and applies for 15 years from the end of the year in which the database was completed (s.320-361).

2.4 Who is the copyright holder?

- The copyright holder is usually the author, editor, publisher, producer, director, photographer, database compiler, sculptor etc.

- Where a work is created in the course of employment, the employer is normally the copyright holder. Employment and research contracts should be explicit in this area.

2.5 What are the exclusive rights of copyright holders?

- The right to use and gain economically from the use of a work is restricted to the owner of the copyright. Any other use should be with the permission of the copyright holder and, if required, include payment to them.

- Subject to exemptions in the Act, the copyright owner has the exclusive right to undertake, or allow others to undertake, certain actions such as:
  
  - reproduction (e.g. reprographics);
o making works available (e.g. broadcasting, lending);
 o adaptation (e.g. translation from one language to another, conversion of
   format of electronic documents).

2.6 What is restricted by copyright?

• The Act states that “Copyright is infringed by a person, who without licence of
  the copyright owner undertakes or authorises another person to undertake acts
  restricted by copyright”.

• Copyright can be infringed in many ways, either directly or indirectly and relating
to whole or part of works.

• Common situations which arise in an academic library which would lead to
infringement include:
  o Making and/or using illegal copies of works;
  o Using originals in unauthorised ways, e.g. allowing unauthorised access to
    electronic databases;
  o Allowing library facilities, such as photocopiers, computers, printers,
    video recording equipment etc. to be used systematically for infringing
    copyright;
  o Permitting the use of library premises for infringing copyright of
    broadcasts or performances.

2.7 What use is permitted of copyright materials?

• Materials can be used when:
  o The term of the copyright has expired;
  o The copyright holder has given explicit permission. Good practice would
    suggest that such permission should be in writing;
  o The level of use is permitted by an exemption in the Act (see 2.8 below);
  o Use is covered by a licence granted by the copyright holder or their agent
    such as the Irish Copyright Licensing Agency.

2.8 What exemptions are allowed?

• The Act provides for limited use of copyrighted works without licence or payment
  of fees. The most important exemptions for CONUL libraries are under the
  headings of:

  o Fair dealing;
  o Education;
  o Libraries and archives.
2.8.1 Fair Dealing

- Fair Dealing has no exact legal definition. Its intention is to facilitate a reasonable balance between the economic interests of the copyright holder and the information needs of the user.

- Under fair dealing (s.50-52), use or reproduction of copyright material for research and private study is allowed, although there is no exact definition given in the Act as to the amounts that may be reproduced. Such reproduction is deemed acceptable if it is “for a purpose and to an extent that will not unreasonably prejudice the interests of the owner of the copyright”.

- Fair dealing exemptions are essentially intended for the individual researcher or student. Library staff may make copies for the end user, but are restricted to limits stipulated under the library and archive exemptions (see 2.8.3 below).

- It is NOT fair dealing to make copies “if you know or have reason to believe that the copying will result in copies of substantially the same material being provided to more than one person for the same purpose”.

- Under fair dealing, exemptions for private study would not include copying for use in a classroom, group study or tutorial. Copying for those purposes is limited to what is allowed under the educational exemptions and the terms of the ICLA licence (S.I. 16/2002, see section 5 below). Lecture packs, study booklets, multiple photocopy collections held in libraries or multiple photocopies handed out for class use are not considered fair dealing, but are covered under the terms of the ICLA licence and educational exemptions (see 2.8.2 and Section 5 below).

- It should be noted that the fair dealing exemption does not extend to reproduction of sheet music (S.I. 16/2004).

2.8.2 Educational Exemptions

- According to the Act educational establishments do not infringe copyright by copying works in the course of instruction or in preparation for instruction. But this unlimited exemption only applies as long as the copying is not reprographic, i.e. photocopying (s.53(2)(b)).

- Under the educational exemptions (s.53-58), reprographic copying of copyright protected works is permitted in educational institutions only under the terms of the ICLA or other license agreements. Note that this does not affect fair dealing or library exemptions.
Under the terms of the ICLA license agreement extracts from books, journals and periodicals published in territories specified in the License (www.icla.ie) may be copied provided that the copies are:

1. For the educational purposes of the establishment;
2. Accompanied by sufficient acknowledgement such as bibliographic citation;
3. Do not exceed:
   - One complete chapter or 5% of a book, whichever is greater;
   - One article from a periodical or journal;
   - The whole of a short story or poem not exceeding 10 pages in length from an anthology.

The ICLA license does permit the copying of extracts to create course packs for supply to campus-based students and students on distance education programmes. However, certain categories of works are not covered by the terms of the licence including newspapers, maps and printed music. If there is a requirement to copy from a work for educational purposes that is included in the list of Excluded Works, permission must be sought from the owner of the copyright in the work.

The Act restricts the amount of the original which can be copied (see above), but it does not give a limit on the number of reprographic copies allowed. However the ICLA license limits the number of copies to the number of students in the class plus 2 copies for the teacher at any one time.

In the case of sound recordings, film and broadcasts the copying must be done “by or on behalf of a person giving or receiving instruction”. Library staff can therefore do the copying on behalf of a lecturer or student. However, the copying must result in only a single copy being made.

The terms of the ICLA Licence have been extended in a limited way to cover reproduction using a digital photocopier (or any other electronic capture or electronic storage device) and distribution via internal intranets of extracts from specified Irish print publications.

### 2.8.3 Library and Archive Exemptions

- CONUL Libraries all fall under the present definition of Libraries prescribed under the Act and so are able to take advantage of all the library exemptions. However, some categories of library are not prescribed (e.g. commercial) and this will affect some aspects of our services.
• Under the library exemptions (s.59-70), library staff are permitted to carry out the following activities:
  
  o Lending;
  o Copying for library users;
  o Copying to add to the collection of their own or another Library;
  o Copying to preserve or replace material in a Library’s collection;
  o Copying for insurance, catalogues, exhibition etc.

• Each of these activities will be discussed in greater detail in the following section Copyright Implications for Library Services.

2.9 Public Lending Right

• The Copyright and Related Rights (Amendment) Act, 2007 which came into effect on 4 December 2007, brings Ireland into line with the EU Directive on Rental and Lending (92/100/EEC). The directive requires the creation of an exclusive right (i.e. the right of the author to authorise or prohibit) in respect of the public lending of copyright works. This exclusive right can, however, be substituted by a right to remuneration whereby the author would effectively receive a royalty payment for the lending of his or her work.

• A key provision of the Copyright Amendment Act 2007 is that it amends Section 58 of the 2000 Act to read as follows:
  
  o The copyright in a work is not infringed by the lending by an educational establishment of a copy of the work.
3 Copyright Implications for Library Services

- While the Copyright and Related Rights Act, 2000 is framed to protect the moral and economic rights of the copyright holder, it recognizes and provides for the legitimate need to make reprographic copies under certain limited conditions. The exemptions provided for in the Act are of relevance to Libraries and govern the way in which some services are delivered to the Library’s own user community and externally.

- The exemptions are classed as follows:
  - Fair dealing;
  - Educational exemptions;
  - Library and archive exemptions.

- This Section will deal with the delivery and use of a range of library services, and will indicate which class of exemption applies in each case.

3.1 Self-service photocopying or printing

- Under the ‘fair dealing’ exemptions, individuals are permitted to make copies for their own use for specific purposes and under certain conditions. These specific purposes may be summarized as:
  - Research or private study (s.50);
  - Criticism or review (with acknowledgement) (s.51);
  - Quotations and extracts (s.52 (4)).

- Individuals are therefore permitted to make reprographic copies of copyrighted works under the ‘fair dealing’ exemptions (s.50-52) in the Act. The provision of self service photocopiers or printers by a library to facilitate this is not an infringement under the Act, as long as the equipment is not used to make infringing copies. It is important that anyone using such library facilities is aware of the Act and the limitations it places on them as individuals. Libraries should therefore provide clear notices at each photocopier/printer giving relevant details of the Act. A sample notice is given in Appendix A.

- The Act does not explicitly specify any limit on the amount which can be copied under fair dealing. It states only that the amount “must not unreasonably prejudice the interests of the owner of the copyright”, leaving the user to make their own judgement.
• Library staff should NOT interpret what is “reasonable” for the user. The user often has more knowledge about the item he/she wishes to copy and whether the amount will “unreasonably prejudice” the interests of the copyright owner or not.

3.1.1 Copying or printing from commercial digital resources
• While the use of printed publications, including copying, is largely covered by copyright, access and use of digital resources acquired by subscription or purchase from commercial vendors is governed by contract law. Printing from a commercial digital resource to which the Library has an individual licence e.g. Science Direct, may be subject to different conditions than provided under the Copyright Act. The quantities may be more clearly defined or the type of user limited to certain categories. Libraries are obliged under the terms of such contracts to ensure that the conditions of the agreement are met in self service access.

3.2 Staffed photocopying services
• Under the library exemptions, library staff are permitted to make photocopies and supply them to others for specific purposes and under certain conditions. These specific purposes may be summarized as:
  o Copying for end users for research or private study (s.61,62,67);
  o Copying for the collection of another library (s.64);
  o Copying to preserve or replace material in a library’s collection (s.65);
  o Copying for insurance, catalogues, exhibitions (s.66).

3.2.1 Copying for an individual end user
• The Act requires library staff to be satisfied as to certain conditions before they supply users with copies of material protected by copyright:
  o The copy is for research or private study;
  o The copy will not be used for any other purposes;
  o That the Library has not supplied a copy to more than two other persons with related needs (i.e. the maximum number of copies that may be supplied by the librarian is three);
  o The user has not previously been supplied with a copy of same (unless lost, stolen, discarded, destroyed or a reasonable period has elapsed).

• The Act requires that the end user personally sign a declaration to this effect. Library staff can rely on what the user states in this declaration, without the need for further checking, as long as they know it is not false in any way. This relieves Libraries of the need to keep detailed records on who has been supplied with what in the past, which would be an impossible administrative burden. However, a
Library should not make or supply copies to end users without such a declaration, nor should it make or supply copies if it is known that the declaration is false.

- The requestor must sign the declaration personally. At present it is unclear whether an electronic signature is legally acceptable. It is becoming increasingly accepted in the U.K. that login to an ILL request service via a secure server is considered the equivalent of a physical signature. Legal advice is being sought whether this is the case under Irish law. For a physical signature, the user does not have to sign the declaration in the Library making the copy for them. It is generally signed in the requestor’s “home” Library and the original declaration is stored there.

- There are two different types of declaration stipulated in the Act, each relating to specific types of material:
  - Materials in copyright, which are publicly available or published;
  - Materials, which “have not been lawfully made available to the public” and would include unpublished materials such as manuscripts and theses.

- Sample declarations for each type of material are given in Appendices B and C respectively.

3.2.2 How much can Library staff copy for a user?

- The amount of a work that may be copied under the library exemptions is dependent on the type of material involved. The Act sets out specific limitations in respect of the following types of material:

3.2.2.1 Articles in periodicals

- Under the Act, Libraries are allowed to supply an individual with “not more articles from a volume of a periodical than the number of issues that comprise that volume or 10% of the volume, whichever is the greater”.
  - Therefore, if the periodical is issued in quarterly parts, 4 articles from an annual volume may be copied;
  - If a periodical is issued in monthly parts, 12 articles from an annual volume may be copied;
  - All the articles may come from the same issue, as long as the quantity allowed from the volume as a whole is not exceeded.
  - It should be noted that this is a more flexible allowance than present UK legislation, so in some circumstances it may be more advantageous to users to request photocopies from another Irish Library rather than a UK Library.
• Where a user requires more than the permitted number of articles, the copies may still be supplied as long as the total amount to be copied from the volume does not exceed 10%.

• In dealing with complex publications such as newspapers, where a copy of 1 page can include several “articles”, it may be simpler for staff to follow a rule of 10% maximum.

• The table of contents may be copied freely as it is not considered to be an “article” (s.61 (3)). Library staff should not proactively copy and send an article to a user “on spec”. Copies of articles can only be supplied as a result of a signed declaration from the end user. Any other item of any description (e.g. a letter, a book review etc.) in the periodical is also counted as an article and requires a signed declaration before it can be supplied to the user.

• Abstracts of scientific or technical articles may also be used more freely than the articles themselves (s.91).

### 3.2.2.2 Other published works

• Other published works comprise of other works lawfully made available to the public, i.e. published monographs, reports, etc.

• Library staff are allowed to supply “not…more than a reasonable proportion of any work.” There are no specific limits set and the term “reasonable” is not defined in the Act.

• Decisions should be based on the perceived economic impact on the copyright holder. If the level of copying requested will result in loss of income (e.g. loss of sales), a library should only agree to a very limited amount. If there would be little or no loss to the copyright holder (e.g. the work is out of print with no immediate question of reprint), a higher proportion could be deemed reasonable.

• It is very difficult to set clear policies as to what is reasonable. The individual circumstance of the request will influence how “reasonable” might be interpreted. Some factors to consider are listed below:
  
  o Is the amount of copying requested a substitute for purchasing a publication that is in print?
  o In certain circumstances, up to 100% may be reasonable, e.g. where the work is distributed freely and intended for wide distribution;
  o Where the work contains information of high economic value published for limited circulation (e.g. commercial market reports), even a very small amount may be unreasonable. It is very difficult to set clear policies or guidelines in this area, however any restrictions are likely to be expressed specifically within the work;
See also Section 3.1 above on self-service copying.

### 3.2.2.3 Unpublished works

- This category includes any materials in a Library’s collections, which have not been formally published or lawfully made available to the public, e.g. manuscript materials, theses, archive materials. If still in copyright, these materials may be copied unless the copyright holder has prohibited copying.

- There is a far greater onus on the library staff concerned with these materials to ensure that they are aware of their individual copyright status. It will be difficult, if not impossible to ascertain the attitude of individual copyright holders for items already held in collections. CONUL library staff must be absolutely certain there is no prohibition on copying the item in question and may prefer to seek permission of individual copyright holders before agreeing to provide a copy. Services affected may include photocopying, microfilming, scanning and photography.

- The decision to seek individual permissions for copyright materials already in Library collections will depend on the individual circumstance of each Library. Decisions will have to be made on an item by item basis.

- Where the copyright holder and the Library concerned permit copying of such materials, the following conditions must be met:
  
  o The copy must be for research or private study;
  o The work has not been previously published and the copyright holder has not prohibited copying;
  o The user has not previously been supplied with a copy of this work by any librarian or archivist.

- The user must complete an appropriate declaration form different from that for published materials. The end user must personally sign the declaration. The declaration (Appendix C) requires the user to state that they have never been supplied with a copy before. Library staff can rely on this declaration, unless they know it to be false, which relieves the library of the requirement to keep detailed records of who has been supplied with what in the past.

- While there is no specified limit on the quantity a user can be supplied with (the Act refers to “one copy of the work or part of that work”), only a single copy may be supplied to the user. The conditions under s.61-62 for published works which allows the supply of a replacement copy in certain instances does not apply to unpublished works. There are no provisions in the Act for a replacement copy at any time (s.67 (3) and S.I. 427).
3.2.3 Copying for multiple end-users

- In dealing with published materials such as periodicals and books, library staff may only supply a copy of the same material to a maximum of 3 people, whose requirements are similar or related (s.63). Requirements are considered to be “similar” or “related” when users want copies of substantially the same material at approximately the same time and for substantially the same purpose, e.g. students in the same class.

- It is worth noting that multiple copying of published material for educational purposes is permitted under licence, see Section 5.

3.3 Inter-Library Loans Services

- When ILL staff receive a request to make a copy of a work or part of a work, they must be clear whether they are supplying (1) to an end user or (2) for the collection of another Library. Different conditions and regulations apply to these different situations.

3.3.1 Copying for end-users

- When ILL staff are copying materials to supply copies to individual researchers or students, the regulations are the same as those set out in section 3.2 above, “Staffed Photocopying Services”. It does not matter that the end user is in another institution, as long as they fulfil the same requirements for declarations as your own users. ILL departments can act as the communications channel through which the end user requests the copy from the other Library. However, it must be clear that the copy is for the end user. The end user must personally have signed a declaration and supplied either the original declaration or a faxed copy to the supplying Library. The Library supplying the copy must stay within the limits set out in the library exemptions for the different categories of materials, periodical articles (s.61), other published works (s.62) and unpublished works (s.67).

3.3.2 Copying for another Library’s collections

- Different regulations apply to the supply of copies to other Libraries for inclusion in their own collections (s.64). The requesting Library must be a prescribed Library, as defined by the Act, and needs to inform the lending Library that the copy is required for its own collections.

3.3.2.1 Prescribed Libraries

- There are 2 criteria prescribed Libraries must meet:

  - Neither the requesting Library nor its parent body can be “established or conducted for profit”. This means that any commercial Library or a Library which
forms part of or is related to a commercial organisation is NOT prescribed. Libraries in companies and private colleges are not prescribed and therefore CONUL libraries cannot supply to them under the library exemptions. In essence while “all Libraries in Ireland” are prescribed to supply copies only certain Libraries as listed S.I. 427 are prescribed to receive such copies.

- In addition to being “not for profit”, prescription requires a Library to fall within specified categories, listed in S.I. 427, which includes all CONUL Libraries. See Appendix E for a complete list.

- If the Library requesting the copy is prescribed, there is still another condition to be met. A copy may only be made and supplied provided that “reasonable enquiry” has been made to obtain the consent of a person entitled to authorise the making of a copy (i.e. the copyright holder or their Agent) (s.64(2)). There is no definition in the Act of what is “reasonable”.

- If the other Library is not prescribed or if there is any doubt as to their status, they may not be supplied under the library exemptions. Non-prescribed Libraries are not permitted to receive copies of copyrighted material under the library exemptions of the Act. In these cases, if the Library wishes to proceed with supplying a copy the explicit permission of the copyright holder must be sought.

- However, all Libraries and archives in Ireland are prescribed to make and supply copies for prescribed Libraries, even if they are not themselves prescribed to receive copies. It is therefore permitted for a Library to make a request for material from a non-prescribed Library and for them to supply it, provided they have made reasonable enquiry to obtain the copyright holders’ permission.

- Library staff involved in informal or formal subject-oriented ILL agreements with colleagues in other Libraries (e.g. medical libraries) should check carefully the status of the other Libraries in the agreement and the conditions for supply of copies.

- These regulations only apply to the supply of copies to another Library for their collections. If supplying to the end user of another Library, the regulations set out in section 3.2 above apply. This is an important distinction, which any member of library staff who may be asked to supply copies of copyrighted materials should understand.

### 3.4 Copying works in the Library’s own permanent collection for preservation purposes

- The Act permits a Library to copy a work from its own permanent collection for the purpose of preservation or replacement (s.65), for itself or for another prescribed Library (see section 3.3.2) under certain specified conditions without infringing copyright. This exemption only applies where it is not “reasonably
practicable” to purchase a copy of the work. The Act does not define further the level of effort a Library should go to before availing of this exemption, but it should be assumed, that if an item or work is still in print or available for purchase, it should be purchased rather than copied. Lack of money would not be deemed a sufficient reason to copy rather than purchase.

3.5 **Copying for curatorial purposes**

- Copies may be made for certain curatorial purposes under specified conditions (s.66). There is no limit set on the quantity as long as it is to an extent ‘reasonably justified’ for non-commercial purposes. A clear distinction should be drawn between non commercial purposes (e.g. a poster to advertise a library exhibition) and commercial purposes (e.g. selling copies of that same poster or postcards of the exhibition). If it is intended to use any materials still in copyright, for any commercial purpose, no matter how small, permission should be sought from the copyright holder.

- Works in a Library’s collections may be copied for purposes of insurance, security, exhibiting or preparing a catalogue. There is no limit set on the quantity as long as it is to an extent “reasonably justified by the non commercial purpose to be achieved” (s.66(2)).

- The type of “catalogue” envisaged in this section is not defined in the Act. Assuming this encompasses the Library’s bibliographic database, it would allow the attachment of digital images of items in the Library’s collections to their catalogue records to enhance the information value of library catalogues.

3.6 **Fee-based information services**

3.6.1 **For profit or not for profit?**

- CONUL has sought legal advice on the implications of the term “not for profit” and how this might relate to the fee based information services provided by some CONUL Libraries¹. The legal expert is of the opinion that the test would be as to whether the Library or archive is itself established or conducted for profit or whether it forms part of, or is administered by a body established or “conducted for profit”. As all CONUL Libraries are either subordinate sections of institutions that are part of the State-funded third level education system or directly funded by the State, such Libraries would not be considered as being conducted for profit. It is the opinion of the legal expert that consideration of the issue should be at this macro level and not come down to whether profit may inadvertently or

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¹ Memorandum on ‘Topics referred by the Sub-Committee for Legal Opinion’ from Sean Phillips, Librarian, University College Dublin to Margaret Flood, Chair CONUL Sub-Committee on Copyright and Regulatory Matters, 3 November 2005
incidentally be made in respect of any particular copy supplied or in the sense that the amount charged may be marginally more than the cost of providing the copy. In essence such services may take into account, not just the direct costs of producing a copy, but the wider costs including a contribution to the general expenses of the Library or archive.

3.6.2 Copying permitted by ‘not for profit’ Libraries

- Services operating on a cost recovery basis, as described above, are deemed to have ‘not for profit’ status, and the regulations which apply to them are the same as those which apply to traditional photocopying and ILL services, set out in Sections 3.2 and 3.3 above, i.e.:
  
  o Supply to end users is allowed under the library exemptions and is the easiest option from an administrative point of view as declarations give some legal protection to the Library;
  o Supply to other prescribed Libraries for their collections is allowed under the library exemptions subject to “reasonable enquiry” to obtain permission of the copyright holder;
  o Supply to a non-prescribed Library for its collections is not allowed, unless you have the explicit permission of the copyright holder;
  o The terms of corporate or external services provided by CONUL Libraries may need to be re-examined to exclude any service not allowed by the Copyright Act.

3.7 Services to users with physical or mental impairment

- Modifying or adapting a work to meet the special needs of a person with a physical or mental disability is allowed under the Act (s.104). A “designated” body must carry out the modification. At present the relevant Statutory Instrument (S.I. 406) simply says that the body must not be operated for profit. It is permissible therefore for any of the CONUL Libraries to modify and supply such works.
4 Copyright Implications for types of Collections and Materials

- There are very few places in the Act where formats of material are specified or are treated differently from one another. In general all types of work are treated the same, whether they are literary, dramatic, musical, artistic, sound recording, film, broadcast, cable programme, typographical arrangement of a published work or an original database or computer programme.

4.1 Monographs
- There are no regulations which apply specifically to monographs.
  - For self service copying by end users see Section 3.1;
  - For copying by library staff see Section 3.2;
  - For educational use see Sections 2.8.2, 4.3 and 5.

4.2 Periodicals
- Periodicals, or articles in periodicals, are only treated differently from other types of published materials, when it comes to the quantities that can be copied by library staff on behalf of end users. For details of this see Section 3.2.2.1 above.
  - For self service copying by end users, see Section 3.1;
  - For educational use see Sections 2.8.2, 4.3 and 5.

4.3 Photocopy collections
- The making of a copy or copies for educational purposes, including for library photocopy collections is now governed by the terms of the relevant licences (see Section 5 below for details). For example, the main licensing body is the Irish Copyright Licensing Agency (ICLA) which grants a licence to Higher Educational (HE) institutions. This covers the reprographic copying of works solely for the educational purposes of the institution and must not be for commercial gain or any other purpose.

- The ICLA HE licence permits the making of multiple copies of extracts from all books, journals and magazines published in Ireland (and the other mandated territories) except those shown on the List of Excluded Categories and Works.
  - All staff and students at institutions holding a licence may make copies provided they comply with the licence terms and conditions;
  - No copying may exceed 5% of the published volume or issue or, if greater:
    - One complete chapter from a book, or
    - One article from a journal or periodical, or
• A short story or poem not exceeding 10 pages in length from an anthology;
  o The number of multiple copies of a single item shall not exceed the number needed to ensure that each member of a class has one copy only and that the tutor has two copies.
  o The copying licensed is any copying onto paper by means of a reprographic process. It does not permit the licensee to create a database of copyright material.

• It is important to note that the 5% maximum applies across the whole institution, not just the Library. The 5% must therefore include any materials kept in the Library, handed out in class, included in lecture notes or handouts, included in course packs, presented in a booklet form or on a course web site. For this reason, it is recommend that academic staff depositing material in the Library for circulation would be asked to declare that they are aware of the terms of the ICLA licence (see Appendix D for sample declaration form). It is recommended that these forms be attached to each copy in the photocopy collection.

• No record of copying is required under this licence. However, good practice dictates that the Library would keep adequate records of copies received into the collection.
  o For digitised material please see Sections 4.10 and 4.11 below;
  o For newspapers please see Section 4.12 below.

4.4 Unpublished Material

• Unpublished material is defined as works not lawfully made available to the public, e.g. theses, manuscripts and archives, and their copying is dealt with in Section 3.2.2.3 above.

4.4.1 Theses

• Unless prohibited by the copyright owner, the legislation permits individuals to copy (s.50), and libraries to supply copies (s.67), of theses for research or private study purposes.

• The copyright owner may be the examining institution or the author. Regulations governing the submission and acceptance of theses vary from institution to institution. Library staff should refer to local regulations for guidance.

• For the future development of theses collections, best practice would recommend:
  o A statement of the copyright ownership of theses, regardless of physical format;
That any prohibition of copying be made clear on the physical item itself or in metadata attached to a digital item.

4.4.2 Manuscripts and Archives

- Collections of these types are included under the definition of works ‘not lawfully made available to the public’. Because of the unique nature of manuscripts and archives, local regulations generally control access, usage and copying.

- Prior to the Copyright and Related Rights Act, 2000 copyright in manuscripts was deemed to be perpetual, unlike published works where copyright expires after a fixed period. It was a property right which could be transferred, sold or bequeathed in perpetuity. The 2000 Act brought copyright in unpublished works into alignment with copyright in published works (s.24).

- Under the terms of section 33 of the Act (which makes specific provision for ‘a work not lawfully made available to the public within 70 years of its creation’), it is reasonable to assume that the copyright has expired if you are satisfied that it is 70 years or more since the death of the author or, where the author is unknown, that the item was created 70 or more years ago.

- The Act states that “any person who, after the expiration of the copyright in a work, lawfully makes available to the public for the first time a work which was not previously so made available, shall benefit from rights equivalent to the rights of an author for 25 years from the date on which the work is first lawfully made available” (s.34).

- Copyright and Related Acts (Amendment 2004) allows for the public exhibition of artistic and literary works without infringement of copyright, including manuscripts and archives.

4.5 Audio-visual materials

- Audio-visual (A-V) materials, as defined in the Act, include sound recordings, film, broadcasts, cable programmes and original databases and cannot be copied. The exception to this is where the copying is being done within an educational institution for its educational purposes (s.53(3-4)). In this case, the copying can be done by or on behalf of a person giving or receiving instruction or for examination purposes (with the exception of reprographic copying of a musical work for use by an examination candidate in performing the work which is not permitted). Copying must result in only a single copy being made and must be accompanied by sufficient acknowledgement. Such copies must not be sold, rented, lent or otherwise made available to the public. Multiple copies of A-V materials are an infringement of the Act.
4.6 Maps

- As maps are amongst the items most sought from Libraries’ fee-based services, Libraries should ensure that supply to commercial companies for their commercial use, is covered by the permission of the copyright holder. A licence from the appropriate body or bodies is the most convenient, albeit costly, form of permission to seek.

- Maps are not dealt with specifically in the Act and therefore are treated in the same way as other copyrighted works:
  - For self service copying by end users see Section 3.1;
  - For copying by library staff see Section 3.2;
  - For educational use see Sections 2.8.2 and 5.

4.7 Printed music

- Copyright in printed music can exist independently in the music, text and typographical arrangement. Printed music does not benefit from the fair dealing exemptions given under the Act (S.16/2004). The Act (S.53 (6)) specifically states that a copy of a piece of music may not be made for a candidate to perform in an examination. The exam must be performed from an original publication, not a reprographic copy. Otherwise music is treated in the same way as other copyrighted works:
  - For self service copying by end users see Section 3.1;
  - For copying by library staff see Section 3.2;
  - For educational use see Sections 2.8.2, 4.3 and 5. Please note that the ICLA license does not cover printed music (including the words)

- Because copyright in printed music is so difficult to establish, and the end result could be a performance, it is recommended that printed music is not reproduced.

4.8 Photographs and illustrations

- There are no regulations which apply specifically to photographs or illustrations.
  - For self service copying by end users see Section 3.1;
  - For copying by library staff see Section 3.2;
  - For educational use see Sections 2.8.2, 4.3 and 5.

- However, under fair dealing exemptions (s.51(2)) the copying of photographs for use in reporting current events is not permitted.

- Institutions holding slide collections should be aware of the copyright implications surrounding the creation of such collections. Slides made from illustrations in books or journals are subject to the copyright of the original photographer, and also to the typographical copyright of the publisher of the work, even if the content of the slide itself (e.g. the original painting) is out of
copyright. Making a slide for educational use may be permitted if the total extent is under 5% of the work (see paragraph 2.8.2 above). However, if the definition of a “work” for these purposes is proven to be the individual photograph, and not the book or journal in which it was published, then the slide would constitute 100% of the original work and would be an infringement of the Act. Copyright permission should be sought individually or by licence before such slides are made and collected.

- Digitising such slide collections would also be an infringement without the copyright permission of the relevant copyright holders, as it is an adaptation of the original work.

4.9 Licensed digital materials

- Use of products (e.g. e-journals, databases) for which the Libraries have negotiated a licence will generally be controlled by the conditions in that licence. While Irish Copyright Law may give Libraries greater exemptions than under individual contracts, these rights may have been signed away in a licence if the licence included an agreement to be bound by the law of another jurisdiction.

- Conditions in licences may seek to limit the level of use that can be made of materials contained in the product or service. For example, while access to read materials online in a journals clump may be unlimited, the number of articles which can be downloaded and housed on local sites such as course websites may be severely limited, if permitted at all. Provision of a link to a resource rather than mounting a copy on the VLE is to be preferred. Specific queries about the terms of individual licence agreements should be referred to the person authorized to sign licences on the Library’s behalf. Ignoring or breaking the terms of a licence may be a breach of contract as well as infringing copyright.

4.10 Locally digitised materials

- The ‘Digital Scanning and Intranet Extension for Certain Works Published in Ireland’ is an addendum to the ICLA License for Print Materials. The license permits digital copying in certain circumstances of Irish published materials and the placement of these copies on local intranets. This has been interpreted as permitting integration into VLEs. Other than that, the restrictions of the print licence apply. It is planned that the scope of this digital licence will be incrementally extended to publications from other jurisdictions.

- The Digital Extension to the ICLA Licence bestows a limited right since manipulation of the original is not permitted nor can it be placed on the Web or linked externally in any way. The normal conditions and restrictions as outlined in the Licence for photocopying apply to digitization. Material can only be downloaded to print and not any form of alternative digital media. The ICLA Licence does not cover the reproduction of any material born digital.
In relation to material not covered by the ICLA Licence the context and purpose to which you intend to put material you digitise locally may determine whether it is legal or not. Digitising unique older materials in your collections to facilitate greater access while preserving the originals is not likely to be an infringement (s.65). Digitising modern materials, which are still available for purchase, no matter how good the reason, would be an infringement. In general, making material under copyright available in a form other than that in which the copyright holder has made it available would be considered an infringement, unless done with the permission of the copyright holder or under licence. In most circumstances, therefore, it is recommended that CONUL Libraries seek the copyright holder’s permission.

4.11 Websites

- It should not be assumed, simply because material is made publicly available on the Web, that the copyright holder is giving permission for the material to be used in any way the user chooses. Materials on the web should be regarded as having the same copyright protection as anything in traditional formats. Before using a site by linking to it or copying material from it, any copyright statements which the website owners may have included should be checked and care should also be taken regarding the copyright status of anything a website owner may have added to their site.

- The information in many websites would be regarded as databases, as the website owner will have made “substantial investment in obtaining, verifying or presenting the contents of the database” (s.321). The website will therefore qualify for copyright protection in its own right, as well as the original materials possibly also having copyright protection.

4.12 Newspapers

- Newspapers are covered by the Newspaper Licensing Ireland Limited licence and are specifically excluded from the ICLA HE Licence. The newspaper licence covers staff and students from members of the Irish Universities Association (IUA) for the copying or scanning/digitizing of a specified list of printed newspapers (www.newspaperlicensing.ie/faqs.htm), when carried out on the premises for themselves or others within the restrictions of the licence:
  
  - Permission is granted for photocopying and scanning/digitization of the Irish national and regional newspapers on the list;
  - The licence permits photocopying but excludes the scanning/digitization of UK newspapers and their Irish editions on the list;
  - In relation to digital copying (i.e. scanning) of Irish national and regional newspapers on the list, the copy may only be made within the 30-day
period from the date of publication and must be deleted at the end of the 30-day period. This restriction does not apply to photocopying;

- Newspapers not covered by the Newspaper Licensing Ireland Ltd. licence are covered by the Act as laid out in Section 2 of this document;
- A note indicating that the copy was made under licence from the NLI and cannot be reproduced by the recipient unless prior permission is sought from NLI must accompany all copies that are sent out from the institution.

- Institutions may be audited by NLI. In this situation, records of all copies made giving the newspaper name and details of extracts will be required from the date of notification of the audit to the date of the audit. Records do not need to be kept unless advised.
5 Copyright Implications for the wider academic environment

5.1 Educational use of copyrighted materials

- Educational establishments may make unlimited use of copyrighted materials in the course of instruction or in preparation for instruction without infringing copyright, as long as the copying is not reprographic. In a lecture or tutorial situation, works may be used in any way, as long as they are not reproduced reprographically. If they have to be photocopied, scanned into lecturer’s notes or overheads, etc. or reproduced by any reprographic process, there is a limit of 5% on the amount of the material that may be copied.

5.2 Educational copyright licences

- Licences are not required by the Act for the CONUL Libraries or their users to take advantage of the fair dealing and library exemptions. However, licences are required by Higher Education Libraries under the educational exemptions. It is the institution rather than the Library that is required to be licensed under the Act.

- In order to be certified to issue licences for the use of copyright material in Ireland, an organisation must be registered with the Controller of Patents, Designs and Trade Marks, who can certify proposed schemes for the purposes of the educational exemptions. The licensing bodies that manage rights for a range of rights holders currently include the Irish Music Rights Organisation, the Irish Copyright Licensing Agency Ltd., and Newspaper Licensing Ireland Ltd. These bodies are deemed to represent enough rights holders to make centralized licensing worthwhile. Such organisations may represent copyright holders directly or have reciprocal arrangements with licensing bodies in other countries. New, emerging bodies such as the Irish Visual Artists' Rights Organisation may represent other areas in the future. Others, such as Ordnance Survey Ireland, manage rights directly for their own exclusive works.

- The Joint Irish Universities Association Working Group on Copyright negotiates with licensing bodies on behalf of the Irish Universities.

5.2.1 Irish Copyright Licensing Agency (ICLA)

- The Irish Copyright Licensing Agency Ltd. (ICLA) was established by the Minister for Enterprise, Trade and Employment under Section 57 of the Act, to license permitted uses of copyright material on behalf of copyright holders. An ICLA Licence is now mandatory for Irish educational establishments at any level wishing to make multiple copies of copyright works. The ICLA Higher Education Licence, first introduced in 2004, permits universities to copy certain
copyright works for educational purposes upon payment of an annual fee to ICLA for distribution to the copyright holders.

5.2.2 ICLA Higher Education Licence

- The Higher Education licence refers to the “Licensed Material” as being material contained in printed books and journals. The material covered is as specified and scheduled in the licence (see Appendix G), and includes material published in countries other than Ireland.

- Some countries, publishers and publication types are excluded. Material not covered by the licence is specified in the List of Excluded Works made available by ICLA (www.icla.ie). This includes printed music, maps, newspapers and electronic publications in addition to the printed works of specified publishers. Any copyright owner may further expressly prohibit copying under ICLA or similar Licences by a declaration on any work of any kind.

- The Higher Education licence defines:

  - “To “copy” means to make or permit the making of a photocopy or any reproduction of licensed Material on to paper by means of any reprographic process, excluding the making of a reproduction by electronic or digital means”*” (Clause 1, ICLA Educational Licence Agreement text, October 2005).

* Note that digital copying is covered by the later Digital Extension to the license (see Section 5.2.3 below).

5.2.2.1 Conditions

- The main conditions of the ICLA licence are as follows:

  - Copying shall not exceed 5% of the work or one chapter of a book, save that in the case of an article in a journal or periodical, the whole article may be copied, but not more than one article in any one issue of the publication;
  - The number of copies at any one time shall not exceed the number of students in a class plus two extra copies;
  - Systematic or repeated copying, or copying of complete works are prohibited;
  - Copies of other copied works are not permitted;
  - Republishing of copied work for profit is prohibited; costs may however be recovered when course packs are distributed to students;
  - The licence does not permit any form of reproduction by electronic or digital means*;
Explicit permission from owners must be sought for all “Excluded Works”. ICLA maintains current lists of “Excluded Works” (www.icla.ie). These may be changed from time to time.

* Note that digital copying is covered by the later Digital Extension to the license (see Section 5.2.3 below).

**5.2.2.2 Duration and fee**
- The duration of the Licence is 12 months, with annual renewal on payment of the fee. Individual institutions’ fees are calculated based on student FTEs.

**5.2.2.3 Data collection**
- The ICLA may require the Licensee to participate in a data collection audit, to establish the extent of copying and to identify the material selected for copying throughout the entire university. This is for the purposes of fairly recompensing the relevant copyright holders. Any such audit should be notified in advance.

**5.2.2.4 Notices**
- ICLA approved notices specifying copying conditions must be placed at every photocopier on the premises of the licensees. An example is provided in Appendix F.

**5.2.3 Digital Extension to the ICLA Higher Education Licence**
- Resulting from discussions with the Irish Universities Association and others, in 2006 the ICLA provided an extension to the existing licence to include limited permission for educational licensees to digitize certain Irish print publications – “Digital Scanning and Intranet Extension for Certain Works Published in Ireland”, January 2006.

- The digital extension permits:
  - Creation of digital copies by scanning of limited extracts from certain Irish books and periodicals (list of included publishers available on application to the ICLA);
  - Posting of the digital copies created on the licensee’s intranet (e.g. VLE), which may only be accessed by authorized users, defined as staff and students of the institution;
  - Printing by staff and students onto paper of the digital copy.

- These rights are given under strict terms and conditions:
  - The licensee may only make digital copies of licensed material in its own possession;
o No digital copy shall exceed the limits specified for paper copies, that is 5% of a work or one chapter;
o All conditions applying in the original licence to the copying of paper publications also apply to the making of digital copies;
o Material may not be altered, amended or manipulated in any way;
o Material must be confined to authorized intranet users and must not be available to others via the Internet or the World Wide Web;
o A digital copy may not be made of any graphic or visual work unless it is integral to the text being copied;
o Reproduction of digital copies on CD, DVD or removable disk or memory is prohibited;
o Collection or storage of digital copies in any form with the intention of creating an electronic database or library or other information repository or resource is prohibited except for system back-up purposes;
o A copyright notice should be displayed with all digital copies.

- All other conditions of the original print licence also apply to digital copies. Copies may only be made for non-commercial, educational purposes. There must be appropriate provision for data collection and auditing, and copyright notices must be displayed on all scanning devices. The fee for digital rights is included in the cost of the general licence.

- The institution has responsibility to ensure compliance with these terms and conditions.

- It is hoped that this digital extension will be further extended in the future to cover publications from other jurisdictions.

5.3 Academic or departmental copying

- Academic departments may make reprographic copies for educational purposes. However, anything they do would have to be included as contributing to the limit of 5% of any work in any calendar year. The 5% limit should be interpreted as being across the whole institution, so compliance with this limit will require high levels of monitoring between all departments and services including the Library and academic departments. Any copying above the 5% level must be covered by a license.

5.4 Lecturers’ handouts and course packs

- It is the responsibility of lecturers to comply with copyright requirements and acknowledge the correct copyright attribution. Unpublished materials such as a lecturer’s own notes should be acknowledged to be the copyright of the individual or institution concerned, to distinguish it from other materials in the handout. Material, whose copyright is not owned by the lecturer, should only be included
in line with the educational exemptions in the Act, as outlined in paragraphs 2.8.2 and 4.3 above.

- There are also provisions in the ICLA Higher Educational Licence which permit specified copying for course packs of works from publishers included within the Licence:
  - “the number of copies hereby licensed of any one item taken at any one time by members of staff for distribution to students shall not exceed the number of students in a class, plus two copies for each teacher or lecturer” (Clause 3.2, ICLA Educational Licence Agreement text, October 2005).

### 5.5 Course websites / Virtual Learning Environments / Intranet

- Inclusion of material in course websites should be treated with the same consideration as inclusion of material in any other educational medium. In 2006 an additional provision of the third level educational license extended certain rights of digital scanning and intranet uses for specified works published in Ireland. Where material to be included is covered by an ICLA Higher Educational Licence, the conditions of that license must be complied with.

- There are significant limitations imposed in terms of storage, reproduction, access and dissemination under the Digital Scanning and Intranet Extension provisions. These limitations are specified in the extension. All the general limitations applying to paper material in the paper license also apply to all Digital Copies.

### 5.6 Translating

- Translation of a work is considered to be an adaptation, which is prohibited under the Act, so copyright permission should normally be sought before a work or portion of a work is translated.

- Where translation is being taught, unlimited use of materials is permitted in the course of instruction or in preparation for instruction. However, this only applies as long as the original work is not photocopied or copied reprographically by any other means (s.53). If photocopying or other reprographic copying is essential, it is subject to the terms of the ICLA licence and as such must abide by the 5% or one chapter rule for books and one article per issue of a journal. In addition, the work must not be included in the list of excluded works as published by ICLA.

### 5.7 Examinations

- Examination use of copyrighted materials is permitted. Copyright is not infringed by anything done for the purposes of examination by way of setting questions, communicating questions to candidates, or answering questions (s.53(5)).
major exclusion here is that it is not permitted to make reprographic copies of musical works or scores for use by candidates in performing the piece.

- The authors of this briefing document have interpreted preparation of a thesis as being included under “preparation for examination”. However, this exemption would not cover any subsequent publishing of the same material, so anyone planning to publish on their thesis topic, in any form, would be subject to the normal copyright regulations applying to all publishing.

5.8 Provision of equipment

- CONUL Libraries and their parent institutions provide many pieces of equipment on which copies of materials can be made, including photocopiers, computers and printers, televisions, video/DVD recorders, cassette recorders and other devices.

- Providing such equipment is an infringement of the Act, if library staff know or have reason to believe that the equipment provided will be used to infringe copyright (s.46). It is important therefore to ensure that users of such equipment are aware of the legislation and the limits it imposes on them.

- All equipment should have a copyright notice attached, in a form approved by ICLA, stating the limits of copying permitted. See Appendix F.

5.9 Distance education

- There are no special provisions in the Act to meet the educational needs of distance learners. Supplying them with the materials they require must either be done within the bounds set by the present educational exemptions (see sections 2.8.2, 3.3 and 5.4) or by the conditions of the ICLA Higher Education Licence and its digital extensions.

- Libraries can supply to distance learners as to any other user, as long as the conditions set out in the library exemptions are met (see paragraphs 2.8.3 and 3.2).

5.10 Materials created or published in the course of employment

- Traditionally, the individual academic has been seen as owning the copyright in anything they publish or create in the course of their work. The Act stipulates that the author is the first owner of copyright, unless the work is made by an employee in the course of employment, in which case the employer is the copyright holder. The question of copyright in academic contracts should be clarified, since it is not uncommon for academics to assign copyright to publishers as part of the publication process. Academics should be made aware that at present, off-prints and e-journal archives may not be freely available for them to use with their
students, even though they are the original author. Where they have assigned copyright to another, they are subject to the normal limitations of the ICLA license.
6 Legal Deposit

- Legal deposit is a statutory mechanism under which publishers are obliged, subject to certain conditions, to deliver their publications to libraries specified in the relevant legislation. The objective of legal deposit legislation is to ensure the preservation of the intellectual output of the nation for future generations.

- Under Irish legislation there are eight Irish and five British copyright libraries. The Irish legal deposit libraries are:
  - National Library of Ireland
  - Trinity College Dublin
  - University College Cork
  - University College Dublin
  - National University of Ireland, Galway
  - National University of Ireland, Maynooth
  - University of Limerick
  - Dublin City University.

- The Library of Trinity College Dublin also benefits from legal deposit of UK publications under UK legislation.

- Under Irish law, two recent Acts are intended to govern the operation of legal deposit:
  - the 1997 Cultural Institutions Act (section 65)
  - the 2000 Copyright and Related Rights Act (sections 198 and 199).

- To date S.199 of the Copyright and Related Rights Act has not been commenced.

- The main difference between the 1963 and 2000 Acts relates to the range of material which may be claimed. The 1963 Act confines legal deposit to printed material; the 2000 Act broadens the range of material to include electronic materials. Further consultations between the Department of Enterprise, Trade and Employment (which has responsibility for Intellectual Property rights) and the Department of Arts, Sport and Tourism (under whose aegis the National Library of Ireland operates) need to take place.

- In November 2003, the British Parliament enacted the Legal Deposit Libraries Act, 2003, the first Act in these islands to deal exclusively with legal deposit. In addition to print this Act provides for the extension of the legal deposit privilege to emerging non-paper formats. The Legal Deposit Advisory Panel established by the UK Department of Culture, Media and Sport in 2005 is working with libraries and publishers to take forward the planning for the implementation of the provisions of the Act.
Appendix A: Sample wording for Copyright notice for self service copiers

It is recommended that this notice be displayed on all self-service copiers in the library.

Copyright and Related Rights Act 2000

Fair Dealing: Copying for Research and Private Study

What is ‘Fair Dealing’?
Fair Dealing is an exemption, i.e. a provision, within the Act to facilitate a reasonable balance between the economic interests of the copyright holder and the information needs of the user.

Under the ‘fair dealing’ exemption (s.50-52), use or reproduction of copyright material for research and private study is allowed to an extent that will not unreasonably prejudice the interests of the owner of the copyright”.

The principal exemptions which apply to someone copying on their own behalf are
• fair dealing for the purpose of research or private study
• fair dealing for the purpose of criticism or review or reporting current events (which must be accompanied by a sufficient acknowledgement)
• use for judicial or parliamentary proceedings

The amount which may be copied under the Fair Dealing provisions is not specified. However,
• the copy must be for the purpose of research or private study, criticism or review or reporting current events.
• you cannot make a copy for someone else if you know or have reason to believe that the copying will result in copies of substantially the same material being provided to more than one person at approximately the same time and for substantially the same purpose.
• the amount copied will not unreasonably prejudice the interests of the owner of the copyright.

All users of photocopiers in the Library are bound by the Copyright and Related Rights Act, 2000.
Works are generally covered by copyright for 70 years after the death of the author. In addition the typographical arrangement of a published work in covered by copyright for 50 years.

If a work is still in copyright you can only make a copy if

- you have obtained written permission from the copyright holder or
- if you or your institution or employer has obtained a licence (see ICLA notice if relevant) from a copyright licensing agency which covers the work and the amount you want to copy from the work or
- the work is in the public domain or the copyright holder has waived the rights (e.g. certain government publications) or
- if the copying you intend to do is within the exemptions provided for by the legislation, such as ‘fair dealing’

This notice is intended to give only general guidelines. Copies of the Act are available at the main library desks for reference purposes. Please ensure you are aware of the law.
Appendix B: Copyright Declaration form for published materials

This is a request for copying of protected material by librarians and archivists on behalf of an end user who requires the material for the purpose of research and private study. This declaration is required by the Copyright and Related Rights Act 2000, and S.I. 427 of 2000.

To: [Name of Librarian, Library]

Please supply me with a copy of the following item, which is required by me for the purposes of research or private study. **Note: A separate declaration form is required for each item or article requested.**

<table>
<thead>
<tr>
<th>1.1.1.1 For a copy from a periodical</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Journal Title:</strong></td>
</tr>
<tr>
<td><strong>Details:</strong></td>
</tr>
<tr>
<td>Year</td>
</tr>
<tr>
<td><strong>Title of Article</strong></td>
</tr>
<tr>
<td><strong>Author(s) of Article</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1.1.1.2 For a copy from a book, report etc</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Author(s)</strong></td>
</tr>
<tr>
<td><strong>Title</strong></td>
</tr>
</tbody>
</table>

No copy can be supplied unless the declaration is completed in full and personally signed by the requestor.

I declare that (Please circle either a or b)
(a) I have not previously been supplied with a copy of the same material by you or any other librarian or archivist;

OR

(b) I have previously been supplied with a copy of the same material by you or another librarian or archivist, but that copy has since been *lost/stolen/discarded/destroyed or that a reasonable period of time has passed, namely: _______________

*Delete whichever is inappropriate

AND

I will not use the copy except for research or private study and will not supply a copy of it to any other person

AND

(c) To the best of my knowledge no more than 2 other persons with whom I work or study has made or intends to make, at or about the same time as this request, a request for substantially the same purpose.

I understand that if this declaration is false in a material particular the copy supplied to me by you will be an infringing copy and that I shall be liable for infringement of copyright as if I had made the copy myself.

**Signature____________________________________________**

Date_______________________

Name (Block capitals)_________________________________________________________________

Address_________________________________________________________________

________________________________________________________________________

**This shall be the personal signature of the person making the request. A stamped or typewritten signature, or the signature of an agent is NOT acceptable.**
Appendix C: Copyright Declaration form for unpublished materials

This is a request for copying of materials which have not been lawfully made available to the public, such as manuscripts and theses. The request is to a librarian or archivist for copying on behalf of an end user who requires the material for the purpose of research and private study. This declaration is required by the Copyright and Related Rights Act 2000, and S.I. 427 of 2000.

To:   [Name of Librarian, Library]

Please supply me with a copy of the following item, which is required by me for the purposes of research or private study. **Note: A separate declaration form is required for each item or article requested.**

Please give full details of the item to be copied, including the amount requested.

No copy can be supplied unless the declaration is completed in full and personally signed by the requestor.

I declare that
(d) I have not previously been supplied with a copy of the same material by you or any other librarian or archivist;

AND

(e) I will not use the copy except for research or private study and will not supply a copy of it to any other person

AND

(f) To the best of my knowledge the work had not previously been made available to the public before the work was deposited in your library and/or archive and the copyright owner has not prohibited copying of the work.

I understand that if this declaration is false in a material particular the copy supplied to me by you will be an infringing copy and that I shall be liable for infringement of copyright as if I had made the copy myself.

*Signature______________________________________________  
Date_______________________

Name (Block capitals)_________________________________________________________________

Address_________________________________________________________________

________________________________________________________________________

_________________________________________________________________

*This shall be the personal signature of the person making the request. A stamped or typewritten signature, or the signature of an agent is NOT acceptable.
Appendix D: Suggested copyright declaration for photocopy collections

The University is entitled under the Copyright and Related Rights Act, 2000 to make reprographic copies of passages from literary, dramatic, musical works and the typographical arrangements of published editions of works for its educational purposes.

To have these included in the Photocopy collections, they must comply with the following conditions:

1. We will normally only accept 1 copy of any item. Multiple copies will only be held by the Library where the copyright holder has given permission (local policy only).
2. Each item must be bound separately (local policy only).
3. Each item must clearly identify the course(s) or class(es) for whose use the item is intended.
4. Each item must have sufficient acknowledgement, i.e. a full bibliographic citation

Please read and tick either a or b. Sign the completed form at the bottom.

a. This photocopy constitutes no more than 5% of the original work* from which it is taken.

Or

b. This photocopy is more than 5% of the original work* from which it is taken and I have obtained the written permission of the copyright holder to use this amount of material (copy attached)

*Work = book, annual output of a journal, pamphlet etc

I am aware of the terms of the Higher Education Licence of the Irish Copyright Licensing Agency.

Signature……………………………………………………………

Department………………………………………………….. Extension no……………………………..

Date…………………………………………………
Appendix E: Prescribed Libraries as listed in S.I. 427

1. Any Library or archive administered by, or under the management or control of a Library Authority within the meaning of section 32 of the Local Government Act, 1994, or by a Local Authority within the meaning of the Local Government Act, 1941, or by a Health Board.
2. Any Library or archive of any educational establishment within the meaning of section 2 (1) of the Act (i.e. any school or any University to which the Universities Act, 1997 applies), or prescribed by the Minister as an educational establishment under the provisions of section 55 of the Act (i.e. all establishments which operate as educational establishments and which receive payments from the Exchequer in respect of their operational expenditure).
5. The Library of the Royal Irish Academy.
6. The Public Record Office of Ireland.
7. The National Archive.
8. The Law Library, Four Courts, Dublin 7.
9. Any Library or archive administered as part of a Government Department, an office of State, or other office or agency operating within the aegis of a Minister of the Government.
10. Any other Library or archive in the State which is conducted for the purpose of facilitating or encouraging the study of administration, bibliography, education, fine arts, history, languages, law, literature, management, medicine, music, philosophy, religion, science (including natural and social science) or technology, or administered by any establishment or organisation which is conducted wholly or mainly for such a purpose.
11. Any Library or archive located outside the State which is conducted for the purpose of facilitating or encouraging the study of administration, bibliography, education, fine arts, history, languages, law, literature, management, medicine, music, philosophy, religion, science (including natural and social science) or technology, or administered by any establishment or organisation which is conducted wholly or mainly for such a purpose.
Appendix F: ICLA Copyright notice that to be displayed on self service photo copiers

N.B: It is mandatory for institutions covered by the ICLA Licence to display this copyright notice on all photocopiers in the institution. The ICLA Licence permits copying for education purposes such as providing multiple copies of a handout to a class

COPYRIGHT NOTICE  IRISH COPYRIGHT LICENSING AGENCY

This Notice is designed for display on photocopying machines. It acts as a reminder of the limits to the photocopying of copyright material permitted under the Licence granted to this Institution by the Irish Copyright Licensing Agency Limited (“the Licence”).

What material may be copied?
- Extracts from books, journals and periodicals published in the territories specified in the Licence, PROVIDED THAT the extract does not exceed:
  · one complete chapter, or 5% of a book, whichever is the greater;
  · one article from a periodical or journal;
  · the whole of a short story or poem not exceeding 10 pages in length from an anthology.

What material may not be copied?
- Items specifically excluded from the Licence;
- Printed music;
- Newspapers;
- Maps, charts, books of tables;
- Artistic works and other visual material which is not essential to an understanding of the text;
- In-house journals, and privately prepared teaching materials.

This document is intended for guidance only and not as a substitute for the Licence terms.
Irish Copyright Licensing Agency
25 Denzille Lane, Dublin 2
Tel: 01 662 4211 Fax: 01 662 4213 www.icla.ie
Appendix G: ICLA Higher Education Licence

EDUCATIONAL LICENCE AGREEMENT

THIS AGREEMENT is made the day of 2005.

BETWEEN THE IRISH COPYRIGHT LICENSING AGENCY LIMITED (hereinafter called "ICLA"), of 25 Denzille Lane, Dublin 2 of the one part

AND

Of

(hereinafter called "the Licensee") of the other part

WHEREAS:

A. On behalf of authors and publishers, ICLA grants licences to educational establishments to copy extracts from published works in which copyright subsists.

B. The licensing scheme of ICLA is certified by the Minister for Enterprise Trade and Employment for the purposes of Section 57 of the Copyright and Related Rights Act 2000.  

C. ICLA has agreed to grant a licence to the Licensee, on the terms and conditions herein contained.

IT IS HEREBY AGREED as follows:

1. Interpretation.

In this Agreement:

"Licensed Material" means material contained in books, journals and periodicals published in the territories specified in the First Schedule hereto, and in which copyright subsists EXCLUDING the Excluded Works.

“Excluded Works” means material contained in works or categories of works appearing on the List of Excluded Works published from time to time by ICLA.

"Licence Certificate" means the certificate issued to the Licensee by ICLA, specifying the term of the Licence and the amount of the Licence fee.

"Licence Fee” means the fee specified in the Licence Certificate.

To "copy" means to make or permit the making of a photocopy or any reproduction of Licensed Material on to paper by means of a reprographic process, excluding the making of a reproduction by electronic or digital means. "Copying", "a copy" and "copies" shall be construed accordingly.

"Premises" means all premises at which the Licensee carries on its activities.

2. Grant of Licence

In consideration of the payment of the Licence fee by the Licensee, and subject to the limitations specified in Clause 3 below, ICLA HEREBY GRANTS to the Licensee, during the term specified in the Licence Certificate, the right for the Licensee:

- to make and permit to be made at the Premises such copies of Licensed Material as the Licensee shall require; and
- to make such copies available to students and staff of the Licensee

PROVIDED HOWEVER that the said copies are not made in connection with any commercial activity, nor for any purpose other than the educational purpose of the Licensee.

3. Limitations.

3.1. The copying hereby licensed shall not in the case of any one published work exceed five per cent of the work or one chapter (whichever is the greater), save that:

- in the case of an article in a journal or periodical, the whole article may be copied, but not more than one article in any one issue of the publication;
- in the case of a short story or poem of not more than ten pages in length, the whole of the short story or poem may be copied.

3.2. The number of copies hereby licensed of any one item taken at any one time by members of staff for distribution to students shall not exceed the number of students in a class, plus two copies for each teacher or lecturer.

3.3. This Licence does not authorise the copying of complete works, nor the systematic copying of parts of works, nor of the same works on different occasions so as to exceed the limits herein specified.

3.4. This Licence does not extend to the copying of works which are themselves copies.

3.5. This Licence does not permit the Licensee to republish Licensed Material in any manner of form nor to sell, rent, or otherwise deal in Licensed Material for valuable consideration.

3.6. This Licence does not permit any form of reproduction by electronic or digital means.

3.7. This Licence does not authorise the copying of Excluded Works. In the event that the Licensee should wish to copy any such works, permission should be sought from the owner of the copyright in the works.

4. List of Excluded Works

4.1. ICLA shall furnish to the Licensee the List of Excluded Works, upon the execution of this Agreement, and shall thereafter notify the Licensee of any changes made thereto.
4.2. ICLA shall be entitled, on giving one month's notice to the Licensee, to remove a work, or category of work, from the Licensed Material.

5. Duration

This Licence shall endure for the period specified in the Licence Certificate [sic].

6. Licence Fee

The Licensee shall pay to ICLA the amount of the Licence Fee specified in the Licence Certificate.

7. Data Collection

7.1. ICLA may require the Licensee to participate in a data collection audit, to establish the extent of copying and to identify the material selected for copying at the Premises. This data is required by ICLA to determine the distribution of Licence fees to authors and publishers.

7.2. If the Licensee is selected to participate in such an audit:

- ICLA shall give the Licensee three months notice of the audit, and shall consult with the Licensee in advance as to the method of data collection to be employed for the purpose;
- The Licensee shall permit the designated representative(s) of ICLA to attend at the Premises in connection with the carrying out of the audit;
- The Licensee shall give ICLA all reasonable assistance to assemble the data required;
- ICLA shall use its best endeavours to ensure that the data collection audit is carried out in a way which shall not disrupt the normal activities of the Licensee, nor place an unreasonable burden on the administrative staff of the Licensee;

7.3. Unless compelled by a competent legal authority, ICLA shall not disclose any information supplied to it under the terms of this clause, other than information in aggregated form from which the Licensee may not be identified.

7.4. The Licensee warrants and undertakes that all information supplied to ICLA for the purpose of this clause shall be true and accurate, to the best of the Licensee's knowledge, information and belief.

8. Copyright Notices

The Licensee shall use its best endeavours to ensure that:

- A notice in a form approved by ICLA is placed beside every photocopier at the Premises stating the limits of copying permitted under this Agreement, and by law;
• The name of the author and publisher appears on the front page of each copy made of Licensed Material.

9. Indemnity

Subject as provided below, in any case where the Licensee receives a claim that, when acting under the permission granted by the Licence, the Licensee has infringed the copyright of any person or body, ICLA shall indemnify the Licensee in respect of all reasonable costs, expenses and damages awarded against or incurred by the Licensee, including any ex gratia payment made with the prior written consent of ICLA, PROVIDED HOWEVER:

• the indemnity shall only apply where the Licensee has complied with the Licence and has given ICLA written notice of any claim within 10 working days of the claim being notified to the Licensee;

• the Licensee shall ensure that no admission or offer of payment or indemnity shall be made or given on its own behalf or on behalf of ICLA without the prior written consent of ICLA; and

• the indemnity shall not apply to Excluded Works

10. Termination of Licence

10.1 ICLA shall be entitled to terminate this Licence in the event of a material breach of the terms hereof by the Licensee.

10.2 This Licence shall automatically terminate in the event that the Licensee shall cease to carry on business.

10.3 Termination shall be without prejudice to the antecedent rights of ICLA hereunder.

10.4 In the event of termination, the Licensee shall remove and destroy all notices relating to the making or use of copies under this Licence, and shall endeavour to ensure that all parties previously entitled to make or use copies under this agreement are notified of the termination of the Licence.

11. Renewal of Licence.

This agreement may be renewed periodically by the issue of a new Licence Certificate to the Licensee.

12. Service of Notices
All notices required to be given hereunder shall be given in writing and shall either be delivered by hand or be sent by prepaid registered post to the address of the relevant party given herein. In the case of a notice sent by post, it shall be deemed to have been served on the second day following posting.

13. Assignment

This Licence is personal to the Licensee and may not be assigned to a third party without the prior written consent of ICLA.

14. Variation

No variation of the terms of this agreement shall be effective or binding unless the same shall be in writing and signed by the party against whom it is sought to enforce the variation.

15. Arbitration

Any dispute between the parties to this agreement concerning any aspect of the agreement - may be referred by either party to the decision of the Controller of Industrial and Commercial Property (if empowered to determine such dispute) and otherwise to an arbitrator nominated for the President for the time being of the Irish Business and Employers Confederation.

16. Governing Law

This agreement shall be governed by the laws of Ireland.

IN WITNESS whereof the parties hereto have set their hands and affixed their seals, the day and year first herein written.

SIGNED on behalf of ICLA
in the presence of:

SIGNED on behalf of
in the presence of:
THIRD LEVEL EDUCATIONAL LICENCE AGREEMENT
DIGITAL SCANNING AND INTRANET EXTENSION
FOR CERTAIN WORKS PUBLISHED IN IRELAND

[Explanatory Note: This is an extension to the photocopying licence that already exists between the parties. It does not displace that existing licence, but adds to it. It permits the scanning, posting on the licensee's Intranet and printing onto paper of limited extracts from certain Irish books and periodicals, under strict terms and conditions which are set out hereunder and should be read carefully. Note in particular that this licence does not under any circumstances permit the posting of material to the Internet or World Wide Web].

THIS AGREEMENT is made the 1st day of January 2006

BETWEEN THE IRISH COPYRIGHT LICENSING AGENCY LIMITED (hereinafter called "ICLA" which expression shall where the context so admits or requires include its successors and assigns) of the one part

AND

(hereinafter called "the Licensee" which expression shall where the context so admits or requires include its successors) of the other part

WHEREAS this Agreement is supplemental to a Licence Agreement between ICLA and the Licensee, dated the 25th day of October 2005 (hereinafter called 'The Paper Licence').

IT IS AGREED:

1. Interpretation

1.1 In this Agreement:

"Authorised Persons" means staff and students of the Licensee, and in relation to the Licensee's Intranet, persons authorised to use the same by the Licensee, using a secure code

"Authorised Persons" means staff and students of the Licensee, and in relation to the Licensee's Intranet, persons authorised to use the same by the Licensee, using a secure code

"Excluded Works" shall have the same meaning as in the Paper Licence.

"Material Licensed for Digital Reproduction" means editions of books and periodicals which have been published by the publishers listed in the Schedule hereto, WITH THE EXCEPTION of the Excluded Works as notified by ICLA to the Licensee.

"Licensee's Intranet" means the internal computer network operated by the Licensee and accessible only by authorised persons, using a secure code.

"Licence Certificate" shall have the same meaning as in the Paper Licence.

"Licence Fee" shall have the same meaning as in the Paper Licence.

"Premises" shall have the same meaning as in the Paper Licence.

2. **Grant of Digital Extension to the Licence**

ICLA grants to the Licensee during the term specified in the Licence Certificate, the non-exclusive right at the Premises, subject to the limitations below, to:

- Scan and permit the scanning at the Premises by Authorised Persons of Material Licensed for Digital Reproduction;
- Make available, and permit the making available of Digital Copies of Material Licensed for Digital Reproduction to Authorised Persons via the Licensee's Intranet;

PROVIDED THAT the Digital Copies so produced, disseminated and/or printed onto paper are made for the educational purposes of the Licensee and not for any other purpose, nor for commercial gain.

3. **Consideration**

The consideration for this Agreement shall be the Licence Fee

4. **Term**

The term of this Agreement shall be the term specified in the Licence Certificate.

5. **Limitations**

5.1 The Licensee may make Digital Copies of original material in its possession only.
5.2 No Digital Copy shall exceed the limits set forth in clause 3.1. of the Paper Licence.
5.3 The limitations set forth in clauses 3.3. to 3.6. (inclusive) of the Paper Licence shall apply to all Digital Copies made under the terms of this Agreement.
5.4 The Licensee shall not amend, alter or manipulate in any way, Material Licensed for Digital Reproduction.
5.5 The Licensee shall not under any circumstances post or permit the posting of Material Licensed for Digital Reproduction on the World Wide Web, or Internet, directly or indirectly; nor send such material by e-mail, directly or indirectly to any third party, nor post or provide any link or engage in any other activity which would result in Material Licensed for Digital Reproduction being made available to anyone other than Authorised Persons.
5.6 The Licensee shall not make Digital Copies of any graphic or visual work or material unless the same is integral to the text being copied.
5.7 The Licensee shall not, and shall not permit the reproduction of Digital Copies on CD, DVD, floppy disk, removable or other storage device.
5.8 The Licensee shall not collect or store Digital Copies in any form with the intention of creating an electronic database or library or other information repository or resource PROVIDED HOWEVER that Digital Copies may be held in so far as is necessary for technical back-up purposes.
5.9 The Licensee shall take all reasonable steps to ensure that every Authorised Person availing of this Licence complies with the terms and conditions herein contained, and in particular shall implement all Guidelines issued from time to time by ICLA.


The terms and conditions contained at clauses 3-16 of the Paper Licence shall apply mutatis mutandis to this Agreement.

7. Obligations to ICLA

[ sic]
6.1. The Licensee shall ensure compliance by Authorised Persons with the terms of this Agreement.
6.2. The Licensee shall ensure that whenever material copied pursuant to this Agreement is displayed on the Licensee's Intranet, it shall be preceded or accompanied by a copyright notice, in the format advised by ICLA.
6.3. The Licensee shall display adjacent to every scanner used to make Digital Copies the user guidelines supplied by ICLA.
6.4. The Licensee shall indemnify ICIA against all costs claims demands and expenses arising in consequence of breach of this Agreement by the Licensee, its servants, agents and Authorised Persons.

8. Third Party Obligations

The Licensee shall, in exercising the rights hereby granted, ensure compliance with all applicable laws, including those relating to moral rights, data protection, defamation, obscenity, privacy, confidence and all computer-related regulations.

9. Termination

The Licence contained in this Agreement may be unilaterally withdrawn and terminated by ICLA, on giving 10 days written notice, in the event of breach of the terms hereof by the Licensee or by any Authorised Person. In such event, the Licensee shall thereupon delete from its computer systems all Digital Copies of material made pursuant to the terms of this Agreement.

IN WITNESS whereof the parties have executed this Agreement the day and year first herein WRITEN
SIGNED on behalf of the Licensee
In the presence of:

SIGNED on behalf of ICLA
In the presence of
Appendix H: List of ICLA documents relevant to the Higher Education Licences

<table>
<thead>
<tr>
<th>Document</th>
<th>Availability</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLA Third Level Educational Licence Agreement</td>
<td>On application to the Irish Copyright Licensing Agency</td>
</tr>
<tr>
<td>ICLA copyright notice (to be placed on all photocopiers)</td>
<td>Irish Copyright Licensing Agency website (<a href="http://www.icla.ie">www.icla.ie</a>)</td>
</tr>
<tr>
<td>ICLA User guidelines (to be displayed beside all photocopiers)</td>
<td>Irish Copyright Licensing Agency website (<a href="http://www.icla.ie">www.icla.ie</a>)</td>
</tr>
<tr>
<td>Excluded works list – Irish &amp; UK Publishers</td>
<td>Irish Copyright Licensing Agency website (<a href="http://www.icla.ie">www.icla.ie</a>)</td>
</tr>
<tr>
<td>List of participating US publishers</td>
<td>Irish Copyright Licensing Agency website (<a href="http://www.icla.ie">www.icla.ie</a>)</td>
</tr>
<tr>
<td>ICLA Third Level Educational Licence Agreement. Digital Scanning and Intranet Extension</td>
<td>On application to the Irish Copyright Licensing Agency</td>
</tr>
<tr>
<td>List of included publishers (Digital Extension)</td>
<td>On application to the Irish Copyright Licensing Agency</td>
</tr>
</tbody>
</table>
Appendix I: Legislation

A. Primary legislation

Copyright and Related Rights Act, 2000 (No. 28 of 2000)

Copyright and Related Rights (Amendment) Act 2004 (No. 18 of 2004)

Copyright and Related Rights (Amendment) Act 2007 (No. 39 of 2007)

B. Secondary legislation (select listing)

Copyright and Related Rights Act, 2000 (Commencement) Order, 2000 (S.I. No. 404)

Copyright and Related Rights (Recording of Broadcasts and Cable Programmes for Archival Purposes)(Designated Bodies and Classes) Order, 2000 (S.I. No. 405)

Copyright and Related Rights (Provision of Modified Works)(Designated Bodies) Order, 2000 (S.I. No. 406)

Copyright and Related Rights (Recording for Purposes of Time-shifting) Order, 2000 (S.I. No. 407)

Copyright and Related Rights (Works of Folklore)(Designated Bodies) Order, 2000 (S.I. No. 408)

Copyright and Related Rights (Educational Establishments and Establishments to which Members of the Public have Access) Order, 2000 (S.I. No. 409)

Copyright and Related Rights (Educational Establishments) Order, 2000 (S.I. No. 410)

Copyright and Related Rights (Material Open to Public Inspection)(International Organisations) Order, 2000 (S.I. No. 411)

Copyright and Related Rights (Librarians and Archivists)(Copying of Protected Material) Regulations 2000 (S.I. No. 427)
Copyright and Related Rights (Register of Copyright Licensing Bodies) Regulations 2002
(S.I. No. 463)

Copyright and Related Rights (Certification of Licensing Scheme for Reprographic Copying by Educational Establishments) (The Irish Copyright Licensing Agency Limited) Order 2002
(S.I. No. 514)

European Communities (Copyright and Related Rights) Regulations 2004
(S.I. No. 16)

Sourcelist

- Irish Statute Book http://www.irishstatutebook.ie/
- Department of Enterprise, Trade & Employment
  http://www.entemp.ie/science/ipr/copyrightsis.htm
- Irish Legal Information Initiative http://www.ucc.ie/law/irlii/index.php