

Table of contents

[Managing copyright in your research](#)

[UniSA policies and procedures](#)

[Useful links and resources](#)

[Using copyright-protected works in your research](#)

[Copying a ‘reasonable portion’](#)

[Checklist for using third party content](#)

[Checklist for seeking permission](#)

[Sample permission letter](#)

[Copyright material log](#)

Managing copyright in your research

During the course of your research at UniSA, you will be using and creating copyright-protected materials. It is important that you understand how copyright works, as you will be relying on copyright law to protect any work you create and to reproduce other people’s work in your research.

Copyright protects all works (published and unpublished) **expressed in material form** (e.g. text, illustrations, sound recordings, websites). In Australia, the rights of creators and users of copyright material are enshrined in the Copyright Act 1968 and apply to any work made or created in Australia. Under UniSA’s [Intellectual Property](#) policy, students retain ownership of any intellectual property they create during the course of their studies. Copyright material produced by staff is owned by UniSA, unless another agreement has been reached.

UniSA policies and procedures

Research students submitting their work for examination should familiarise themselves with [Graduate Research: Examination Checklist for Supervisors and Students](#), which should be read in conjunction with the [Guidelines for the presentation of the thesis, or exegesis](#). You will be asked to declare that where you have included the work of another person in your thesis or research:

- due reference has been made in the text

- you have acknowledged all substantive contributions by others in your work.

Useful links and resources

O'Brien et al. 2007, [Copyright Guide for Research Students: What you need to know about copyright before depositing your electronic thesis in an online repository.](#)

Fitzgerald et al. 2006, [Open Access to Knowledge \(OAK\) Law Project Report No. 1: Creating a legal framework for copyright management of open access within the Australian academic and research sector](#)

Using copyright-protected works in your research

If you are using other people's copyright material in your research, you must ensure that you comply with copyright law. Before submitting your thesis or research to UniSA's online repository, you will be required to warrant that you have not infringed the copyright of any person. You may include copyright material in your thesis without the copyright owner's written permission if:

- the amount you are copying is insubstantial (i.e. short extract or quote); or
- copyright in the work has expired; or
- the work has been licensed for public use (i.e. Creative Commons).

If you reproduce other people's work in your thesis or research, you must ensure that all works copied are appropriately attributed. Under the Copyright Act, authors and creators retain the right to:

- Be acknowledged as the author of their work
- Not have their works falsely attributed to another person or organisation
- Not have their work treated in a derogatory fashion (e.g. text quoted out of context or images distorted or altered).

Copying a 'reasonable portion'

Under the [Fair Dealing](#) provisions for research and study, you may copy a 'reasonable portion' of someone else's work in an assignment, thesis or project you are submitting for assessment purposes.

A 'reasonable portion' is generally deemed to be:

- **10% OR one chapter** (whichever is the greater) of a literary work in hardcopy form (e.g. book);
or

- **10% of the total number of words OR one chapter** (whichever is the greater) of a literary work in electronic form (e.g. blog entry, report, speech, webpage, conference paper, work published on CD-ROM); or
- **one article** from a periodical publication (e.g. journal, newspaper, magazine) **OR** more than one article if the articles are for the same course of study or for the same research.

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Checklist for using third party content

If you are including images, audio-visual content or more than a short extract or quote from a work in your thesis:	
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<p>Have you obtained written permission from the copyright owner to use their material?</p>	<p>If no, you must:</p> <ul style="list-style-type: none">• Write to the copyright owner to seek permission to reproduce their material. Include a description of the material and an explanation of how you wish to use it (see sample permission letter). If the copyright owner does not reply, follow up with another letter or a phone call. <p>If there is no apparent ownership statement on the material (such as “© Joe Bloggs 2007”), you should write to the publisher of the source of the material, requesting contact details of the copyright owner.</p>
<p>Have you copied material from the internet?</p>	<p>If yes, you must:</p> <ul style="list-style-type: none">• keep a record of any permission option using your Copyright Material Log; and• lodge a copy of the permission with Copyright Services (via Ask the Library); and• abide by any conditions outlined by the copyright owner (e.g. timeline limits, acknowledgement requirements, access restrictions); and• state clearly on the work, “This work has been copied with permission by...”.
<p>Have you modified or changed the material in any way?</p>	<p>If yes:</p> <ul style="list-style-type: none"><input type="checkbox"/> Does the website contain terms and conditions regarding reuse of their content? If the website contains restrictions on downloading or copying of material, you must abide by these, or seek an exemption from the copyright owner. Terms and conditions can generally be found on a website’s homepage under Terms and Conditions or Copyright.
<p>Have you acknowledged the material copied?</p>	<ul style="list-style-type: none"><input type="checkbox"/> Make sure you do not do anything which might infringe the author’s moral rights (e.g. treat the work in a derogatory manner by altering, mutilating or distorting it in a way that could adversely affect the author).
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Checklist for seeking permission

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Do not re-use material for which you have not received written permission from the copyright owner. For assistance with identifying the copyright owner, contact [Ask the Library](#).

When seeking permission, make sure that the copyright owner knows and understands how and why you want to use their material. You can do this by including the following information in your permissions letter:

1. Date of request.

2. Names of all relevant parties (i.e. in works of multiple authorship, all authors must consent to your planned re-use of their work).

3. Detailed description of the work to be used and its source, making sure to state the amount you want to use, page numbers, figure or table numbers, chapters, etc. Wherever possible, include a copy of the material to be used or, if the work is available online, a URL to the material you wish to copy.

4. Detailed explanation of how you intend to use the work (e.g. in your thesis, journal article, book chapter, multimedia presentation).

5. Information about any changes (adaptations) you intend to make to the work.

6.

Detailed explanation of how the work will be distributed (e.g. institutional repository, printed publication, webpage). If publishing online, you should provide the URL or website where the work will be made available. If publishing in print, you should provide as much information about the publication as you can, including publication title, expected publication date and size of print run.

7. Explanation about how the publication will be sold (e.g. cost recovery, profit, neither).

8.

Information about yourself, including your title and affiliation (if applicable), return postal address, telephone, fax and email.

Sample permission letter

[Copyright owner's details if possible]

[Date]

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**Adapted from the Copyright Guide for Research Students prepared by the Oak Law team.

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