# Copyright Policy

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| Policy number | 8 | Version | 2 |
| Drafted by | Carol Smith | Approved by the board on |  |
| Responsible person | <<insert name>> | Scheduled review date | <<insert date>> |

## Introduction

FMPLLEN is responsible for managing its assets, including its intellectual assets, in a way that maximises their contribution to the goals of the organisation.

Subject to these responsibilities, FMPLLEN is committed to the widest possible dissemination of its ideas and findings where these may assist others.

## Purpose

The purpose of this policy is to clarify the status of material subject to copyright used by the organisation and to remove any possible misunderstandings about ownership of copyrights.

## Policy

**Production of copyright material**

Material created by the staff of FMPLLEN entirely on their personal time and not involving the use of the organisation’s facilities or materials shall be the property of the creator.

An individual's "personal time" shall meantime other than that for which they receive a salary (in the case of staff) or perform assigned functions (in the case of volunteers).

Staff or volunteers who claim that material was made or created on personal time have the onus of demonstrating this proposition. Staff engaged in work during a personal time where later confusion may possibly occur are encouraged to discuss this with their supervisors.

With the exception of material created on personal time, all materials that result from activities carried out at FMPLLEN, or developed with the aid of FMPLLEN’s facilities or staff, or developed through funds administered by FMPLLEN, shall be the property of FMPLLEN except by specific prior written agreement.

Works by independent contractors shall be owned in accordance with the contract under which the work was created. FMPLLEN shall ensure that there is a written contract for work by an independent contractor specifying ownership.

Any dispute between FMPLLEN and its staff or volunteers, or between staff or between volunteers, on issues of copyright ownership shall be determined by the organisation’s dispute resolution procedures.

**Use of copyright material**

Staff and volunteers of FMPLLEN are required to observe all applicable copyright laws and regulations.

The Business Manager is required to institute procedures that will ensure

1. that all uses of copyright materials are recorded, and that
2. All compensable uses of copyright material are appropriately processed.

**Copyright on** FMPLLEN **materials**

All materials produced by or on behalf of FMPLLEN are copyright. Permission to reproduce such materials depends on the category into which they fall.

All materials produced by or on behalf of FMPLLEN will be classified by the EO into one of the following classes.

1. Those materials that are copyright and that cannot be reproduced by any process other than for the purposes of and subject to the provisions of the Copyright Act and any licensing agreement between the user and FMPLLEN.
2. Those materials that are copyright and that may nonetheless be circulated and/or reproduced as long as any reproduction features specified credits and disclaimers.
3. Those materials that are copyright and that may nonetheless be reproduced without conditions.
4. Those materials that are not copyright.

The copyright policies of FMPLLEN are binding on all staff, whether paid or voluntary. The copyright policies of FMPLLEN, as amended from time to time, shall be deemed to be a part of the conditions of employment of every employee and shall be included in the orientation material given to every volunteer.

## Authorisation

<Signature of Board Secretary>

Date:

# Copyright Procedures

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| --- | --- | --- | --- |
| Procedures number | 8 | Version | 2 |
| Drafted by | Carol Smith | Approved by EO on | <<insert date>> |
| Responsible person | <<insert name>> | Scheduled review date | <<insert date>> |

## Responsibilities

It is the responsibility of the EO to ensure that:

* Staff, volunteers and contractors are aware of this policy;
* any breaches of this policy coming to the attention of management are dealt with appropriately.

It is the responsibility of the all employees, volunteers and contractors to ensure that they comply with this policy.

## Processes

**Production of copyright material**

FMPLLEN will keep records of any discussions made with any staff member regarding any agreements as to the copyright status of any material.

Contracts made by FMPLLEN with third parties shall specify in writing the copyright status of any material produced under that agreement.

Any dispute between FMPLLEN and its staff or volunteers, or between staff or between volunteers, on issues of copyright ownership shall be determined by the organisation’s dispute resolution procedures.

**Use of copyright material**

The EO shall institute procedures to ensure

1. that all uses of copyright materials are recorded, and that
2. All compensable uses of copyright material are appropriately processed.

## Related Documents

* Acceptable Use Policy
* Contracts of Employment

## Authorisation

Carol Smith

Executive Officer

Date