Copyright guidelines for audio visual material

Copyright

The following materials are all subject to copyright protection:

Original literary, dramatic, musical and artistic works (including databases and computer programs), sound recordings, films, broadcasts, and typographical arrangement of published editions.

Once the original work is recorded in writing or some other form, copyright arises automatically. The copyright owner then has the exclusive right to:

- copy the work
- issue copies of the work to the public
- perform, show or play the work in public
- to communicate the work to the public (by broadcast, or by electronic transmission)
- make an adaptation of the work

It is an infringement of copyright to do any of the above without the permission of the copyright owner.

However, there are certain exceptions to the exclusive rights of the copyright owner, when copying is allowed for specific purposes.

What is allowed?

You are allowed to copy sound recordings, films and broadcasts under the following exceptions:

- for private study and non-commercial research
- for illustration for instruction, including examinations; as long as the work is used to illustrate a teaching point; is not used for a commercial purpose
- for the purposes of criticism or review or quotation (short extracts)
- for reporting current events
- caricature, parody or pastiche

The amount that can be copied in each case is restricted to “fair dealing”, which means a reasonable and necessary amount which is fair to the copyright owner.
Factors which are relevant in determining whether a particular use is “fair dealing” include:

- Does the use of the work substitute for buying a copy of the original?
- Is the amount of the work taken necessary, reasonable and appropriate?

For example, if you wish to copy from a work for research or private study purposes, the exception permits copying only what is strictly necessary for genuine research or private study. The work would have to be relevant to your course or study and copying the whole work would not generally be “fair dealing.”

Material copied under these exceptions cannot be further used for any other purposes.

Students must seek permission if they wish to make further use of copied work, such as showing a work externally to Leeds Beckett University or including the work in a portfolio.

Copies should be accompanied by sufficient acknowledgement where practical.

**Using off-air recordings (television and radio)**

You are allowed to copy under the exceptions previously listed in the What is Allowed? section.

Television and radio programmes, including Open University programmes, can also be recorded off-air by a lecturer, under the terms of the Educational Recording Agency (ERA) licence using the online TV and radio recording service, Box of Broadcasts.

**Box of Broadcasts**

Box of Broadcasts (BoB) is an online shared service which allows for the recording, searching, viewing and creation of extracts of programmes broadcast on digital and Freesat television, including 10 foreign language channels.

The content remains on the system indefinitely and programmes can be scheduled 7 days in advance or retrieved 30 days post transmission. BoB provides access to an archive of over a million programmes recorded under the ERA licence.

To log in go to:

https://learningonscreen.ac.uk/ondemand

Details of how to log into BoB are available on the Library website:

http://libguides.leedsbeckett.ac.uk/resources/databases/bo biodiversity

Please note: BoB is a streaming service. To upload your own content or to download a physical copy of a programme, Leeds Beckett TV must be used:

http://tv.leedsbeckett.ac.uk

Contact the IT Helpdesk for assistance.

Further details of the ERA licence can be found on ERA’s website: www-era.org.uk.
Using commercially available film, broadcast and music

You are allowed to copy under the exceptions previously listed in the What is Allowed? section.

Copying for recreational purposes is not allowed.

PRS for Music protects the rights of their members in relation to copying music.

PRS for Music is the home of the Performing Right Society (PRS) and the Mechanical-Copyright Protection Society (MCPS).

They have a website detailing their roles, licensing and contact information: https://www.prsformusic.com/

Permission must also be sought from the record label when copying a sound recording.

There is no licensing scheme available for copying commercially available audio visual formats (CDs, DVDs etc.) -the rights owners must be contacted direct.

Using a streaming service

You are allowed to copy under the exceptions previously listed in the What is Allowed? section.

Streaming services such as Netflix or Amazon Prime are accessed via a personal subscription with accompanying terms of use.

These terms govern your use of each service.

Generally, content is available via such services for personal and non-commercial use only and you agree not to archive, reproduce, distribute, modify, display, perform, publish, license, create derivative works from, offer for sale, or use in any way except as granted in the terms of use (or under one of the permitted exceptions).
Using music or video from a digital source

It is only possible to download music or moving images from an online database or from the internet under the exceptions previously outlined, or under the terms of a licence or with permission.

Most digital services or websites have an online terms and conditions policy.

Certain Creative Commons licensing permits the copying and re-use of content under a variety of flexible terms:

http://creativecommons.org/legalmusicforvideos

Videos uploaded to services such as YouTube or Vimeo may also be available under a Creative Commons licence:

http://vimeo.com/creativecommons

Contact the creators, publishers or service providers for any usage beyond the terms of the licence.

You may incorporate music and video into a website for online assessment, but it must be password protected and not available on a network for external access (beyond external examiners). The amount copied must be fair and should not be made available for any other purpose without permission.

Playing a sound recording, film, video or broadcast

It is possible for tutors and students to play or show a sound recording, film or video etc. to an audience of tutors and students in the course of the University’s normal activities or for the purposes of instruction.

This includes commercially available audio visual materials.

A class may also view programmes as they are broadcast.

If the audience does not consist solely of tutors and students, the performance is considered to be public, and permission will be required.

Playing music to a public audience is possible with a licence from PPL PRS, a joint organisation consisting of the Phonographic Performance Ltd (protecting use of its members’ sound recordings) and PRS for Music (protecting composers’ and music publishers’ rights).

Contact https://pplprs.co.uk/

As the University does not have a campus licence to cover public screenings of feature films, an individual licence must be purchased.

Public events using film or music must be licensed through the University's Events Licensing department: licensing@leedsbeckett.ac.uk
Podcasts and lecture capture

Audio or video podcasts involve a recorded performance which can be downloaded to a device and are useful for delivering tutorials and soundbites of information.

Lecture capture using services such as Panopto allows tutors to record lectures for access by students at a future date.

Material such as background music, video clips or images in a PowerPoint presentation may require permission or a licence in order to be included in a podcast or a recording of a lecture.

Tutors and students retain the rights to their own performance in any recording. It is therefore important that any recording takes place with agreement from all parties.

Further help

- The Copyright Clearance Service
  Based in Headingley Library, the Copyright Clearance Service can provide advice and copyright clearance.
  Telephone: 0113 812 7472
  Email: r.thornton@leedsbeckett.ac.uk