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.
Copies should be accompanied by sufficient acknowledgement where practical.

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.

Sound recordings and films, but not broadcasts, can be copied for instruction where licensing is not available, provided that no more than 5% of the work is copied in any 12 month period across the University.

Broadcasts (whole or part) not already covered by a licence can be copied by the University for non-commercial educational purposes.

Using commercially available DVDs, CDs, vinyl records, audio cassettes, and VHS videos

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/](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 commercial videos or DVDs – the rights owners must be contacted direct.

Using off-air recordings

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 under the terms of the Educational Recording Agency (ERA) licence, by the University’s Off-Air Recording service or by a lecturer.

Programmes can be streamed on campus for viewing online.

ERA broadcasts can also be transmitted away from the University premises to staff and students via a secure network but not overseas.

Under the ERA licence, recordings may be further copied, and it is also possible to compile extracts of programmes onto one disk.

No adaptation is allowed however, such as the replacement of the original soundtrack with your own.
Copying music from broadcast television programmes onto the soundtrack of a video presentation is not allowed. Permission should be obtained from the producer via the production department for the programme.

All copies should be labelled with the date (when the recording was made), the name of the broadcaster, the programme title and the wording:

This recording is to be used only for educational and non-commercial purposes under the terms of the ERA Licence.

The University has access to two services allowing off-air recordings to be recorded, stored digitally and used in teaching:

**Leeds Beckett TV**

Off-air recordings can be requested up to 28 days after broadcast but must only be used for educational purposes. Lecturers can schedule programmes themselves using the Leeds Beckett TV service or by contacting the Off Air service by email: [off-air.recordings@leedsbeckett.ac.uk](mailto:off-air.recordings@leedsbeckett.ac.uk)

Recordings stored digitally on the Leeds Beckett TV server will include the ERA notice as a written opening credit to be viewed before access to the recording is permitted. Programme information is stored with the recording.

The Leeds Beckett TV server hosting existing programmes can be searched: [http://tv.leedsbeckett.ac.uk](http://tv.leedsbeckett.ac.uk)

**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](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/bob_instructions](http://libguides.leedsbeckett.ac.uk/resources/databases/bob_instructions)

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. Contact Off-air Recordings [off-air.recordings@leedsbeckett.ac.uk](mailto:off-air.recordings@leedsbeckett.ac.uk)

Further details of the ERA licence can be found on ERA’s website: [www.era.org.uk](http://www.era.org.uk).

**Other broadcasts**

Certain broadcasts such as feature films, advertisements and satellite broadcasts are not covered by the ERA licence.

However, these may be recorded in the UK by an educational establishment for non-commercial educational purposes.

The recording or copy should be accompanied by a sufficient acknowledgement where practical.
Your lecturer can request such a recording via Off-Air Recording (0113 812 2222; off-air.recordings@leedsbeckett.ac.uk).

Recordings cannot be requested for personal use only.

Programmes available via on-demand services such as the BBC iPlayer and All4 are not 'broadcasts' as defined by the law but the terms and conditions of access to these services permit lecturers to record and access recordings of their content for educational purposes under the terms of the ERA licence. This is only applicable where a download option is provided and if the digital rights management software allows it. The programmes may expire after a set period of time.

A useful guide to accessing legal digital content including music, TV and film is Get it Right from a Genuine Site (formerly The Content Map):

http://www.getitrightfromagenuinesite.org

Be aware that some content may only be available for personal use.

Playing a sound recording, film, video or broadcast

It is possible for lecturers and students to play or show a sound recording, film or video etc. to an audience of lecturers 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 lecturers 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 via FilmBank (http://www.filmbank.co.uk) for each individual event.

You must also ensure that the location at which the film is being shown is covered by an Annual Premises Licence.

Staff who wish to organise any public or entertainment event involving music, film etc. should contact licensing@leedsbeckett.ac.uk or the Licensing Office Manager, Christine Simpson on ext 25559.
**Downloading 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.

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**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 to students.

However, be aware that any third party 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.

Video tutorials demonstrating commercial software may infringe the copyright of the software suppliers. Check the terms and conditions of the software licensing to see whether the creation of such training materials is permitted.

PRS for Music offer a licence covering music for audio podcasts; further information at:

http://www.prsformusic.com/users/broadcastandonline/onlinemobile/podcastlicence/Pages/podcastlicence.aspx

Lecturers 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 information about the copyright implications of recording lectures is available at:

https://www.jisc.ac.uk/guides/recording-lectures-legal-considerations
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

- Off-Air Recording

  Telephone: 0113 812 2222

  Email: off-air.recordings@leedsbeckett.ac.uk