

Audio visual Services: University of Otago Library Copyright Policy.

Purchasing AV material

The Library will endeavour to acquire the educational screening rights (Institutional License) for the authorized versions of AV material directly from those who own the copyright or distribution rights.

Refer Copyright Act 1994 Sections 14(1) (b) (c) (d) (e), 36 (a) (d) (e)

When it is not possible to acquire the educational screening rights for the authorized versions of AV material then the material may be sourced from local or international retailers. In this situation an item that is intended for cinematic release will not be acquired from an international retailer within 9 months of first being made available to the public either locally or internationally.

Refer Copyright Act 1994 Sections 35 (3), 35 (6) (b)

Duplicated copies of AV material may be held and made available if the written permission of the copyright holder had been obtained.

Refer Copyright Act 1994 Section 16

AV material may only be copied without permission of the copyright for use by students and staff:

For a course on how to make films or film sound tracks;

Refer Copyright Act 1994 Section 45 (2) (a)

For the purposes of examination.

Refer Copyright Act 1994 Section 49

Except that the Library may make a copy of a legitimate AV item in the Library collection for the purposes of preservation or replacement for inclusion in the collection if it is not reasonably practicable to purchase a copy.

Refer Copyright Act 1994 Section 55

A donation of an AV item will not be accepted if it is known that a copyright holder or distributor is offering the item for sale with educational screening rights.

Refer Copyright Act 1994 Section 14(1) (b) (c) (d) (e)

Capturing radio and television broadcasts

Television and radio broadcasts intended for a New Zealand audience may be recorded, held and made available to students and staff of the University for educational purposes;

Prior to December 1994. *Refer Copyright Act 1961 Section 21(6)*

From December 1994 - May 2002. *Refer Copyright Act 1994 Section 48 (1)*

From May 2002 under licence. *Refer Copyright Act 1994 Section 48 (2)*

Television and radio broadcasts captured under the licence must be marked with the title of the broadcast, the date of the broadcast and the date the copy was made.

Refer Section 5.1 of licence agreement

Consulting AV material

Purchased AV material not restricted by the copyright holders or distributors may be made available to members of the Library for consultation in the Library.

Refer Library regulation 3(a), 3(c)

Purchased AV material restricted by the copyright holders or distributors, television and radio broadcasts, or copies of these may only be made available to University of Otago students and staff.

Refer Copyright Act 1994 Sections 47 (2), 47 (3)

To avoid breaching rights of public performance, AV material held by the Library may only be shown or played to an audience on Campus for the purposes of instruction and such an audience must not include any persons not directly connected with the activities of the University (for example, this excluded parents, children and siblings of students). Off-campus (for example, on a Marae or field trip), the same audience limitation applies but the only limitation on the playing or showing is that it must take place in the course of university activities.

Refer Copyright Act 1994 Section 32 and 47

Written permission of the copyright holder or distributor is required for AV material held by the Library to be made available for screening to an audience which includes members of the public.

Refer Copyright Act 1994 Section 32

Copying of AV material

The Library may make a copy of a television and radio broadcast under the terms of the Screenrights licence and supply these to another University who also has such a licence.

Refer Section 3.1 of licence agreement

The Library may make a copy of an AV item in the Library collection for the purposes of preservation or replacement for inclusion in the collection if it is not reasonably practicable to purchase a copy.

Refer Copyright Act 1994 Sections 55 (1) (a), 55 (2)

The Library may make a copy of an AV item in the collection for the purposes of replacing a lost, destroyed or damaged item in the collection of another prescribed library or archive if it is not reasonably practicable to purchase a copy.

Refer Copyright Act 1994 Sections 55 (1) (b), 55 (2)

The Library may not hold nor make available copies of AV material which, although made legitimately for other purposes or under other circumstances, would infringe copyright if they had been made by the Library; this includes copies made for private study or research, or criticism or review, and broadcasts recorded in another country.

Refer Copyright Act 1994 Section 93

Use of equipment

University of Otago equipment or facilities cannot be used to consult AV material if this would result in infringing copyright by it being played in public or to copy material other than as permitted by the Copyright Act 1994 or by any relevant license.

Refer Copyright Act 1994 Section 39

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