

## Dorking and District u3a Copyright Guidance and Policy

### 1. Introduction

All u3a members are responsible for respecting the rights of others and should only use work originated by others when it is legally permissible to do so. If a member wishes to use the work of others, they may need to seek permission or take advice from the Committee or from the Third Age Trust.

Illegal or unauthorised use of copyright material can lead to court action, fines and even criminal prosecution. Just because materials are on the internet does not make them free to use.

The following guidelines outline how and when copyright applies.

### 2. What is copyright?

Copyright law in the UK is governed by the **Copyright, Designs and Patents Act 1988** as amended. It protects the rights of the owner of certain works and control the way in which such works can be used and exploited. In the UK, copyright arises automatically when a work that qualifies for protection is created and committed to paper or another fixed form. One piece of work can contain lots of different copyright elements. For example, lyrics in a song are protected as literary work; the composition is protected as musical work; and the actual recording of that song is protected as a sound recording.

Works covered by law include books, journals, magazines, maps, newspapers, sheet music, photographs, digital images, films, videos, recorded music, lyrics, composed music, recorded sound and artwork.

The use of copyright material would include any of the following: photocopying, scanning from print, copyright from the internet, playing films or music in public, copying lyrics or artwork such as photographs, performing live music or drama.

### 3. How long does copyright last?

Copyright protection starts as soon as a work is created. The length of copyright depends on the type of work.

Type of work	How long copyright usually lasts
Written, dramatic, musical and artistic work	70 years after the author's death
Sound / music recording	50 years from when created or 70 years from when first published
Computer generated works	50 years from the end of the calendar year in which the work was made
Films	70 years after the death of the director, screenplay author and composer
Broadcasts	50 years from when first broadcast
Layout of published editions of written, dramatic or musical works	25 years from when first published

#### 4. Applying for copyright permission

If copyright has expired, material can be used. If material is still in copyright, members must seek permission from the copyright holder to use it. There are **copyright exceptions** which are particularly relevant to u3a members.

- A work may have been published under a public copyright licence such as a Creative Commons (CC) licence and this allows material to be used for non-commercial purposes so long as attribution is given to the creator.
- The **Copyright, Designs and Patents Act 1988** as amended allows limited use of copyrighted material without acquiring permission from the rights holders for private research and study, review or criticism, reporting current events or making work accessible to blind or partially sighted people. Furthermore, fair dealing only allows a small portion of the work to be used.
- The Third Age Trust has licences that allows members to play a sound recording or show a film or broadcast before an audience for the purposes of instruction only although venues should have a PRS licence if live music is to be performed there.

#### 5. Avoiding Copyright Infringement on u3a website

Care should be taken when posting materials on the website. Examples of copyright infringement include:

- using other people's photographs without permission;
- copying software code without proper acknowledgement;
- creating videos with unlicensed clips;
- copying books, blogs, or podcasts without permission; and anything where you are copying someone else's original work without an agreement.

Different websites like CreativeCommons.org or Flickr offer free-to-use images where a license for commercial or editorial use is clearly established. Using these images ensures that content posted on the website is legal.

#### 6. Third party speakers

External speakers are responsible for ensuring that their materials do not infringe copyright and should make D&D u3a aware of any likely copyright issues arising should their material or links to their presentation be on the u3a website. According to the Digital Media Law Project (DLMP), copyright law applies to online material just as it does to offline material and assumes that the prerequisites for copyright protection are met. The DLMP states that copyright is infringed if:

- copies or derivatives are reproduced and distributed to the public;
- copyrighted material within the presentations is displayed and / or is available to the public;
- the work is performed publicly by means of digital audio transmission.

#### 7. Summary

Although, the Trust holds licences to use some materials for educational use within groups, if members wish to use copyright material in any form, printed, audio or pictures, they should follow copyright guidelines and check with the national website for details on copyright permission or refer the matter to their local Committee.