

# Copyright Guidelines for Digital Theses

The UNSW Copyright web site provides general copyright information at <http://www.copyright.unsw.edu.au/>

## Theses in the Australian Digital Theses Program

Now that all PhD and Masters by Research theses submitted at the University of New South Wales must be submitted to the ADT Program, written permission must be obtained for all substantial third party copyright material included in the theses. This is because the theses are being communicated to the public via the World Wide Web, and for copyright purposes, are deemed to be "published".

### What is third party copyright material?

This is material for which someone else owns the copyright. Common examples are text, artistic works such as diagrams, charts, tables, images, computer programs and musical notation.

### When can third party copyright material be freely used without permission?

- When the copyright has expired -70 years after the death of the author or creator.
- When less than a substantial portion has been used.

### What constitutes a substantial portion?

#### (a) Text

Although this has not been spelt out in the Copyright Act, best practice would be to limit a continuous segment from a work to 400 words, and no more than 600 words in total from a work. The total should not amount to more than 1% of the whole work. If in doubt, seek permission.

#### (b) Artistic Works

Examples of artistic works are art works such as paintings and photographs as well as diagrams, charts tables and graphs. Each work is considered a substantial portion and permission must be obtained. When photographs are taken of artistic works permission should be sought from the original artist.

#### (c) Audio visual works

Judgements about such works are difficult and it is best to seek permission.

## **Seeking permission**

Copyright is very often owned by the publishers of works. Your requests to copyright owners for permission should explain that the work will be included in a digital thesis that will be submitted to ADT and made available worldwide via the web. Contact details and/or email addresses are often included on publishers' web sites.

If permission has not been obtained at the time files are sent to ADT@UNSW, please remove all affected figures/text/charts/diagrams etc. from the thesis files, and in their place insert a short message – “Figure (Text/Chart/Diagram etc.) has been removed due to Copyright restrictions.”

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