

The Access Copyright Interim Post-Secondary Educational Institutions Tariff



The Copyright Board of Canada has issued an Interim Tariff that applies to post-secondary educational institutions across Canada (excluding Quebec) entitled the *Access Copyright Interim Post-Secondary Educational Institutions Tariff, 2011-2013*. As a result of the Interim Tariff, post-secondary educational institutions may make photocopies from portions of published works on the same terms as the institutions' previous licence agreements with Access Copyright, which ensure that creators and publishers continue to be compensated for the use of their works.



As with your previous licence, the Interim Tariff allows you to:



- Continue to create and use customized paper coursepacks with the same reporting and payment provisions that you have become familiar with over the past 16 years.
- Make day-to-day photocopies.
- Prepare paper handouts to distribute in class.
- Place materials on reserve in the library for students to photocopy.



The Access Copyright Interim Tariff provides easy, legal access to copyright protected works and allows current photocopying practices to continue unchanged.

Print Reproduction Limits

As of January 1, 2011, **an educational institution and persons acting under its authority can photocopy:**

Up to 10% of a published work or the following, whichever is greater:

- An entire newspaper article or a page.
- An entire single short story, play, poem, essay or article from a book or periodical issue (including a set of conference proceedings) containing other works.
- An entire entry from an encyclopedia, dictionary, annotated bibliography or similar reference work.
- An entire reproduction of an artistic work (including drawing, sculpture, painting, prints, architectural works of art or works of artistic craftsmanship) from a book or periodical issue containing other works.
- One chapter, provided it is no more than 20% of a book.

Benefits

- Copies for interlibrary loan are allowed (e.g. a library may make a copy of up to 10% of a book for a patron of another institution's library that does not have this material).
- No logging requirements for day-to-day handouts and reserve print photocopying make copying under the Interim Tariff fast and convenient.

Other requirements under the Interim Tariff

- No systematic or cumulative copying beyond the Interim Tariff limits.
- Include on at least one page of all multiple copies made the international copyright symbol (©), a credit to the publisher, the artist or illustrator of any artistic work reproduced (where known) and the author or authors (where known).
- When possible, display the following notice: "This material has been copied under licence from Access Copyright. Resale or further copying of this material is strictly prohibited."

Print Coursepack Limits

Up to 20% of a publication or the following, whichever is greater:

- An entire newspaper article or a page.
- An entire single short story, play, poem, essay or article from a book or periodical issue (including a set of conference proceedings) containing other works.
- An entire entry from an encyclopedia, dictionary, annotated biography or similar reference work.
- An entire reproduction of an artistic work (including drawing, sculpture, painting, prints, architectural works of art or works of artistic craftsmanship) from a book or periodical issue containing other works.

Copies of published works are (electronically) logged and paid by the institution through the records that they establish and maintain.

Other requirements under the Interim Tariff

- Include on at least one page of all multiple copies made the international copyright symbol (©), a credit to the publisher, the artist or illustrator of any artistic work reproduced (where known) and the author or authors (where known).
- Display the following notice: “This material has been copied under licence from Access Copyright. Resale or further copying of this material is strictly prohibited.”

The Interim Tariff does not cover:

- Works listed on the Exclusions List.
- Works for which copyright is held by your institution.
- Crown or provincial publications except Quebec.
- Unpublished works.
- Originals of artistic works.
- Publications containing a notice which expressly prohibits reproduction under the authorization of a licence from a Reproduction Rights Organization.
- Published workbooks, work cards, assignment sheets, tests, examination papers, and any other published works intended to be “consumable.”
- Instruction manuals including teachers’ guides.
- Advertisements and letters to the editor.
- Print music published for use by choirs, orchestras, bands, etc.
- Newsletters.
- Business cases which are available for purchase.

Digital Copies Option

The Interim Tariff also addresses changing copying practices by including an option to make digital copies of published works. Once an institution elects the Digital Copies option, it provides immediate, advance legal authorization for faculty to make digital uses of material such as scanning and posting copyright protected materials to course websites.

The Digital Copies option:

- is a convenient and legal way to use content in digital format for such uses as posting material to course websites, e-reserves or emailing material to students.
- is easy to follow with copying limits of 20% of a publication.
- provides immediate authorization for faculty to scan material and post to course websites.
- provides advance permission so there are no wait times prior to use of digital content.

The Interim Tariff increases options for content delivery by adding digital uses without any logging requirements.

The comprehensive Digital Copies option provides post-secondary institutions with a convenient and legal means to use content in digital format for such uses as:

- Scanning an article from a book.
- Transmission by electronic mail or facsimile.
- Storing a scanned chapter on your hard drive or a USB stick.
- Posting or uploading a Digital Copy to a secure course management website.

To elect the Digital Copies option, and for additional information about copying guidelines, please contact tariffs@accesscopyright.ca.

The Interim Tariff is the simplest, most cost-efficient way to use copyright protected content.

The Access Copyright Interim Tariff provides easy, legal access to copyright protected works. It recognizes the value offered by collective licensing; rather than having to incur time and expense to clear authorization for every book, magazine, newspaper or journal that is copied by students, professors and staff, the Interim Tariff makes the task of clearing works for reproduction simple, fast and cost-efficient.

The Interim Tariff is a win-win for both post-secondary institutions and rightsholders of published works. Professors, staff and students can continue to copy portions of published works and get their work done as usual, while publishers and creators will continue to be compensated for these uses.

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The Canadian Copyright Licensing Agency

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