The State is required to enter into an agreement with Copyright Agency each year for copyright.

Victorian Government agencies, hospitals and health services have the choice to opt in to the State’s agreement with Copyright Agency each year.

The agreement makes payment for the State’s use of certain copyright material owned by third parties.

This fact sheet provides information on agencies’ rights, responsibilities and costs under the agreement.

Background

Under the *Copyright Act 1968* (Cth), the State is required to pay Copyright Agency for the use of certain works containing third party copyright material. Copyright Agency in turn distributes payments to copyright owners.

The Whole of Victorian Government agreement with Copyright Agency is managed by the Department of Treasury and Finance (DTF).

Agencies are provided with the opportunity to be involved in the agreement.

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| Cost of involvement  Agencies that wish to opt in to the agreement for the 2016-17 and 2017-18 periods will pay an annual licence fee of $7.30 per Full-time Equivalent (FTE) employee. This is a flat rate that applies to all employees regardless of their role or use of copyright material.  The FTE figure allows Copyright Agency to calculate each agency's liability and issue invoices. |

What copyright material is covered?

If an agency opts in to the agreement, agencies’ liability for copying a wide range of copyright materials, including text and images, has been paid.

The agreement covers copyright material such as books, journal articles, reports, letters, emails and many online materials.

The agreement does **not** cover:

* computer programs;
* survey plans;
* sound recordings;
* broadcasts and video, including radio and television, refer to the Screenrights fact sheet; and
* material already licensed by subscription, e.g. news clippings.

What use of material is covered?

The agreement provides for **copying and the internal use** of copyright materials covered by the agreement, provided it is for the services of the State. This includes; photocopying, printing, saving material to a hard drive, internal emails and posting copies to an intranet.

The agreement **does not cover** making material available to the public (for example uploading material to the internet or emailing copies to external parties) and some other exclusions apply. Agencies should refer to the agreement for specific details. To request a copy please contact DTF.

Who can opt in?

Victorian Government agencies, hospitals and health services are entitled to opt in to the agreement.

Opting out

Agencies are entitled to opt out of the agreement. However, if an agency opts out and has not sought a licence before using the material, the agency must generally notify the relevant copyright owner and negotiate a licence.

Opting out of the agreement may reduce the flexibility of an agency’s use of copyright material, and in some cases, increase the cost.

Contact us

To discuss the Copyright Agency agreement or other copyright matters contact DTF’s IP Policy team on 9651 2455 or email IPpolicy@dtf.vic.gov.au