

Wheatbelt Natural Resource Management Incorporated

Copyright Compliance Policy

Policy Name:	Copyright Compliance Policy
Policy Number:	5.2
Policy Version Number:	V1.01
Policy Category:	Records Management
Contact Officer:	Chief Executive Officer
Date Approved by the Board of Management:	16 December 2010
Date of Last Review:	17 September 2015
Period Until Next Review:	36 months from the approved date or as required
Related Legislation:	<ol style="list-style-type: none"> 1. Associations Incorporation Act 1987 (Western Australia) 2. Copyright Act 1968 (Commonwealth)
Related WNRM Policies or Procedures:	<ol style="list-style-type: none"> 1. 2.8 Use of the Corporate Logo and Name Policy 2. 5.4 Intellectual Property Policy (draft) 3. Intellectual Property Register

1. Definitions

“**Copyright**” means the exclusive legal right to reproduce and control an original piece of work”.

“**Copyright Legislation**” means the Copyright Act 1968 (Commonwealth).

“**Copyright Material**” means material in which Copyright is held.

“**Copyright Owners**” means holders of Copyright Material.

“**Intellectual Property**” means property that results from original creative thought, relating to patents, designs, Copyright Material, trade secrets or trademarks, that have or could have commercial value.

“**Intellectual Property Register**” means a register that maintains specific Intellectual Property agreement detail. Usually the register details are based on specific provisions stated in a legal agreement between two or more parties.

“Representatives” means Board Directors, employees, contractors or volunteers of Wheatbelt Natural Resource Management Incorporated.

“Wheatbelt NRM” means Wheatbelt Natural Resource Management Incorporated.

2. Overview

This Policy relates to the adherence of Wheatbelt NRM to Copyright Legislation, and the facilitation of the legitimate use of Copyright Materials to support work undertaken. Wheatbelt NRM is committed to the proper observance of Copyright Legislation and the upholding of the rights of Copyright Owners and users, and aims to prevent its exposure to potential legal action on the grounds of alleged Copyright infringement.

Apart from any fair dealings for the purposes of study, research, criticism and review, as permitted under the Copyright Act 1968, Copyright Legislation otherwise grants exclusive rights to Copyright Owners in respect of Copyright Material, including the right to reproduce or copy, publish, perform, communicate or adapt the material. However, use of third-party Copyright Material may be authorised by obtaining permission, by exclusions within the Act, by contractual license or agreement, or by statutory license under Part VA or VB of the Act.

The creation and/or commercialisation of Copyright Material by Representatives is addressed in the Intellectual Property Policy.

Representatives who breach this Policy may be subject to disciplinary action. In addition, Representatives may also be subject to legal action by individual Copyright Owners.

3. Policy Statements

- 3.1 Representatives are expected to observe the Copyright Act 1968 (Commonwealth).
- 3.2 Wheatbelt NRM reserves Copyright and other Intellectual Property rights on all its created documents, including documents and images appearing on its own website, and those linked to from other documents and websites, in adherence with clause 3.4 of this policy.
- 3.3 Apart from any fair dealings for the purposes of study, research, criticism and review, as permitted under the Copyright Act 1968, and in respect to Copyright Material owned by Wheatbelt NRM, no part may be reproduced, re-used or redistributed for any commercial purposes whatsoever, or distributed to a third party for such purpose, without prior written permission by the Chairperson of the Board of Management or Chief Executive Officer.
- 3.4 When research or projects undertaken produce Copyright Material and it is funded by a grant or contract, the contractual terms of the grant prevail with respect to Copyright.
- 3.5 When Copyright Material is created jointly by Wheatbelt NRM and another party, the Copyright remains with Wheatbelt NRM unless otherwise specified in any partnering contract or by written confirmation to the other party by the Board of Management. Where the Wheatbelt NRM logo appears on a document, the material can be assumed to be Copyright Material of Wheatbelt NRM.

- 3.6 Contracts, where applicable, should include a Copyright clause.
- 3.7 Intellectual Property provisions as agreed in a legal agreement between Wheatbelt NRM and other parties will be detailed in the Intellectual Property Register. This will provide clarity to the respective Copyright ownership.

4. Responsible Officers

- 4.1 The Board of Management, as part of its governance authority, is responsible for the approval and publication of this Policy, including the approval of any subsequent changes.
- 4.2 The Audit Committee is responsible for reviewing this Policy prior to Board of Management approval, and ensuring the scheduled review of this Policy.
- 4.3 The Chief Executive Officer is responsible for the operational compliance of the organisation to this Policy.
- 4.4 Representatives have personal responsibility to observe and comply with Copyright Legislation.

5. Approval

This Policy was approved by the Board of Management on the 17th September 2015

Jim Sullivan
Chairperson
Board of Management
Wheatbelt Natural Resource Management Incorporated