

9.0 Copyright

9.1 Definition

Copyright covers the use of any published material, in print form, audio recording, video recording, computer disk, etc.. Copyright protects the ownership of the intellectual property and entitles the author (or owner of the copyright) to payment for any reproduction (or performance) of the copyright material.

9.2 Copyright in Schools

In schools copyright infringement might occur through photocopying, relaying music through the school's public address system or performing a musical or play.

Care must be taken to avoid infringement of copyright. Penalties for infringement can be severe, and there are several watchdog agencies which pursue offenders.

Section 53 of the Copyright Act, 1963 provides exemptions from copyright law for education. The reproduction or adaptation (otherwise than by duplicating) by a teacher or a student of a literary, dramatic, musical or artistic work in the course of instruction does not infringe copyright. Neither does a reproduction or adaptation made as part of an examination question or an answer to a question. The performance of a literary, dramatic or artistic work in a class or elsewhere in the presence of an audience in the course of the activities of a school, by a teacher or a student, does not infringe copyright if the audience is limited to teachers, students or people directly connected with the activities of the school.

It is possible for a school to get a licence for an agreed nominal fee per student to photocopy materials from books published in Ireland and in most other major publishing countries. In the case of stage productions open to the general public royalties are charged per performance. For playing music over a public address system royalties must also be paid.

9.3 Agencies

The main agencies dealing with the protection of copyright and with the collection of royalties are the following:

- a) Irish Copyright Licensing Agency, 19, Parnell Square, Dublin 1.
- b) Irish National Federation against Copyright Theft, [INFACT], 1 Suffolk Chambers, Suffolk Street, Dublin 2.
- c) Irish Music Rights Organisation Ltd., [1MR0], Copyright House, Pembroke Row, Lower Baggot Street, Dublin 2.

9.3.1 Licences

The licences issued by the Copyright Licensing agency, and referred to above, cover books published in Ireland, the U.K., France, Netherlands, Switzerland, Canada, Australia, New Zealand, U. S. A., etc.

The licence allows the copying of

- up to 5% or one chapter of a book;
- the whole or part of one article from a journal or periodical;
- sufficient number to give a copy to each member of a class.

The licence does not cover the following

- printed music (including words);
 - workbooks, work cards or assignment sheets;
 - separate maps/charts;
 - photographs (other than from books);
 - privately prepared teaching notes such as correspondence courses;
- certain named excluded publications.