

PRACTICAL ASPECTS & APPLICATION OF VUT'S BLANKET COPYRIGHT LICENCE

What is DALRO?

- Dramatic, Artistic and Literary Rights Organisation
- It is a copyright society administering various aspects of copyright on behalf of authors and publishers

DALRO's licensing of Reprographic Reproduction Rights

- The system of licensing in the South African legal framework enables voluntary collective licensing
- Transactional licensing
- Blanket licence (managing the risk)

Blanket Licence

- Umbrella licence (managing the risk)
- Authorises reproduction in advance but requires retrospective reporting
- Payment of fixed fee per Full-time Equivalent Student (FTES)

VUT'S BLANKET LICENCE

- VUT has Blanket Licence with DALRO – effective from 1 Jan '07:
 - Application for copyright clearance in advance no longer required;
 - Required to now report on copying retrospectively;
 - Reporting done on DALRO's Report Forms or other acceptable manner.
- Blanket Licence fees based on VUT's FTE figure:
 - Students who do not contribute to VUT's FTE not covered;
 - Those not covered, e.g. students attending short courses must be dealt with on an ad hoc basis transactionally.

What is authorised in terms of a Blanket Licence?

- **Course packs or readers**, i.e. compilation works containing extracts from a variety of published sources, distributed to students;
- **Single Item Handouts**, i.e. journal or magazine articles, or extracts from books, in excess of the reproduction quota determined by Regulation Section 13 of the Copyright Act);
- **Transient** (for the duration of the course or module) electronic copies for printing out substantially identical paper copies, either by lecturers, or by the students themselves. A typical example of this is the posting of works on the Institution's password-protected, secure internal networks.
- Placing of **copies** (single items and/or compilation works) **in the library's short loan section** (i.e. reserve) for on-copying by students
- Alternative-format copies for the visually impaired

- From a **book**, a maximum of **one chapter** if the book is divided into chapters, or approximately **10%** if there is no chapter division;

- From a **journal or magazine**, the **complete article** (one or more) required;
- From a collection of **law reports or statutes**, the **complete report or statute** (one or more);
- There is no limitation on the number of copies which may be made, or on the number of times copies may be made, provided that the extent of the reproduction is not exceeded.

How should licensed reproduction be reported?

The reporting procedure is as follows:

- For each item distributed to students as part of a course pack, or single item handout, **the number of course packs or single item handouts made.**
- For each item posted on the Institution's password-protected, secure internal networks, **the number of students enrolled for the specific course or module**, in other words, the **potential reproduction** of the transient electronic copy made
- For each item placed on reserve in the library's short loan section in copied form (not original published editions!) for possible (or recommended) on-copying by students, **the number of students enrolled for the specific course or module**, in other words, the **potential reproduction** of the reserve shelf copy(ies) placed.

In addition to the information relative to the reproduction (**number of pages**, and **number of copies of those pages**), the report to the Institution's Copyright Officer should contain full bibliographical details:

- **Title of the publication**, i.e. book, journal, magazine etc.
- **Title of the article**, if reproduction is from a journal or magazine,
- **ISBN of book**, or **ISSN of journal/magazine**;
- **Author(s)/Editor(s) of the book or author(s) of the article**

What happens if a larger portion of a book is required for reproduction?

- Should more than one chapter (or 10%) of a book be required, application should be made to DALRO for a **transactional licence** in the usual manner.
- There may be cases where DALRO would be able to justify extended reproduction from a book under the blanket licence. However, if this is not possible, reproduction of a larger portion of a book may not go ahead before special permission has been obtained.

What is excluded from reproduction under the Blanket Licence?

- Works in which copyright no longer vests;
- Material excluded from copying in terms of the blanket licence agreement (Schedules E&F)
- Works published exclusively in electronic format (on CD ROM or on the Internet);