



COPYRIGHT GUIDANCE FOR RESEARCHERS, LECTURERS AND STUDENTS

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Introduction

Copyright subsists in any original work (or part of that work) from the moment it is created. The rights holder (usually the author, but in some cases the employer) is granted certain rights which are protected by law and limits how the work may be used - this includes copying.

The duration of copyright varies, but in many cases a literary or artistic work will remain in copyright from the point of creation until 70 years following the death of the author.

Copyright may be assigned to a third party, such as a publisher, and a fee may be charged by the rights holder to copy the work.

It should be noted that in all cases where copyright material is used or referred to proper acknowledgement should be made of the source.

As well as owning copyright works yourself, you may wish to make use of someone else's copyright protected works. There are specific situations where you may be permitted to do so without seeking permission from the owner. These can be found in the copyright sections of the [Copyright, Designs and Patents Act 1988 \(as amended\)](#).

If you have any queries after reading this guidance, please use the Copyright contact form on the Library & Archives Service section in [ServiceDesk](#).

Using Copyright Material in Non-Commercial Research and Private Study

You are allowed to copy limited extracts of works when the use is non-commercial research or private study, but you must be genuinely studying (e.g. taking a university course). Such use is only permitted when it is 'fair dealing'.

The purpose of the fair dealing exception is to allow students and researchers to make limited copies of all types of copyright works for non-commercial research or private study.

Based on the limits defined by the CLA HE License, it is generally considered acceptable to copy the following amounts for the purposes of private study and non-commercial research:

- One article in a single issue of a journal or set of conference proceedings, or a single law report
- Up to 10% of a book or a complete chapter, whichever is greater
- A whole poem or short story from a collection, provided the item is not more than 10 pages
- Up to 10% (maximum of 20 pages) per short book (without chapters), report or pamphlet
- One separate illustration or map up to A4 size.

You should not make more than a single photocopy of a work, and the source of the copy must be acknowledged (i.e. recording at least the name of the author and the title of the work on the photocopy if it is not already included on the copied pages). You must also ensure that the work you reproduce is supported by a sufficient acknowledgment.

Fair dealing

There are copyright exceptions relating to research and private study, criticism or review, and news reporting. Certain exceptions only apply if the use of the work is fair dealing.

The purpose of the fair dealing exception is to allow students and researchers to make limited copies of all types of copyright works for non-commercial research or private study.

Fair dealing is a legal term used to establish whether a use of copyright material is lawful or whether it infringes copyright. There is no statutory definition of fair dealing - it will always be a matter of fact, degree and impression in each case.

In assessing whether your use of the work is permitted or not you must consider if there is any financial impact on the copyright owner because of your use. Where the impact is not significant, the use may be acceptable.

You should also consider whether the amount of work used was reasonable and appropriate – usually only part of a work may be used.

The relative importance of any one factor will vary according to the case in hand and the type of dealing in question.

Information in this section is modified from <https://www.gov.uk/guidance/exceptions-to-copyright> under the Open Government Licence v3.0.

1.1. Copyright for Researchers

1.1.1. Copyright and research outputs

The School recognises that widely disseminating research outputs and research results is essential to the success of the institution and its researchers.

However, it is important that dissemination takes account of copyright law and that researchers act according to the licences or conditions agreed with publishers, funding agencies and other parties.

Publishers very often allow authors to self-archive a version of their article on an institutional website or in a research repository such as [LSHTM Research Online](#) after an embargo period. This is normally the 'accepted manuscript' (the final draft post-peer review, but before publisher copyediting and typesetting) but not the publisher's PDF final version or proof copies.

However, where authors choose to publish in an open access journal, or pay a publisher's open access fee in a subscription (hybrid) journal, copyright of an article is often retained by the author and the article is licensed under a Creative Commons license. Creative Commons licenses allow various kinds of re-use (see section 1.1.3. Copyright and open access).

[SHERPA/RoMEO](#), a database of publisher copyright and self-archiving policies, can be used to check which version of an article can be archived, when and under what circumstances. Further guidance is available from the [Research Publications Team](#) based in the Library & Archives Service.

1.1.2. Copyright in School research outputs

Unless there is an express agreement to the contrary any copyright created by School staff in the course of their employment belongs automatically to the School under the employer exception.

Copyright generated in the 'course of employment' commonly includes:

- (a) All written work such as articles, power point slides, databases
- (b) Lecture notes and other taught course content, emails, etc.
- (c) All images, diagrams, technical drawings, photographs, etc.
- (d) Software.

This is true in all forms in which the copyright is expressed, whether physical, digital, magnetic, etc. It is for the employee to demonstrate the existence of special arrangements that exempts them from this basic rule.

However, like many universities, historically the School does not actively lay claim to the copyright of the material produced by researchers, which allows academics a license to publish research articles in journals.

Please see the School's [Intellectual Property Policy](#) for more information.

1.1.3. Copyright and open access

Unlike the traditional publishing model, wherein authors sign an open access publishing contract, they are not usually required to sign over copyright. Open access licensing terms are less restrictive than the traditional 'all rights reserved' copyright model.

The Creative Commons licensing scheme is normally applied in open access publishing, which gives authors more control over how their work may be distributed and re-used. All Creative Commons licenses allow some forms of re-use without needing to contact the rights holder for permission. Depending on the licensing terms used for publication, open access papers can be deposited in an open access repository, downloaded for free, read, shared and derivatives made, whether for commercial purposes or not. Parts of the publication (such as text extracts or figures) may also be more easily re-used when licensed in this way.

The Creative Commons Attribution License (CC BY) is normally recommended for open access publishing and funding bodies in the UK are increasingly requiring its use, for example the [Wellcome Trust](#) and [Research Councils UK](#) (RCUK). This licence grants users the freedom to share and re-use published content as long as the original author is attributed.

Other examples of Creative Commons licenses include the Attribution Non-Commercial License (CC BY-NC), which grants users the freedom to share and re-use published content, with attribution, but only for non-commercial purposes. The more restrictive Attribution Non-Commercial No-Derivatives License (CC BY-NC-ND) allows for sharing, but does not allow an article to be built upon or modified in anyway without permission.

Authors may not add a Creative Commons licence to a work in which they do not hold the copyright, unless permission is asked of the rights holder. This includes instances where copyright has been signed over to a publisher.

To learn more about the different licenses available please see the [Creative Commons website](#). For any further queries on open access, please see the open access section on ServiceDesk.

1.1.4. Using copyright material in publications

If you are preparing a manuscript for publication, it is possible that you will want to include copyright material in your publication. In general, you may be able to include copyright material in your research output without seeking permission when it is used for the purpose of 'criticism and review'.

This exception exists in copyright law for when copyright material is being directly critiqued and not simply used for illustrative purposes. The purpose for including the work must be clear. The **minimum amount** of material must be used to make the point (e.g. a short quote or a single image), and full acknowledgment of the source must be provided.

If copyright material has already been licensed for re-use, for example under the Creative Commons licensing scheme, it may be the case you can use the material without obtaining permission (see 1.4.1.). For material obtained from a website, it is worth reviewing the website's terms and conditions page as it may outline acceptable re-use cases.

Most publishers provide guidance for what permissions you are required to clear before publication can occur and the permissions process may be more stringent for commercial publishers (including university presses).

1.2. Copyright for Lecturers

1.2.1. Using copyright material in teaching

There is a general allowance in the [Copyright, Designs and Patents Act 1988 \(CPDA\)](#) whereby the use of copyright material is defensible if it is "for the sole purpose of illustration for instruction". This means, a teacher or lecturer would be allowed to copy material in order to illustrate a point, as long as this is not done for commercial purposes, the original source is acknowledged sufficiently, and the use is fair dealing. If this is the case, a **minimum amount** of material must be used (usually a short quote or single image) and full acknowledgement of the source must be given, including the copyright holder where possible.

In terms of fair dealing, minor uses like displaying a short quote in lecture slides presented to a class of students are likely permitted, but uses which would undermine sales of teaching materials are not.

Making photocopies of a work for students or posting educational materials online would not be permitted under this exception. Making reading list materials available to students is possible under the terms of the CLA License (see 1.2.2-3.).

There are several further exceptions that may allow copyright works to be used for educational purposes, including:

- The use of copyright material might also be defensible if it is for the purposes of 'criticism and review' (i.e. where material is being directly critiqued) – but this is unlikely in the context of teaching. This is more often defensible in authored research articles and monographs. Copyright material is not criticized or reviewed where it is simply explained or used for illustrative purposes only. If this exception applies, a minimum amount of material must be used to make the point and full acknowledgement of the original source must be given
- Making copies by using a photocopier, or similar device on behalf of an educational establishment for the purpose of non-commercial instruction, provided that there is no licensing scheme in place. (Generally a licence will be required from the Copyright Licensing Agency, which the School does hold)
- Performing, playing or showing copyright works in a school, university or other educational establishment for educational purposes. However, it only applies if the audience is limited to teachers, students and others directly connected with the activities of the establishment. It will not generally apply if relatives are in the audience, for example
- Recording a TV programme or radio broadcast for non-commercial educational purposes in an educational establishment, provided there is no licensing scheme in place. (Generally a licence will be required from the Educational Recording Agency).

In addition to the exceptions outlined above, if copyright material has already been licensed for re-use (e.g. under a Creative Commons license), then it may be used without asking further permission (see 1.4.1.). Some re-use licenses are more restrictive than others, so check the license carefully.

Information in this section is modified from <https://www.gov.uk/guidance/exceptions-to-copyright> under the Open Government Licence v3.0.

1.2.2. Copying publications for students

The School holds a CLA HE Licence from the Copyright Licensing Agency (CLA). This allows the Library & Archives Service to make **digital** copies of journal articles or book chapters available to students via an online reading list (where the material is part of the Library's collection, or from fee-paid copies), within the limits defined by the licence.

The license also allows any member of staff to make **physical** photocopies to provide each student on a course with a single printed copy of a journal article or book chapter (where the material is part of the Library's collection). The licence permits sufficient photocopies to be made for every student on a course of study plus one for the lecturer.

If you are intending to construct a 'course pack' for students (i.e. a selection of photocopied articles or book chapters relevant to students on a particular course of study), it should not be compiled in such

a way that it replaces textbooks. See the CLA's [Good Practice Guide](#) on course packs for further information.

To easily check whether you can re-use content under the license, use the [CLA search tool](#). If a resource is not included under the CLA HE License, permission would need to be sought from the publisher.

Limits relating to the amount that may be copied still apply:

1. Copies can be made of up to a chapter, entire article or 10% of the publication, whichever is greater
2. Photographs, illustrations, diagrams or charts may also be copied where they are included in the body of the extract or article
3. Proper acknowledgement should be made of the source
4. Copying for commercial purposes is prohibited without prior permission from the rights holder.

As with the use of copyright material in lectures, some articles may have been licensed for re-use already, including distribution to students and others. This may be the case where a journal article has been published open access under a Creative Commons license (see 1.4.1.).

1.2.3. Using copyright works on online reading lists

If you need to make course materials available on an online reading list, you should contact the reading list team in the Library & Archives Service. Students will benefit from a consistent experience and easy access to all their module materials in one place, and library staff will ensure that all material is provided in line with our copyright and licensing obligations.

An online reading list will typically include links to online journal articles or other material, links to e-book chapters and downloadable (copyright cleared) PDF files for material not available via our electronic subscriptions. It can be structured however best suits your module and students.

If you need to prepare a reading list for a module, or want to upload materials for your students to access, please contact the [Library](#) for more information.

In selecting articles, chapters or other published material for a reading list, remember that only the amount outlined in the sections above can be used.

Other acceptable material for reading lists

In addition to published materials, you may wish to recommend unpublished materials in a reading list. In most cases, links can be provided to information hosted elsewhere on the internet (see guidance below, 1.2.4.).

Unpublished materials that you have created yourself can be uploaded to a reading list (e.g. PowerPoint slides of a lecture) but you would need to seek permission to re-use materials created by others.

1.2.4. Further notes on using copyright material

Scanning physical materials

You cannot make substantial digital scans or upload digital copies made from print books, print journals or other printed material for inclusion in a course pack without the permission of the copyright holders.

Instead, you should check the [Discover](#) catalogue in case the School already has online access via its journal subscription or e-books collections.

Online material: articles and book chapters

It is not usually permissible to redistribute personal copies of articles online such as PDFs, whether obtained via LSHTM subscriptions, other institutions or other means. However, you would be able to if the article or book chapter was published open access under a Creative Commons licence (see 1.4.1.).

If it is not licensed in this way you may only make this type of material available to students by circulating a web-link to the publisher's web page for the content. It is recommended to use the DOI where available, in the format [https://doi.org/\[INSERT DOI HERE\]](https://doi.org/[INSERT DOI HERE]).

Online material: web sites

Material on web sites, although apparently 'freely' available, is also subject to copyright restrictions. If you want to use web-based material, check to see if there is information on the website in question which details what re-uses are permissible. This information can usually be found in the 'terms and conditions', 'copyright' pages or 'about us' section of the site.

As long as the website is providing material legally, it is usually acceptable to provide links for students so that they can access web-based material individually for themselves.

Make it clear to students that web-based material which is referred or linked to is for their own personal use only and not for distribution, and point out to them any other conditions imposed on you by the website owner.

Wherever possible, clearly acknowledge the source (listing the URL and copyright holders) of any information you use.

Audio-visual material

Videos and sound recordings may be played in lectures as long as sufficient acknowledgment is provided and it is restricted to fair dealing (i.e. a small proportion of the work, which is illustrative of a subject you are teaching).

For TV and radio broadcasts, the School holds a licence with the [Educational Research Agency \(ERA\)](#) which makes some allowances for use of TV and radio broadcasts. This licence permits staff at educational establishments to record, for non-commercial educational purposes, the broadcast output of ERA Members - note that many digital-only broadcasters are excluded from the [ERA Members List](#).

Licensed recordings can be retained, stored and copied (in both analogue and digital formats) and then relayed within the establishment. They may be added to an online reading list on the condition that students may not access them outside the UK.

Please note, many clips are placed on YouTube and other streaming sites illegally, without the permission of copyright holders. You should avoid downloading, streaming or even embedding material from YouTube unless you are sure that you have permission to do so. If YouTube clips have been uploaded by someone other than the organisation or individual with whom it originated, it is likely to have been uploaded illegally.

The safest way to make third-party material on other websites available to students is to give them a link (by email or by adding to the link to the reading list): students can then click on the link and view the material in question for themselves.

Images

Lecturers may include images in a PowerPoint presentation during a lecture and record it, providing the following rules are adhered to:

- Images and text are used for review and illustration of a teaching point (and not just for enhancing a presentation visually)
- Are attributed properly (either in the individual slide or on a separate slide together at the end, as in a bibliography)
- Are used 'fairly', so that the amount used doesn't adversely affect the rights holder's ability to commercially exploit their work.

Some web resources provide access to free online images with the stipulation that they are used for educational, non-commercial purposes. A few examples are:-

- [Creative Commons](#) image search, which allows you to find images from websites such as Google, Flickr, Europeana that you can reuse and build upon
- [The British Library's](#) public domain illustrations
- [MediaLibrary](#): the School's image database, containing historic and contemporary images and a collection of images from the Centre for Eye Health (ICEH)
- [Wellcome Trust Images](#): a resource which provides copyright-cleared images for educational use
- [Photoshare](#): a service provided by The INFO Project, helping international non-profit organisations communicate health and development issues through photography.

1.2.5. Helping disabled students

There are two exceptions to copyright for the benefit of disabled people. These exceptions cover can help where someone has a physical or mental impairment which prevents them from accessing copyright protected materials.

The first exception allows the student, or someone acting on their behalf, to make a copy of a lawfully obtained copyright work in a format that helps them access the material. For example, if a Braille copy is made of a book bought from a shop to help someone with a visual impairment, then you are not infringing the copyright in the book.

An accessible copy can be made if:

- The book is lawfully owned by the individual requiring the accessible copy, or they have the right to use a copy of the work (e.g. they have borrowed it from a library), but the work is inaccessible because of a physical or mental impairment
- A copy accessible to the individual is not commercially available.

The second exception permits educational establishments and charity organisations to make accessible format copies of protected works on behalf of disabled people. The exception permits acts such as:

- Making braille, audio or large-print copies of books, newspapers or magazines for visually-impaired people
- Adding audio-description to films or broadcasts for visually-impaired people
- Making sub-titled films or broadcasts for deaf or hard of hearing people
- Making accessible copies of books, newspapers or magazines for dyslexic people.

However, this exception does not apply when suitable accessible copies are commercially available.

Please note that no-one can make a profit out of making an accessible copy under these copyright exceptions, but they are able to charge a fee covering any they costs incur in making and supplying such a copy.

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1.2.6. Using copyright material in MOOCs

It the context of a MOOC (Massive Open Online Course), which is made available freely and openly, or similar activities such as posting learning materials online (such as slide decks), permission may be required to use copyright material. It is unlikely that the copyright exception covering the use of material for the 'purpose of instruction' can be used. This is because the fair dealing rule also applies: giving a lecture to a small group of students may be considered fair, but posting material online (massively increasing potential audience) may be considered unfair. Therefore, permission should be

sought to use copyright material in MOOCs that does not fall under another exception (such as criticism and review).

However, material that is already made available under a Creative Commons license can be used in the way described by the license. For other copyright material you may find that the copyright holder's webpage has 'terms and conditions' that outline acceptable uses.

In the case of providing materials (such as course readings) for LSHTM students, please see section 1.2.2. as materials can be distributed to LSHTM students under the terms of the School's CLA License.

1.2.7. Using copyright material in exams

Until recently, tutors and lecturers involved in setting examination papers could use a work under copyright for the purposes of examination subject to sufficient acknowledgement. Under the illustration for instruction exception (s.32 CDPA) the law now requires sufficient acknowledgement to be made of the copied material where practicable but also makes specific mention of fair dealing.

This means that copying is limited to what is necessary for the purpose of the examination and that the copying should not negatively impact on the market for the original work. Restricting access to the exam materials only to those being examined is also required where third party material is used. This may mean limiting copying to shorter extracts of a work.

1.2.8. Showing videos

For teaching

If a DVD is shown on School premises, it is likely that it will be considered a 'public performance' of the copyright work (even if the audience is only one student).

The Copyright, Designs and Patents Act 1988 covers DVDs being shown as part of an educational course. The audience should only contain people "directly connected with the activities of the establishment" (s.34), such as lecturers and students. No further license is likely to be needed in these cases.

You may also be allowed to show material from streaming services such as Netflix. Even though educational use is not mentioned in the Netflix licence - "any content viewed through the service are for your personal and non-commercial use only" - it appears that Netflix has *verbally* granted permission for educational use in the past. However, as with DVDs, the audience should only consist of teachers and students, and the video should only be shown for instructional purposes.

For entertainment

LSHTM is considered a public place, so when videos are shown for the purpose of entertainment, a license (e.g. those offered by Filmbank) or permission from the rights holder will be required.

1.2.9. Recording lectures

Consent forms

The School often makes available audio and video recordings of lectures given by School staff as well as visiting speakers. It is advised that before scheduling a lecture for recording, the consent of the speaker is obtained using a consent form for external visitors. To arrange a recording of a lecture please visit the [Multimedia Services](#) page of the School, where consent forms for external speakers can also be found.

Written consent should also be obtained from any individual who is the focus of a recorded lecture in order to process their personal data fairly. This is likely to include the lecturer and other active participants. All attendees should know that a recording is taking place, the purpose of the recording and to whom it will be made available, with an opt-out provided. Any student who does not wish to be recorded should be advised not to speak during the lecture. Any appeals against this should be dealt with on a case by case basis.

Ownership of recorded lectures

Where an employee of the School creates a literary, dramatic, musical, artistic work, or a film work, in the course of their employment, the default position in law is that copyright in the work will belong to the School. Unless there is a contract or agreement to the contrary ([s. 11\(2\) of CDPA](#)). Audio recordings and accompanying slides are only made available via Moodle and therefore via a secure network.

Where lectures are created by non-employees (e.g. students, visiting lecturers) the School requires permission, or a licence from the copyright owner to include them in the lecture recording. In the consent form the School does not claim copyright in the content but rather the individual 'recording' or 'performance'. Without external consent to license the lecture, the recording cannot be used.

1.3. Copyright for Students

1.3.1. Copying material in studies

You may copy the following amounts for the purposes of non-commercial research and private study under the terms of the CLA HE License:

- One article in a single issue of a journal or set of conference proceedings
- Up to 10% of a book or a complete chapter, whichever is greater
- Up to 10% (maximum of 20 pages) per short book (without chapters), report or pamphlet.

To easily check if you can to re-use content under the CLA license, visit the [CLA search tool](#) which lets you see what can be copied.

You should not make more than a single photocopy, and the source of the copy must be acknowledged (i.e. recording at least the name of the author and the title of the work on the photocopy if it is not already included).

1.3.2. Copyright in student work

The School's [IP policy](#) states that students of the School own their own Intellectual Property (IP), including their coursework, projects, dissertations and theses. As they own the copyright, no copying, issuing or publication of such works can occur without their prior written consent.

However, the School requires the submission of copies for the purpose of marking and assessment.

Patents and inventions

Students and other third parties are not employees of the School and thus any inventions they generate are owned by them, unless it is done in collaboration with the School or using School facilities or funding, in which case joint ownership shall probably arise. In such circumstances the School shall seek an assignment from the student or third party in order to secure sole ownership, in return for a specified share in any future revenues.

1.3.3. Copyright in theses

Copyright in the thesis (as distinct from other research outputs such as the dataset) rests with the student unless they transfer their copyright to another party. In such a case the student must seek permission from the new copyright holder to reuse any of the original material in their e-thesis.

As part of the [E-Theses policy](#) the School seeks a non-exclusive licence to enable the thesis to be made available via the School's research repository LSHTM Research Online. Theses held in LSHTM Research Online will have a Creative Commons licence ([CC BY-NC-ND](#)) applied, which allows reuse of material as long as it is credited, no derivatives are created from the thesis and it is not used for commercial purposes. If candidates require a different licence they need to specify this choice to Registry when submitting the e-thesis.

Using copyright material in a thesis

Under the 'fair dealing' exception for criticism and review in UK Copyright Law, students are allowed to include third party material in their e-thesis as long as it meets certain criteria:

- The source must be acknowledged
- Any item copied must be accompanied by a discussion or assessment of its value, significance or importance
- Only the minimum amount necessary is used to fulfil the criteria.

If material is included that does not fit the fair dealing criteria for exception and review, copyright clearance needs to be requested from the publisher.

Some material, particularly where it has been sourced from published articles, may already be available under a Creative Commons license. The particular Creative Commons license dictates what

may or may not be done with the material without permission, such as reproduction of an image in a thesis.

[Template emails](#) to request clearance from the permissions holder are available and a termly training session on the correct use of copyright material in PhD theses is also available. This session runs several times a year via the [Researcher Development Programme](#).

Where third party material has not been cleared then the student must also submit a redacted version of the final, post-viva corrected thesis. The redacted copy must be clearly identified in the file name.

For guidance and help on this please visit the [E-thesis FAQ](#) or email the [Registry team](#).

The Freedom of Information Act and theses

Theses are subject to the Freedom of Information Act, as the School is defined as a public authority.

This means that unless a thesis meets the statutory criteria for exemption under this Act, or another Act of Parliament, and is therefore embargoed, the School must supply a copy of a thesis to anyone who requests one. For advice, see the School's advice on [Freedom of Information](#).

1.4. Other FAQs

1.4.1. What is Creative Commons?

Creative Commons is a non-profit organisation, which offers a range of licenses that build upon copyright laws. Assigning a Creative Commons license to an article allows authors to retain copyright while granting others the right to variously re-use, distribute, build upon, and make commercial use of an article. Most Creative Commons licenses require those making use of an article (or extract of it) to at least attribute or cite the original source.

The Creative Commons licensing scheme includes the following licenses:

- **CC BY (Attribution):** The vast majority of gold open access articles are published under this license, which is one of the most liberal offered. This license lets others distribute, remix, tweak, and build upon the work (or part of the work), even commercially, as long as they credit the original author(s). This license is recommended for maximum dissemination and use of licensed materials, and is supported by most research funders
- **CC BY-NC (Attribution-Non Commercial):** This license allows others to distribute, remix, tweak, and build upon a work, as long as the original author(s) is credited and the use is not commercial. Commercial use includes both profit and non-profit activity
- **CC BY-NC-ND (Attribution-Non Commercial-No Derivatives):** This license is the most restrictive Creative Commons license, only allowing others to download a work and share it with others, as long as they credit the author(s). No commercial use is allowed. LSHTM Research Online uses this license for research article manuscripts and PhD theses.

1.4.2. What private uses of copyright material are allowed?

You are allowed to copy limited extracts of works when the use is non-commercial research or private study, but you must be genuinely studying (e.g. taking a university course). Such use is only permitted when it is 'fair dealing' and copying the whole work would not generally be considered fair dealing.

The personal copying exception permits you to make copies of media (CDs, ebooks, etc.) you have bought, for private purposes such as format shifting or backup without infringing copyright. For example the exception would allow you to copy content that you have bought on a CD onto your MP3 player, provided it is for your own private use.

However, it is unlawful to make copies of something you do not own or have acquired illegally, without the copyright owner's permission.

You are permitted to make personal copies to any device that you own, or a personal online storage medium, such as a private cloud. However, it is unlawful to give other people access to the copies you have made, including, for example, by allowing a friend to access your personal cloud storage.

Information in this section is modified from <https://www.gov.uk/guidance/exceptions-to-copyright> under the Open Government Licence v3.0.

1.4.3. Can I re-use copyright material in the context of criticism, review and reporting current events?

Fair dealing for criticism, review or quotation is allowed for any type of copyright work. Fair dealing for the purpose of reporting current events is allowed for any type of copyright work other than a photograph. A sufficient acknowledgment will be required.

A photograph cannot be reproduced for the purpose of reporting current events. The intention of the law is to prevent newspapers or magazines reproducing photographs for reporting current events which have appeared in competitor's publications.

Information in this section is modified from <https://www.gov.uk/guidance/exceptions-to-copyright> under the Open Government Licence v3.0.

1.4.4. What if the copyright holder is unknown or cannot be found?

Orphan works are creative works or performances (e.g. a diary, photograph, film or piece of music) for which one or more of the right holders is either unknown or cannot be found.

An exception to copyright allows cultural and heritage organisations (publicly accessible libraries, educational establishments museums and archives, film and audio heritage institutions and public service broadcasting organisations) that hold certain orphans within their collection, to digitise and place them on their website for non-commercial use. This does not include the use of standalone artistic works such as photographs.

Please see this [eligibility questionnaire](#) to find out if you qualify to use this exception.

Information in this section is modified from <https://www.gov.uk/guidance/exceptions-to-copyright> under the Open Government Licence v3.0.

1.4.5. What about text and data mining?

Text and data mining is the “use of automated analytical techniques to analyse text and data for patterns, trends and other useful information” (UK Intellectual Property Office).

An exception to copyright exists which allows UK researchers to make copies of any copyright material for the purpose of computational analysis if they already have the right to read the work (i.e. they have lawful access to the work). Researchers will still have to buy subscriptions to access material. This exception only permits the making of copies for the purpose of text and data mining for non-commercial research.

Publishers and content providers are able to apply reasonable measures to maintain their network security or stability but these measures should not prevent or unreasonably restrict the ability of researchers to text and data mine. Contract terms that stop researchers making copies to carry out text and data mining will be unenforceable.

See the Library & Archives Service’s [Research Data Management](#) guides for more on the reuse of data.

Information in this section is modified from <https://www.gov.uk/guidance/exceptions-to-copyright> under the Open Government Licence v3.0.

Further Resources

1988. *Copyright, Designs and Patents Act 1988*. Website:

<http://www.legislation.gov.uk/ukpga/1988/48/contents>

n.d. CLA. *Check permissions search tool*. Website: <https://www.cla.co.uk/check-permissions-start>

n.d. CLA. *The CLA Higher Education Copyright Licence good practice guide in the creation of course packs*.

Website: https://www.cla.co.uk/sites/default/files/CLA-HE-Good-Practice-Guide_2016-2019.pdf

n.d. UK Copyright Literacy. Website: <https://copyrightliteracy.org>

n.d. Creative Commons. *Choose a license*. Website: <https://creativecommons.org/choose>

2014. Gov.uk. *Exceptions to copyright*. Website: <https://www.gov.uk/guidance/exceptions-to-copyright>

n.d. Jisc. *SHERPA/RoMEO*. Website: <http://www.sherpa.ac.uk/romeo/index.php>

2015. Jisc. *Intellectual property rights in a digital world*. Website:

<https://www.jisc.ac.uk/guides/intellectual-property-rights-in-a-digital-world>