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Sampling Surveys

Each year, CLL conducts sampling surveys in a number of CLL licensed educational institutions. The information collected in these surveys provides details about the copyright material being copied under the licence. This information is used to determine the amount from the licence fees to be allocated to a copyright owner identified.

The surveys are statistically designed to be representative of the licensed copying undertaken during the term of the licence and to account for variations such as location, size and enrolments amongst licensed universities.

CLL informs the staff of licensed universities about the sampling survey process before staff participate in a sampling survey.

CLL collects details identifying the source of CLL licensed copyright material contained in coursepacks used during the academic year by the university being sampled. It also collects the number of students entitled to receive those copies.

The survey is designed to minimise the number of times a University and department will be sampled throughout the term of the licence. Normally, a department will be surveyed only once during the term of the licence.

Each University will have its own procedures for ensuring that the terms of the licence are observed.

Any enquiries regarding the guidelines set out in this brochure should be directed to the person designated by the Vice-Chancellor to deal with copyright matters.

Copyright on Campus

Information for University Staff and Students

Copyright law provides a balance between the right of creators of copyright works to obtain a return for their efforts and the right of the public to access those works. In New Zealand, the Copyright Act 1994 controls copying from copyright works such as books and periodicals (journals). The Act permits individuals to copy extracts from copyright works for the purpose of research or private study. It also allows the University to make multiple copies of extracts from copyright works, within strictly defined limits, for educational purposes.

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No further copies may be made or distributed under the licence. An appropriate warning notice (as shown within this brochure) must be provided with each coursepack to make recipients aware of this.

Staff have legal and ethical obligations to ensure that each extract of copyright material copied is fully and accurately attributed. They must clearly identify the source of each item of copyright material contained in coursepacks. The attribution information is used in the annual sampling survey procedure which determines the appropriate distribution of licensing fees to copyright owners by estimating the number of pages of each author’s/publisher’s copyright material copied under the licence.

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- a password protected University Intranet;
- email;
- a CD/DVD.

In general, the licence permits staff and their duly authorised agents to copy the following extracts from books, periodicals and journals:

- up to 10% or one chapter of a work, whichever is the larger;
- up to 15 pages of a single work in a collection of works even if the work is published separately;
- up to one article from a periodical publication - additional articles if they are on the same subject;
- an artistic work (such as an illustration) published in a work;
- from the same work within 14 days of it last being copied provided that it is not for the same paper, unit or module of a course of study (NB: The Act permits repeat copying after 14 days);
- an out of print work, by photocopying only, subject to prior confirmation from CLL that the work is unavailable in sufficient quantity within a reasonable time at the normal price. Electronic copying of a whole work under this clause is specifically excluded.

Electronic copies can be distributed by means of:
- a password protected University Intranet; or
- email; or
- a CD/DVD provided that students receiving a copy are enrolled in the relevant course and staff receiving a copy are involved in the course of instruction.

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- Unpublished religious orders of service
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- House journals (publications for employees)
- Photographs and/or illustrations published separately from a work
- Works stipulating that they may not be copied under a copyright licence of this nature
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