

## Interim Copyright Permission Process

(pending release of the proposed whole-of-government Intellectual Property policy)

### A. Simple requests with a no fee licence or minor fee licence.

*Description:*

1. This process applies to simple requests to use Crown copyright materials that are managed by the Department (“DEECD materials”).
2. It will apply until the *Guidelines relating to Victorian Crown Copyright* are replaced by a whole-of-government Intellectual Property policy, which is anticipated to be in mid-2012.
3. Requests are generally received by Copyright Unit via the Copyright Mailbox (the contact address provided in copyright statements on the Department’s websites).
4. If the materials are in the public domain or the Copyright Officer is aware that the requested use is permitted under an existing licence, the Copyright Officer will notify the applicant accordingly.

*Process*

Detailed processes are set out overleaf.

### B. More complex permissions and licences

*Description:*

1. This process applies to more complex agreements for the use of DEECD materials, including those requiring assigning, sharing or partitioning of copyright ownership.
2. Complex requests can be received via the Department’s Copyright mailbox [copyright@edumail.vic.gov.au](mailto:copyright@edumail.vic.gov.au) but they are also often received by line areas, as part of a larger project, funding initiative or collaborative initiative. Sometimes the Department will initiate an offer to permit use of its copyright materials.

*Process:*

*Step 1* –Licence negotiated and documented by line area with legal assistance where required

*Step 2* - Briefing to Minister prepared by line area and endorsed by the Copyright Manager or Legal Services Branch

*Step 3* - Licence or permission executed by a Minister

**Process for Simple Copyright Permission Requests  
(with no fee licence or a minor fee licence)**

<b>Where responsible area can be identified</b>	
<b><i>Decision to grant permission</i></b>	<b><i>Decision to refuse permission</i></b>
<p><i>Step 1</i> - Copyright Officer forwards request and licence template to relevant Division</p> <p><i>Step 2</i> –Division determines whether licence should be given in accordance with the Department’s <i>Guidelines for Licensing the Use of Copyright Materials</i> (the Guidelines)</p> <p><i>Step 3</i> –Division completes the attached licence template in accordance with the Guidelines and Executive Director endorses it</p> <p><i>Step 4</i> - Executive Director returns completed, endorsed licence template to Copyright Officer</p> <p><i>Step 5</i> - Copyright Officer prepares briefing to appropriate Minister regarding one or more permission requests and attaches endorsed licence template(s) for Minister to sign</p> <p><i>Step 7</i> – Minister approves briefing and signs licence template(s)</p> <p><i>Step 8</i> – Minister returns briefing and attachments to Copyright Officer</p> <p><i>Step 9</i> – Copyright Officer scans signed templates and emails to applicant (or mails it where email address is unknown)</p>	<p>Step 1 - Copyright Officer forwards request and licence template to relevant Division</p> <p>Step 2 –Division determines licence should not be given in accordance with the Guidelines</p> <p>Step 3 - Division notifies Copyright Officer of that decision and the reason for it</p> <p>Step 4 - Copyright Officer notifies applicant of the decision and the reason for it</p>
<b>Where responsible area cannot be identified (generally because of the age of the material)</b>	
<b><i>Decision to grant permission</i></b>	<b><i>Decision to refuse permission</i></b>
<p>Step 1 – Copyright Officer investigates the request and determines whether a licence should be given in accordance with the Guidelines</p> <p><i>Step 2</i> – If the Copyright Officer determines that a licence should be given, the Copyright Officer briefs the Minister and provides a completed licence template for the Minister to sign</p> <p><i>Step 3</i> – Minister returns briefing and attachments to Copyright Officer</p> <p><i>Step 4</i> - Copyright Officer scans signed licence and emails to applicant (or mails it where email address is unknown)</p>	<p>Step 1 – Copyright Officer investigates the request and determines whether permission should be given in accordance with the Guidelines</p> <p><i>Step 2</i> - If Copyright Officer determines that permission should not be given, Copyright Officer notifies applicant of the decision and the reason for it</p>