

Content Management Systems

1. Can I download a podcast from a news website to our school intranet?

There are two categories of podcasts to consider here. These are 1. Television and radio podcasts and 2. Other podcasts.

For category 1, if the program contained in the podcast was previously broadcast on free-to-air radio or television and made available on the broadcaster's website, then teachers can make a copy of the podcast and communicate it for performance to a classroom/virtual classroom by, for example, putting it on the intranet for the purpose of a particular class. This is permitted under the Statutory Broadcast Licence.

For Category 2, such podcasts may be used if the copyright owner has given permission or if the flexible dealing exception applies.

To determine whether the flexible dealing exception applies, you must consider whether:

- the copy is made for the purposes of educational instruction;
- the use is non-commercial;
- the circumstances are a special case;
- the use does not conflict with the normal exploitation of the work; and
- the use does not unreasonably prejudice the copyright owner.

For further information on the above points, see information sheet "Flexible Dealing".

2. What is a Content Management System (CMS)?

A Content Management System (CMS) is a software application or web-based technology through which course material is delivered and managed. A CMS allows teachers to customise content, monitor student participation and assess student performance. It may also provide interactive features such as video conferencing and discussion forums for use by teachers and students. LAMS and Moodle are examples of CMS used in schools. Clickview is a popular resource management system used by schools.

3. Why is copyright relevant to CMS?

Copyright is relevant to CMS because CMS facilitate the copying and communication of material by students, teachers, schools and TAFE institutions for educational purposes. CMS allow you to copy and store films and music, television and radio broadcasts and print works, such as photos, maps and newspaper articles as well as download and store podcasts. These all involve copyright uses.

4. Can I copy and store films (other than those copied from TV under the Statutory Broadcast Licence) on our CMS?

Yes, you will be able to copy and store films on your CMS, provided:

- the copy is made for the purposes of educational instruction;
- the use is non-commercial;
- the circumstances are a special case;
- the use does not conflict with the normal exploitation of the work; and
- the use does not unreasonably prejudice the copyright owner.

For further information on the above points, see information sheet, "Flexible Dealing"

Please also see information sheet, "Technological Protection Measures" or contact your local

Copyright Manager for further advice.

We recommend that you do not store/print any artistic/radio and TV broadcast material for more than 12 months as this incurs an additional fee under the Statutory Licence.

5. **Can I copy and store music (other than music copied from radio under the Statutory Broadcast Licence) on our CMS?**

Yes, you will be able to copy and store music on your CMS, provided

- the copy is made for the purposes of educational instruction;
- the use is non-commercial;
- the circumstances are a special case;
- the use does not conflict with the normal exploitation of the work; and
- the use does not unreasonably prejudice the copyright owner. [Link to Section 1.13 (b) Flexible Dealings]

For further information on the above points, see information sheet, "Flexible Dealing"

Please also see information sheet, "Technological Protection Measures" or contact your local Copyright Manager for further advice.

We recommend that you do not store any artistic/radio and TV broadcast material that is no longer required to ensure compliance with the Statutory Licence.

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