1.1 What is copyright?

In Australia, copyright law is contained in the Commonwealth Copyright Act 1968 (Copyright Act).

A simple definition of copyright is that it is a bunch of rights in certain creative works such as text, artistic works, music, computer programs, sound recordings and films. The rights are granted exclusively to the copyright owner to reproduce the material, and for some material, the right to perform or show the work to the public. Copyright owners can prevent others from reproducing or communicating their work without their permission or may sell these rights to someone else.

Copyright does not protect ideas, concepts, styles or techniques. For example, copyright will not protect an idea for a film or book, but it will protect a script for the film or even a storyboard for the film.

Copyright is a separate right to the property right in an object. For example, this means that the person may own a book or painting will not also own the copyright in the book or painting unless it has been specifically assigned to them.

In Australia, copyright protection is automatic. There is no need for copyright registration in Australia, nor is there a legal requirement to publish the work or to put a copyright notice on it. A work will be protected as soon as it is put into material form, such as being written down or recorded in some way (filmed or recorded on an audio tape).

The Smartcopying website has been produced by the National Copyright Unit on behalf of the Copyright Advisory Groups (Schools and TAFEs).

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