

Copying for Exams: What am I allowed to do?

The Copyright Act contains an Exam Copying Exception in section 200(1A) that allows Copyright material to be copied and communicated for the purpose of conducting or answering a question in an exam.

Staff can rely on the Exam Copying Exception to use copyright material in exam questions, and students can rely on the same to use copyright material in their answers.

The Exam Copying Exception includes all types of material e.g. images, text, music, videos and films.

It applies to both paper and online exams as long as they are an assessable component of the course, e.g. you can't rely on it for example exam papers or practice quizzes; these uses would likely be covered by either the statutory licence or another educational exceptions. (<https://www.smartcopying.edu.au/copyright-guidelines/copyright---a-general-overview/1-13-copyright-exceptions>)

This amendment ensures Australian schools are able to comply with the National Principles for Online Assessment (NAPLAN) and would enable examinations to be conducted using future technologies without infringing copyright. Bodies like ACARA, and state based curriculum bodies like the WA School Curriculum and Standards Authority, can rely on this exception when including material in exams and assessments.

FAQs

Who can rely on the Exam Copying Exception?

The Exam Copying Exception is not restricted to any specific group. The exception applies to anyone copying or communicating material for use in exams. This would include schools as well as curriculum bodies like The Australian Curriculum, Assessment and Reporting Authority (ACARA), WA School Curriculum and Standards Authority (WASCSA).

What types of copyright material can I copy for use in examinations?

Any material, including but not limited to films, songs, radio broadcasts, poems, short stories and textbooks in any format, can be copied for use in an exam.

Does it matter if the exam is conducted in person or online?

The Exam Copying Exception applies to both in-person/pen and paper and online exams or assessments.

Is there a requirement to label material copied under the exam copying exception?

There is no requirement to label material copied under the Exam Copying Exception. However, NCU recommends that it is best practice to mark material copied for take home exams with the following notice to limit potential liability of the school or TAFE in the event that a student uses the content in a way that may infringe copyright.

[WARNING]

This material has been copied [and communicated to you] in accordance with the Exam Copying Exception in section 200(1A) of the Copyright Act. Any further reproduction or communication of this material by you may be the subject of copyright protection under the Act. Do not remove this notice.

For further information contact NCU