**Radio and Television Broadcasts**

Updated 20 July 2021

Teachers may want to use radio and television broadcasts for educational and other purposes.

**Playing the radio or television in class**

Teachers and students at schools or TAFE can play radio and television programs in class (eg Behind the News) or live stream from catch up services, such as ABC iView or SBS On Demand, or from broadcasters’ online channels, under a special exception (section 28 of the Australian Copyright Act) provided it is:

* in the course of education and is not for profit; and
* the people in the audience or class are giving or receiving instruction or are directly connected with the place where instruction is given.

For further information on s 28, schools should see [Performance and Communication of Copyright Material in Class: What am I allowed to do?](https://smartcopying.edu.au/performance-and-communication-of-copyright-material-in-class/) and TAFE institutes should see [Performance and Communication of Copyright Material in Class: What am I allowed to do?](https://smartcopying.edu.au/performance-and-communication-of-copyright-material-in-tafe-classes/) and [Use of Television Programs and Film by TAFE Institutes without a Screenrights Licence](https://smartcopying.edu.au/use-of-television-programs-and-film-by-tafe-institutes-without-a-screenrights-licence/).

**Copying a radio or television broadcast**

The majority of schools are able to copy radio and television programs for educational purposes under the [Statutory Broadcast Licence](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/). All government schools and the majority of Catholic and independent schools are covered by the [Statutory Broadcast Licence](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/). Please contact your [local representative](https://smartcopying.edu.au/contact-us/) if you wish to check whether your school is covered.

The only TAFE institutes covered by the [Statutory Broadcast Licence](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/) are all WA TAFE institutes and Bradfield Senior College in NSW.

**What does the**[**Statutory Broadcast Licence**](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/)**cover?**

The [Statutory Broadcast Licence](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/) covers:

* television broadcasts from free-to-air television (ABC, SBS, channels 7, 9, 10, Gem, etc)
* radio broadcasts from free-to-air radio (AM, FM, Digital)
* scheduled broadcast content on subscription TV (eg Foxtel), excluding any on demand content offered by those subscription services (eg Foxtel On Demand and Kayo Sports)
* online TV/radio programs from a free to air broadcaster’s website including podcasts and catch up TV, provided it has been broadcast by the free to air broadcaster.

**What is not covered by the**[**Statutory Broadcast Licence**](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/)**?**

The Statutory Broadcast Licence does not cover:

* online television/radio programs from the websites of subscription TV/Radio broadcasters
* television programs offered by subscription TV broadcasters outside their scheduled broadcast content (eg on demand content such as Foxtel On Demand or Kayo Sports)
* television programs from [streaming](https://smartcopying.edu.au/glossary/streaming/) services (eg Netflix, Stan)
* purchased television programs from iTunes, Google Play, online or retail stores (eg ABC Stores, Dymocks) in any format (eg Mp4, Blu-ray, DVD or VHS)
* [films](https://smartcopying.edu.au/glossary/film/) or DVDs which are bought or rented by the school
* online videos (eg fromYouTube, vimeo, TeachersTube, Edmodo, Khan Academy)
* online games (eg from [ABC for Kids](http://www.abc.net.au/abcforkids/)).

**Making and using the copy under the**[**Statutory Broadcast Licence**](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/)

The copy can be in any format (eg VHS, DVD, MP4). It makes no difference what recording device or platform you use to copy a program, including educational products/services such as ClickView, Functional Solutions, Kanopy or OnDemand Media.

Some teachers or school librarians may make the copies themselves, and others may use an external resource centre, such as [ClickView](https://www.clickview.com.au/), [Enhance TV](https://www.enhancetv.com.au/) or [TV4Education](https://www.functionalsolutions.com.au/TV4Education) to make and supply the copy.

You can:

* upload or save the copy of a program to a password protected intranet or [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/)
* email a copy of a program to staff and students.

There are no copying limits, however, we recommend that you only copy what you need for [educational purposes](https://smartcopying.edu.au/glossary/educational-purpose/). This is important for managing copyright costs under the [Statutory Broadcast Licence.](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/)

**If your school or TAFE institute is not covered by the**[**Statutory Broadcast Licence**](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/)

If your school or TAFE institute is not covered by the [Statutory Broadcast Licence](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/) you can still play live radio and television broadcasts in class, but you are not permitted to make copies of radio and television broadcasts. You will be able to source audio-visual content from many other sources, such as YouTube, online educational video providers or services such as [Kanopy](https://www.kanopy.com/) or [ClickView](https://www.clickview.com.au/)to play in class.

In limited circumstances, you may be permitted to upload audio-visual material to your school or TAFE [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/). For further information see [Films and Videos](https://smartcopying.edu.au/guidelines/films-and-videos/) and [Flexible Dealing](https://smartcopying.edu.au/flexible-dealing/).

For information for TAFE see [Use of Television Programs and Film by TAFE Institutes without a Statutory Broadcast Licence](https://smartcopying.edu.au/use-of-television-programs-and-film-by-tafe-institutes-without-a-statutory-broadcast-licence/).