**Educational Licences**

The Copyright Act sets out two licences that govern the [copying](https://smartcopying.edu.au/glossary/copy/)and [communication](https://smartcopying.edu.au/glossary/communicate/) of copyright works by schools and TAFE: the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/glossary/statutory-text-and-artistic-works-licence/) and [Statutory Broadcast Licence](https://smartcopying.edu.au/glossary/statutory-broadcast-licence/). [Educational institutions](https://smartcopying.edu.au/glossary/educational-institutions/) can also enter voluntary licences with the various collecting societies, who collect royalties on behalf of their copyright owner members.

**Statutory Text and Artistic Works Licence**

The [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/glossary/statutory-text-and-artistic-works-licence/) (s 113P(1) of the Copyright Act) allows [copying](https://smartcopying.edu.au/glossary/copy/) and [communication](https://smartcopying.edu.au/glossary/communicate/) of [text](https://smartcopying.edu.au/glossary/text/) and [artistic works](https://smartcopying.edu.au/glossary/artistic-works/) by schools and TAFE for [educational purposes](https://smartcopying.edu.au/glossary/educational-purpose/) including:

* photocopying text or images
* scanning or taking a photograph of hardcopy text or images
* emailing a digital version of text or images to students
* putting a digital version of text or images on to a password protected school or TAFE intranet or [Digital Teaching Environment (DTE)](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/).

The [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/glossary/statutory-text-and-artistic-works-licence/) does not contain any rules at all about how much of a [text work](https://smartcopying.edu.au/glossary/text/) a teacher is allowed to [copy](https://smartcopying.edu.au/glossary/copy/) or [communicate](https://smartcopying.edu.au/glossary/communicate/). Instead, it, allows teachers to [copy](https://smartcopying.edu.au/glossary/copy/) and [communicate](https://smartcopying.edu.au/glossary/communicate/) [text works](https://smartcopying.edu.au/glossary/text/) as long as the amount [copied](https://smartcopying.edu.au/glossary/copy/) or [communicated](https://smartcopying.edu.au/glossary/communicate/) “does not unreasonably prejudice the legitimate interests” of the copyright owner. This means there is flexibility to allow teachers to [copy](https://smartcopying.edu.au/glossary/copy/) and [communicate](https://smartcopying.edu.au/glossary/communicate/) the amount they need where to do so would cause no harm to copyright owners.

For many works commonly used by teachers with students (for example those that are currently available to buy), only portions of the work can be [copied](https://smartcopying.edu.au/glossary/copy/) for [educational purposes](https://smartcopying.edu.au/glossary/educational-purpose/) under the licence. For these works the ‘10% or one chapter rule’ is a useful guide in making this assessment for many resources that are still [commercially available](https://smartcopying.edu.au/glossary/commercially-available/). For other works, such as older ‘out of print’ works, or works made available on the internet without any expectation of payment, teachers may be able to [copy](https://smartcopying.edu.au/glossary/copy/) more (or even all) of a work.

The [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/glossary/statutory-text-and-artistic-works-licence/) ensures that copyright owners are paid for the educational uses of these works. The relevant governing body of your school or TAFE (eg, the State or Territory Department of Education, Catholic diocese, or your independent school or TAFE institution) pays licence fees to [Copyright Agency Limited (CA)](https://smartcopying.edu.au/glossary/copyright-agency-limited-ca/), which is the [collecting society](http://www.smartcopying.edu.au/glossary/glossary/collecting-society) that administers this licence.

A sample of schools (every year) and TAFE institutes (every 3 years) are surveyed to estimate how much is being [copied](https://smartcopying.edu.au/glossary/copy/) and what is being [copied](https://smartcopying.edu.au/glossary/copy/). [Copyright Agency](https://smartcopying.edu.au/glossary/copyright-agency-limited-ca/) uses this information to assist with the distribution of royalties to copyright owners and as a basis for determining licence fees payable to [Copyright Agency](https://smartcopying.edu.au/glossary/copyright-agency-limited-ca/). In 2019, schools and TAFE nationally paid over $60 million in licence fees to [Copyright Agency](https://smartcopying.edu.au/glossary/copyright-agency-limited-ca/).

For more information on the Statutory Text and Artistic Works Licence, see [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/education-licences/the-statutory-text-and-artistic-works-licence/).

**Statutory Broadcast Licence**

The [Statutory Broadcast Licence](https://smartcopying.edu.au/glossary/statutory-broadcast-licence/) (s 113P(2) of the Copyright Act) allows the electronic [copying](https://smartcopying.edu.au/glossary/copy/) and [communication](https://smartcopying.edu.au/glossary/communicate/) of off-air radio and television broadcasts for [educational purposes](https://smartcopying.edu.au/glossary/educational-purpose/), including:

* putting a digital copy of a program on to a school or TAFE intranet or [DTE](https://smartcopying.edu.au/glossary/glossary/digital-teaching-environment-(dte)))
* emailing a digital copy of a program to students
* copying and [communicating](https://smartcopying.edu.au/glossary/communicate/) a free-to-air broadcast made available by the broadcaster over the internet (eg a webcast or podcast).

There are no copying limits under the [Statutory Broadcast Licence](https://smartcopying.edu.au/glossary/statutory-broadcast-licence/).

The licence is administered by [Screenrights](https://smartcopying.edu.au/glossary/screenrights/). The [educational institution](https://smartcopying.edu.au/glossary/educational-institutions/) or its administering body must have a remuneration notice with [Screenrights](https://smartcopying.edu.au/glossary/screenrights/). All government schools are covered by their respective Department of Education remuneration notice. Most Catholic and independent schools are covered by the remuneration notices of their respective Catholic Education Commissions and Offices and Associations of Independent Schools. Only a handful of TAFEs are covered by a remuneration notice to [Screenrights](https://smartcopying.edu.au/glossary/screenrights/). If you wish to check whether your school or TAFE is covered, contact your local [CAG representative](https://smartcopying.edu.au/contact-us/) or the [NCU](https://smartcopying.edu.au/contact-us/).

Each year a sample of schools and TAFE institutes are surveyed to estimate how much is being [copied](https://smartcopying.edu.au/glossary/copy/) and what is being [copied](https://smartcopying.edu.au/glossary/copy/). This information is used by [Screenrights](https://smartcopying.edu.au/glossary/screenrights/) to assist with its distribution of royalties to copyright owners. In 2019 schools and TAFE nationally paid over $25 million in licence fees to [Screenrights](https://smartcopying.edu.au/glossary/screenrights/).

For more information on the Statutory Broadcast Licence, see [Statutory Broadcast Licence](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/).

**Music licences**

Schools have also entered into sector-wide licences with the music collecting societies, Australasian Mechanical Copyright Owners Society (AMCOS), Australasian Performing Right Association (APRA) and the Australian Record Industry Association (ARIA). These licences permit schools to use music at school for a range of activities.

For more information on the music licences, see:

* [APRA Licence](https://smartcopying.edu.au/guidelines/education-licences/schools-apra-licence/) – for public [performance](https://smartcopying.edu.au/glossary/performance/) and [communication](https://smartcopying.edu.au/glossary/communicate/) of [musical works](https://smartcopying.edu.au/glossary/musical-works/) by schools.
* [AMCOS Licence](https://smartcopying.edu.au/guidelines/education-licences/schools-amcos-licence/) – for photocopying printed [musical works](https://smartcopying.edu.au/glossary/musical-works/) (ie sheet music) by schools for [educational purposes](https://smartcopying.edu.au/glossary/educational-purpose/).
* [AMCOS/APRA/ARIA Licence (“School Event Licence”)](https://smartcopying.edu.au/guidelines/education-licences/school-event-licence/) – for the reproduction of [musical works](https://smartcopying.edu.au/glossary/musical-works/) and [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) by [educational institutions](https://smartcopying.edu.au/glossary/educational-institutions/).

There is no national agreement with the music collecting societies for TAFEs. TAFE institutes wanting to use music in a way not currently permitted under the Copyright Act will need to check if there is a music licence in place, and if not take out a licence through the [OneMusic](https://onemusic.com.au/licences/) portal or with the copyright owners of the music. For information on how to clear rights, see [Permission and Consents](https://smartcopying.edu.au/guidelines/permissions-and-consents/).

For more information on the OneMusic licences for TAFE, see [Music Copyright Guide for TAFEs](https://smartcopying.edu.au/music-copyright-guide-for-tafes/).

For further advice, contact your [local copyright manager](https://smartcopying.edu.au/contact-us/).