**Internet and Websites**

Updated 22 February 2022

Teachers regularly use internet materials for educational or other purposes.

‘Internet materials’ include a wide range of content, such as web pages, images, fact sheets, podcasts, online resources such as blogs, teaching guides, lesson plans, apps and video clips on sites such as YouTube or Vimeo. The materials may include text, images, radio and television broadcasts, films, videos or music.

Just because content is available on the internet does not mean that teachers can freely use it. You may be able to rely on one of the statutory licences, the Schools or TAFE music licences or one of the educational copyright exceptions, but this will depend on what type of material it is and how it is being used.

**Text and Images**

The [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/education-licences/the-statutory-text-and-artistic-works-licence/) covers the use of many commonly used internet materials. Examples of commonly used text and images found on the internet include online worksheets, fact sheets from public bodies like the Department of Health or resources published by private companies.

**What uses of internet materials does the**[**Statutory Text and Artistic Works Licence**](https://smartcopying.edu.au/guidelines/education-licences/the-statutory-text-and-artistic-works-licence/)**allow?**

The rules that apply to [text](https://smartcopying.edu.au/glossary/text/) and [artistic works](https://smartcopying.edu.au/glossary/artistic-works/) under the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/education-licences/the-statutory-text-and-artistic-works-licence/) apply to the use of these types of works on the internet in the same way. Schools and TAFE institutes may [copy](https://smartcopying.edu.au/glossary/copy/) and [communicate](https://smartcopying.edu.au/glossary/communicate/) internet materials, provided that these activities are done for [educational purposes](https://smartcopying.edu.au/glossary/educational-purpose/). This includes:

* teaching purposes (such as downloading material in order to hand to students in class)
* using as part of a course of study (eg uploading material to a [digital teaching environment](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/) (DTE) for access by a particular class)
* making and retaining copies for library use (eg as a teaching resource).

**How much text can I copy from a website?**

The [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/education-licences/the-statutory-text-and-artistic-works-licence/) does not contain any rules about how much of a website 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/) internet materials 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 that there is no ‘one size fits all’ approach to what teachers can [copy](https://smartcopying.edu.au/glossary/copy/)and [communicate](https://smartcopying.edu.au/glossary/communicate/) under the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/education-licences/the-statutory-text-and-artistic-works-licence/). Instead, 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.

In most cases, [copying](https://smartcopying.edu.au/glossary/copy/) freely available internet materials for educational purposes will not cause any harm to a website owner. Unlike textbooks, journal articles or artworks, there will often be no expectation of payment for freely available internet materials. This means teachers can ordinarily [copy](https://smartcopying.edu.au/glossary/copy/) all of a freely available internet resource. The NCU can provide more information about this if you are unclear of what you are allowed to [copy](https://smartcopying.edu.au/glossary/copy/).

**Can I upload text and images that I found on the internet to our school’s**[**DTE**](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/)**?**

Teachers may upload [text](https://smartcopying.edu.au/glossary/text/) and [artistic works](https://smartcopying.edu.au/glossary/artistic-works/) from the internet to a [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/) as long as:

* the amount [copied](https://smartcopying.edu.au/glossary/copy/) and [communicated](https://smartcopying.edu.au/glossary/communicate/) does not unreasonably prejudice the copyright owner (see above)
* wherever possible, access to the content is restricted by a password to staff and students.

We recommend that you:

* always label/attribute any internet materials [copied](https://smartcopying.edu.au/glossary/copy/) or [communicated](https://smartcopying.edu.au/glossary/communicate/) under the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/glossary/statutory-text-and-artistic-works-licence/)
* remove any internet materials that are no longer required by deleting and archiving.

**Do schools pay to use text and images freely available on the internet?**

Yes. Under the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/glossary/statutory-text-and-artistic-works-licence/) schools are required to pay to use freely available internet materials. Schools are even required to pay for printable educational resources containing taglines such as “Free Printable Maps are great for teachers to use in their classes”.

Some of the freely available materials that schools have paid to use include:

* online TV guides
* mental health or head lice fact sheets
* websites advertising products, including a website advertising earplugs for dentists and a costume hire website
* the ‘About Us’ page from company websites
* world time zone maps.

Schools are required to pay for this material because the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/education-licences/the-statutory-text-and-artistic-works-licence/) covers every use of copyright material that is not covered by an existing licence.

**Playing films, videos, music and radio and television programs in class**

Teachers and students at schools or TAFE can play [films](https://smartcopying.edu.au/glossary/film/) or music from the internet (eg stream from YouTube) and radio and television programs that are available online (eg from a broadcaster’s website) in class under a special exception (s 28 of the Copyright Act) provided it is:

* in the course of education and is not for profit
* 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](https://smartcopying.edu.au/performance-and-communication-of-copyright-material-in-class/) and TAFE institutes should see [Performance and communication of copyright material in TAFE classes](https://smartcopying.edu.au/performance-and-communication-of-copyright-material-in-tafe-classes/).

**Downloading radio and television broadcasts from the internet**

The majority of schools are able to download online TV/radio programs, including [podcasts](https://smartcopying.edu.au/glossary/podcast/) and catch up TV, under the [Statutory Broadcast Licence](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/). The program must be available on a free to air broadcaster’s website, and the program must have actually been broadcast by the free to air broadcaster. You can normally work out whether a program has been broadcast, because the broadcast details (eg date and time of broadcast) will be stated.

An educational body can copy either a small amount, or even an entire online TV/radio broadcast for educational purposes. There are no specific copying limits under the [Statutory Broadcast Licence](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/). 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/).

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.

For more information see [Radio and Television Broadcasts](https://smartcopying.edu.au/guidelines/radio-and-television-broadcasts/).

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

The [Statutory Broadcast Licence](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/) does not cover:

* online TV/radio programs from the websites of Pay TV/Radio broadcasters that have not previously been broadcast
* television programs from [streaming](https://smartcopying.edu.au/glossary/streaming/) services (eg Netflix, Stan, Disney+)
* purchased television programs from [Google Play](https://play.google.com/store/movies?hl=en_AU&gl=US), [YouTube](https://www.youtube.com/feed/storefront), online or retail stores (eg ABC Stores, Dymocks) in any format (eg Mp4, Blu-ray, DVD or VHS)
* online videos (eg fromYouTube, vimeo, TeachersTube, Edmodo, Khan Academy)
* online Games (eg from <https://www.abc.net.au/abckids/games/>)

As discussed above, you can still play this content in class, and you can [copy](https://smartcopying.edu.au/glossary/copy/) short extracts from [films](https://smartcopying.edu.au/glossary/film/) and online videos that are not covered by the [Statutory Broadcast Licence](https://smartcopying.edu.au/guidelines/education-licences/statutory-broadcast-licence/) for [educational instruction](https://smartcopying.edu.au/glossary/educational-instruction/) in certain circumstances.  For information on [copying](https://smartcopying.edu.au/glossary/copy/) short extracts see [Flexible Dealing](https://smartcopying.edu.au/flexible-dealing/).

**Downloading films and videos from the internet**

If a teacher wants to download a [film](https://smartcopying.edu.au/glossary/film/) from the internet for a specific [educational purpose](https://smartcopying.edu.au/glossary/educational-purpose/) (eg they want to download a video from YouTube on COVID-19 for a social science class and upload it to the school’s [DTE](https://smartcopying.edu.au/glossary/glossary/digital-teaching-environment-(dte))), they may be able to do this under the [flexible dealing exception](https://smartcopying.edu.au/flexible-dealing/) in very limited circumstances and following certain requirements. Note that copying films from sites like YouTube or Vimeo may be contrary to their terms of use or involve the use of circumvention devices.

For more information see[YouTube – Using](https://smartcopying.edu.au/using-youtube/), [Films and Videos](https://smartcopying.edu.au/guidelines/films-and-videos/), [Flexible Dealing](https://smartcopying.edu.au/flexible-dealing/) and [Circumventing Technological Protection Measures](https://smartcopying.edu.au/circumventing-technology-protection-measures/).

**Downloading music from the internet**

Under the Schools Music Licence schools are permitted to use music from the internet to:

* play at a [school event](https://smartcopying.edu.au/glossary/school-events/) (eg downloading music to play at a school graduation)
* include in a video or presentation (eg classroom PowerPoint slides, or in presentations at assemblies or functions).

The recordings should display the following notice:

‘This recording has been made under a licence from AMOS and ARIA for school purposes only’.

For more information see [Music](https://smartcopying.edu.au/guidelines/music/) Guidelines and [Music Copyright Guide for Schools](https://smartcopying.edu.au/music-copyright-guide-for-schools/).

TAFE teachers can rely on the TAFE Music Licence to use music from the internet to:

* play at a TAFE event (eg downloading music to play at a TAFE fashion show)
* incorporate a sound recording into another work (eg adding music to a PowerPoint presentation).

For more information see [Music Guidelines](https://smartcopying.edu.au/guidelines/music/) and [Music Copyright Guide for TAFEs](file://C:\Users\adavis43\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\GIK1BLHM\This%20was%20a%20placeholder%20for%20the%20new%20TAFE%20Music%20Licence%20information%20sheet.%20But%20I%20think%20it%20is%20probably%20more%20consistent%20to%20link%20to%20the%20guidelines%20and%20the%20Music%20Copyright%20Guide%20for%20TAFEs)

**Linking to internet materials**

It is fine to include links to webpages and other content on the internet in materials you are preparing, including teaching materials, student worksheets or course manuals, or even from your school’s website. We recommend linking, as it is a good way of directing students to content, without making a copy of it.

**Copyright exceptions**

For internet content that is not covered by a statutory licence, teachers may also be able to rely on one of the [copyright exceptions](https://smartcopying.edu.au/guidelines/copyright-basics/copyright-exceptions/) when using internet materials for specific purposes.

**Fair dealing**

Teachers and students may be able to [copy](https://smartcopying.edu.au/glossary/copy/) and [communicate](https://smartcopying.edu.au/glossary/communicate/) internet materials under the [fair dealing exception](https://smartcopying.edu.au/guidelines/copyright-basics/copyright-exceptions/). Teachers will only be able to rely on the [fair dealing exception](https://smartcopying.edu.au/guidelines/copyright-basics/copyright-exceptions/) for their own research or stud[y](https://smartcopying.edu.au/guidelines/copyright-basics/copyright-exceptions/). Students using internet materials as part of their study will generally be able to rely on the [fair dealing exception for research and study](https://smartcopying.edu.au/guidelines/copyright-basics/copyright-exceptions/).

For more information see [Copyright Exceptions.](https://smartcopying.edu.au/guidelines/copyright-basics/copyright-exceptions/)

**Disability exceptions**

If you are [copying](https://smartcopying.edu.au/glossary/copy/) or [communicating](https://smartcopying.edu.au/glossary/communicate/) internet materials in order to make it accessible to a student with a disability, you may be able to do this under the [disability exceptions](https://smartcopying.edu.au/guidelines/library-exam-and-disability-copying/disability-access-exceptions/).

For more information see [Disability Access Exceptions.](https://smartcopying.edu.au/guidelines/library-exam-and-disability-copying/disability-access-exceptions/)

**Exam copying**

Teachers are allowed to [copy](https://smartcopying.edu.au/glossary/copy/) and [communicate](https://smartcopying.edu.au/glossary/communicate/) internet materials for use in online and [hardcopy](https://smartcopying.edu.au/glossary/hardcopy/) exams. This exception does not extend to practice papers.  You can only rely on this exception to [copy](https://smartcopying.edu.au/glossary/copy/) and [communicate](https://smartcopying.edu.au/glossary/communicate/) internet materials for actual exams and assessments.

For more information see [Copying for Exams](https://smartcopying.edu.au/copying-for-exams-what-am-i-allowed-to-do-2/).

**Flexible dealing**

If you want to use internet materials for a specific [educational purpose](https://smartcopying.edu.au/glossary/educational-purpose/) in a way not permitted by the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/education-licences/the-statutory-text-and-artistic-works-licence/) or by any of the other copyright exceptions, you may, in limited circumstances, be able to rely on the [flexible dealing exception](https://smartcopying.edu.au/flexible-dealing/).

For example, you may be able to:

* making a captioned copy of a Vimeo clip for student use
* upload a freely available game or app into a [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/) for [educational purposes](https://smartcopying.edu.au/glossary/educational-purpose/)
* make a copy of a [podcast](https://smartcopying.edu.au/glossary/podcast/) for students.

For more information see [Flexible Dealing](https://smartcopying.edu.au/flexible-dealing/).

**Attribution**

Teachers should always attribute the material they [copy](https://smartcopying.edu.au/glossary/copy/) and [communicate](https://smartcopying.edu.au/glossary/communicate/), whether it is owned by their school, TAFE or educational body or someone else. For information on how to attribute text material see [Labelling and Attributing](https://smartcopying.edu.au/tafe/labelling-and-attribution/).