

The University of the West Indies Main Library

A Guide to Copyright Regulations for Main Library, Cave Hill Members

Copyright protects the expression of ideas of authors in the works that they create. Copyright protection in Barbados is governed by the Barbados Copyright Act Cap 300, no. 106/1998. The Copyright Act automatically protects all works from their production or creation until 70 years after the death of the author. Typographic copyright of the printed page lasts for 25 years from publication in that edition. International conventions relating to copyright and other rights are also observed.

Under the Barbados Copyright Act, the following works are protected:

- Literary works, which include most types of written material, printed or otherwise (i.e. not only literature in the usual sense of the term)
- Dramatic works (plays, film scripts, etc.)
- Musical works
- Computer programs
- Artistic works, including graphic works, paintings, sculptures, maps, photographs, etc.
- Sound recordings
- Films and videos
- Radio and television broadcasts
- Published editions (i.e. the typographical layout of a literary, dramatic or musical work). Hence the content of a recently published edition of an older work could be out of copyright, but the 'typographical arrangement' might not be.

The Main Library's collection and electronically assessable resources consists of works for which the rights to use, copy and distribute vary. These include published material, unpublished material, licensed material and free material.

Reproduction

Includes photocopying, scanning and printing from digital source.

A copy of a work may be freely made under the following conditions:

- Copyright in the work has expired
- You own the copyright on the work
- The copyright holder has given you permission to copy the work

Fair Use

Under the Barbados Copyright Act, there is an exemption for Fair Use which allows a certain amount of copying of literary, dramatic and musical works for purposes of research or private study and teaching (criticism, review etc.). Notices posted by reprographic machines in the Main Library, advise that under section 58(2) of the Barbados Copyright Act, copying is restricted to a maximum of 5% of a work.

Parliamentary and Judicial Matters

Copyright is not infringed by anything concerning parliamentary and judicial matters (section 65 (1)).

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Permission should be sought from the author or copyright holder of a work, for reproduction into multiple copies, conversion to another format and for posting of the material on a website.

Acknowledgement of Material Used and Cited

With the use or reproduction of the intellectual and creative work of another person or agency whether or not this falls under Fair Use, if permission is granted, or work is not subject to copyright protection, it is standard practice to acknowledge the author of the work. Each such acknowledgement should indicate the author, title of the work, a place and date of publication and publisher. The Main Library provides printed and electronic guidelines which indicate the correct ways to cite materials. A style guide may be specific to a particular subject or group of subjects.

Published Material

Published material may be found in most collections of the Main Library, with the *Open Shelf* collection having the largest amount of such material.

Under the Fair Use practice, patrons are allowed to copy from any published item; or according to guidelines found in specific licensing agreements with vendors. Generally accepted principles are:

- A chapter of a book, or 5% of a book, whichever is longer.
- One complete article from a single issue of a journal.

- A maximum of ten pages of a poem, short story, or other short literary work, taken from a volume of short stories or poems.

Unpublished Works

Copying may not be done from unpublished works without the written permission of the author. In the Main Library these works include:

- Masters, MPhil, and PhD theses
- Research papers and undergraduate Studies.
- Any other unpublished work entrusted to the Main Library

Electronic Works

Electronic works, such as electronic books, journals, databases, websites, and software, are also protected by copyright, even if they are readily accessible over the Internet. One should generally assume that it is not permissible to make copies of electronic documents, either in printed or electronic form, even for personal use, unless:

- The copying conforms to the principle of "fair dealing"
- Copying is allowed under the terms of a license
- The copyright holder has given explicit permission

Copies made should not be distributed electronically (e.g. by uploading onto a server or website) or as printed copies without permission from the copyright holder.

Freely Available Content

- Material available freely on the Internet. This extends to electronic journals. The same rules relating to citing material mentioned above also applies here.
- Electronic books (and other electronic literary works) whose copyright has expired, such as items found in *Project Gutenberg*.
- Websites indicating that their content may be freely copied and distributed. For example, most documents available on government and quasi government websites may be freely copied and distributed as there is a general permission to do so.

If in doubt, the permission of the copyright holder/s should be sought before copies are made for distribution to others.

Digital Copy from Print

You may make an electronic copy of an extract from a print publication (e.g. by scanning) for your own private study or research under fair dealing.

Licensed Material

Various terms of agreement may be negotiated with vendors who supply the Main Library with electronic resources, for e.g., databases. Conditions of use vary from vendor to vendor. Clauses relating to the use of the material by authorized users only, these are members of Faculty, undergraduate and post graduate students and other members of staff at Cave Hill, are the

norm in vendor agreements with the Main Library. Normally, a member of the University would be permitted to:

- Search and retrieve items
- Print and/or download individual items for personal use for teaching, learning and research

Generally, such licenses do not permit:

- Downloading of the substantial part of a database or the entire contents of a publication (e.g. an entire issue of an electronic journal)
- Multiple copying of items that have been printed or downloaded
- Distributing copies to others
- Using electronic resources for commercial purposes

Printed Course Reserves Policy

Items which are not in the Main Library's collection are also eligible for inclusion in Course Reserves. These items include book chapters, journal articles and conference papers. Items which are available through a database to which the Main Library subscribes CANNOT be placed as a Course Reserve item.

A cover page containing the full bibliographic details for the book from which a chapter has been extracted must be attached to the copy of that item. Only one copy of an item may be placed as a Reserve item.

Electronic Course Reserves

Faculty and Instructors can access book chapters and journal articles through their Course sites, or provide the relevant information for access by students in their Reading Lists if the license signed by the Main Library with that particular vendor so permits.

The Main Library will try wherever possible to negotiate agreements that allow for the use of and links to licensed materials which will permit the creation of course packs and electronic reserves maintained by the various departments, course coordinators etc. and the Main Library in the course of instruction or information delivery at Cave Hill.

Inter-Library Loan and Document Supply

The Main Library offers a service whereby books or articles not housed in the Main Library may be borrowed on an inter-library loan scheme from libraries the world over, according to international rules. The lending library usually sends a form which the borrowing library is asked to sign to consent to using the work to be strictly used for the purposes of reading, study and research.

Article Purchase

The library also acquires on request by researchers and departments articles which are usually supplied through the British Library lending division.

It is standard practice that a maximum of only two articles or chapters from the same document may be copied and forwarded under inter-library loan or document supply. Section 62 (1) b. of the Barbados Copyright Act addresses this further.

Fuller details on copyright in Barbados can be had from the Act, Barbados Copyright Act Cap 300, no. 106/1998

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