



# DARTS AUSTRALIA INC.

## COPYRIGHT POLICY

## PURPOSE

Darts Australia (DA) is a large producer and user of copyright material and it is essential that the DA implements the rights and responsibilities regarding copyright legislative requirements.

The ownership status of copyrighted material created by DA is set out in the Intellectual Property Policy.

- Reduce exposure to the risks associated with the use of third party copyright material
- Assisting DA to make full legal use of the materials at their disposal by clearly identifying responsibilities
- Promoting copyright compliance

## Scope

This policy applies to all DA's players, officials, directors and delegates, contractors and consultants engaged by DA, who are contributing to the core functions of DA or producing DA materials (including plans, maps and signage).

## Definitions

- President/chair person
- DA: Darts Australia
- The Act: Copyright Act 1968
- Moral Rights: are those personal rights conferred by the Copyright Act 1968 in relation to literary, dramatic, musical or artistic works and cinematograph films.
- Webmaster/web designers

## Policy Statement

The Copyright Act 1968 (the Act) grants exclusive rights to creators and owners of copyright material. These exclusive rights include the right to reproduce or copy, publish, perform, communicate (by email or making available online), translate, adapt the material. Creators of some types of works are also granted 'moral rights'. Copyrighted material must not be used in a manner that infringes the copyright owner's exclusive rights or moral rights, without the consent of the copyright owner, or as otherwise provided in the Act.

Copyright infringements may result in civil or criminal action against DA and or the individual responsible for the infringement.

## Policy

- DA supports and encourages the legitimate use of materials to enhance the communication of, knowledge and research activities. However, DA does not condone any activity which infringes the copyright or moral rights of any third party. All DA players, officials, directors, delegates, contractors and consultants engaged by DA are responsible for observing copyright legislation, and any restrictions or obligations under any licenses or permissions in their use of third party material
- The use of third party materials for activities undertaken offshore is subject to the copyright laws of the country where the activity is undertaken
- DA will provide players, officials, directors, delegates, contractors and consultants engaged by DA with information and resources to assist them in understanding and complying with their responsibilities in relation to copyright

- **Players, officials, directors and delegates, contractors and consultants engaged by DA have a responsibility to notify the delegated officer or President of:**
  - Any allegations of copyright infringement on the website, Facebook or mobile devices DA material or activity that is in breach of copyright
  - Players, officials, directors, delegates, contractors and consultants engaged by DA must not use DA facilities or equipment in a manner that infringes copyright
  - Breaches of this policy or copyright legislation by players, officials, directors and delegates, contractors and consultants engaged by DA may constitute misconduct which may lead to disciplinary proceedings including termination of membership
  - Copyright infringement by an individual may also result in personal liability to, or criminal prosecution of, that individual

### **Using Third Party Materials for Educational Purposes**

- All players, officials, directors, delegates, contractors and consultants engaged by DA, involved in the production, reproduction or delivery of materials must be familiar with and meet their copyright obligations as detailed in the Act or website: [www.copyright.org.au](http://www.copyright.org.au)
- Players, officials, directors, delegates, contractors and consultants engaged by DA must pay particular attention to limits that may be copied, and the labeling requirements. Where a specific license or permission has been obtained from the copyright owner their use must comply with the terms of that license or permission
- Electronic distribution of materials containing third party material be referred to DA Executive or designated official for copyright queries
- Digital copies of plans, maps, brochures or works must be referred to DA Executive of designated official re: the digitising of that material.
- The information management team can provide assistance with the process of digitising of records

### **Dealing with Allegations of Copyright Infringements**

- Where a notice is received from a third party alleging that any DA activity, material, or material available on the DA website infringes that third party's copyright, such notice must be promptly forwarded to DA Executive of designated official where legal advice will sought.
- Where the notice relates to material that is available on DA website, the information must be immediately taken down, and the copyright complaints process must be followed
- Where a players, officials, directors, delegates, contractors and consultants engaged by **DA** reasonably believes that any DA material or activity infringes copyright, that matter must be promptly reported to the DA Executive of designated official.

### **Copyright Awareness and Management**

#### **DA Executive or Designated Official will:**

- Provide advice to players, officials, directors, delegates, contractors and consultants engaged by DA on the interpretation of the Copyright Act and the policy
- Present copyright education sessions collated as required

- Maintain update copyright information on the external website and intranet
- Raise awareness of the policy and copyright obligations
- Ensure that players, officials, directors, delegates, contractors and consultants engaged by DA have access to the copyright policy

### **Unauthorised Copying**

- Unauthorised copying or communication of copyright protected material (such as music, DVD, videos and software), violates copyright, is prohibited

### **DA recognises the following principles:**

- Copying or use of unauthorised music, DVD, video and software is prohibited
- Sufficient quantities of legitimately acquired software via the normal purchasing and approval mechanisms will be provided
- All licensing terms and conditions regulating the use of any software acquired will be complied with
- To enforce strong controls within DA to prevent the copying or use of unauthorised music, DVD, videos, and software. This includes effective measures to verify compliance with these standards and appropriate disciplinary action for any violation of these standards.
- To inform all authorised users of their responsibilities in relation to music, DVD, video and software piracy.
- To provide this information to all players, officials, directors, delegates, contractors and consultants engaged by DA, and other authorised users, prior to providing them with any DA material, software, hardware, electronic devices, account passwords etc.

### **Dealings in Copyright Protected Material for Personal Private Use**

- Music, videos or software purchased by users for personal private use are not to be installed on DA owned facilities.

### **Dealings in Copyright Protected Software**

- The use of software is covered by copyright law and software licensing agreements

### **In relation to the use of software, it is illegal to do any of the following:**

- Use software in any way that may contravene the software license agreement or copyright law
- Copy software or its accompanying documentation, including programs, applications, data, codes and manuals, without permission or license from the copyright owner
- Use a single user license copy to install a program on multiple computers
- Take advantage of software upgrade offers without having a legal copy of the software to be upgraded
- Authorise, encourage, allow, compel or pressure users of DA facilities to make or distribute illegal software copies
- Import software into Australia without the permission of the copyright owner
- Distribute software that has been imported into Australia, without the permission of the copyright owner

#### **4.8 Pornography**

- Instances of pornography found on any DA facilities, or found on any equipment owned by DA, must be reported to the President or designated officers, who will determine further action and notification to other authorities, as appropriate.

#### **4.9 Electronic Media**

- Electronic media must not be used to share or distribute pirated material. This includes such things as shared drives, hard drives, thumb drives, CD-ROMs, floppy disks, zip disks, file servers, web servers, e-mail, or any other type of electronic storage mechanisms

#### **4.10 Non-DA Owned Equipment**

- DA reserves the right to check for pirated music, DVD's, videos and software on non-DA owned equipment that is connected to the DA infrastructure.

#### **4.11 Compliance Monitoring**

- DA will regularly scan DA facilities for evidence of illegal activity. Where there is evidence or suspicion of illegal activity, DA reserves the right to shut down and isolate any DA facilities associated with this illegal activity. The decision to shut down and isolate any DA facility will be made by the President.

#### **4.12 Compliance**

- DA treats misuse of its facilities seriously. Violations of the conditions of use of DA facilities may result in temporary or indefinite withdrawal of access, and disciplinary action under the DA code of conduct
- The President or designated officer will be the investigation officer of allegations of misconduct by staff
- Players, officials, directors, delegates, contractors and consultants engaged by DA that have access that has been withdrawn as a result of an investigation can appeal the decision or the penalty to the President
- Misuse or unauthorised use of DA facilities may constitute an offence under the Crimes Act, 1914 and/or other State or Commonwealth legislation
- Users are encouraged to report any misuse, any reports will be treated as confidential

### **5 References and Related Documents**

- Crimes Act 1914
- Copyright Act 1968
- Australian Copyright Council