

COPYRIGHTAGENCY

SCHOOLS

Hardcopy Data Processing Protocol

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Copyright Agency Limited

Level 11, 66 Goulburn St

Sydney NSW 2000

ABN 53 001 228 799

www.copyright.com.au

[e: info@copyright.com.au](mailto:info@copyright.com.au)

02 9394 7600

f 02 9394 7601

Revision/Amendment History

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0.2	06/02/18	Additions to 3.10.1.2 (Out of Scope) Section 3.9.2.2 updated Section 3.10.2 updated	CA
0.	09/05/18	Material Type definitions 3.5.6 and 3.6.1 refined Section 2.3.1 added Section 3.8 trimmed and moved to 3.6.6 Section 4 updated	CA
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1 INTRODUCTION

The purpose of this Protocol is to establish a system for assessing the type and volume of copyright materials copied by schools for which license fees are payable under Part IVA of the Copyright Act.

This protocol is to guide Copyright Agency in the processing of records in order to:

- establish accurate estimates of usage volume of remunerable copying, while accepting that accuracy is sometimes necessarily traded off to contain cost and reduce the burden on schools;
- ensure impartiality of the processors without interference by any stakeholder;
- provide transparency concerning the processing of survey records;
- establish a platform for consultation between Copyright Agency and Schools (as represented by the Copyright Advisory Group (CAG) and dispute resolution.

The Protocol covers:

- activities to be undertaken by the Survey Manager in relation to validation of data;
- the Processing of data by Copyright Agency and the management of exclusions, including exclusions on the Global licence list;
- Review Processes.

CONFIDENTIALITY

Copyright Agency must keep confidential all details of the Global licenses and Direct Exclusions and only release them to such of Copyright Agency's employees who have a need to know.

2 SURVEY MANAGER

2.1 MONITORING AND DATA COLLECTION

The Hardcopy Survey is referred to as the Australian Schools Copyright Collection (ASCC) with the Survey Manager and with the schools participating.

The objectives of the ASCC are as follows:

- to identify what Copyright material is photocopied, printed and scanned so that payments can be made to copyright owners
- to identify how much and what type of Copyright material is **photocopied, printed and scanned** (hereforth referred to as “**copied**”)

An independent Survey Manager is commissioned to implement the survey. The role of the Survey Manager involves managing the sample selection undertaken by the states, training of survey participants, supply of field materials, problem resolution, monitoring of performance, data collection, data validation and reporting.

When the school is selected for the survey, and after initial training of the Survey Coordinator has occurred, the Survey Manager will – in most areas - visit the school to ensure that the system is correctly set up for survey recording. Where a visit is impractical the Survey Manager will assist the coordinator via phone to do the set-up in the school. The Survey Manager will then offer support throughout the survey via telephone and email correspondence.

There are three types of copying machine at the school: Monitored, Unmonitored and Excluded. The classification has been agreed between CAG and Copyright Agency, a copy of which is provided in Annexure F.

When copying ‘Published’ material (e.g. books, magazines, journals) at monitored machines, staff at the surveyed schools are required to fill out a Published Material Form (PMF) and attach to the form a full extra copy of the material they have copied as well as a copy of the verso or ISN (where available). The form captures the following details about the copying event:

- Published pages copied
- Copies of each published page
- Copying intent for text, visual arts, music or combination
- Author/Publisher and title of copied work/s (if verso or ISN is not attached)
- School ID
- Copier ID
- Name of staff member

- Date of copying

When copying is done on an unmonitored copier (e.g. at teacher's home, at a machine shared with students, at a standalone printer or scanner or outsourced) staff are required to use a Copying Declaration Form (CDF) instead of the PMF. The CDF requests the same information as the PMF.

Staff are instructed to do no copying of Published Material at excluded devices during the survey period. However if they copy Published Material at an Excluded Device they are required to complete a CDF.

Copies of the CDF and PMF can be found in in Annexure E.

When copying 'Unpublished' material (e.g. admin, copying for assessment, school or the school's State peak body material or personal copying) on a Monitored device, staff at the surveyed schools are required to fill out an Unpublished Material Log (UML – a copy of which can be found at Annexure E), indicating:

- Date of copying
- Pages (clicks)
- Surname

The Survey Manager ensures that the training incorporates a clear description of Unpublished Materials.

The appointed Copyright Survey Coordinator (CSC) at the school periodically collects the Published Material Forms (PML), Copying Declaration Forms (CDF's) and Unpublished Material Logs (UML) from each copier and sends these to the Survey Manager to tally the copying volumes. The CSC also takes periodic meter readings from each monitored machine and provides these to the Survey Manager using a Period Ending Summary (PES) sheet. For each period, the Survey Manager reconciles the total reported volumes on the forms from the monitored machines against the meter readings (where they are available) to determine how much copying has been reported and to follow up with the CSC any substantial discrepancies which haven't been explained. A field officer may occasionally visit the school to collect data and assist the school with any queries.

The purpose of collecting meter readings and volume data about 'Unpublished' copying is to:

- enable the Survey Manager to track performance by reconciling reported copying volumes (Published + Unpublished) against actual volumes (indicated by the copiers' meter readings);
- form a habit for staff of reporting volumes each time they use a copier (regardless of whether the copying event is 'Published' or 'Unpublished').

2.2 DATA RECEIPT – THE COPYRIGHT SURVEY COORDINATOR (CSC)

The CSC collates the records on a weekly basis and checks each record to ensure that a full extra copy is attached and that the information provided on the forms is complete and accurate. A reasonable attempt is made to contact survey participants for clarification of information where there is no attachment or where fields are blank or data is suspected to be inaccurate. Once the records have been checked the CSC forwards them to the Survey Manager.

2.3 DATA RECEIPT – THE SURVEY MANAGER

The Survey Manager receives the records and checks each record to ensure that a copy has been attached and that the information provided on the form is complete and accurate before forwarding the records to Copyright Agency for processing. A reasonable attempt is made to contact survey participants for clarification of information where fields are blank or data is suspected to be inaccurate.

The following table describes:

- the circumstances in which the Survey Manager will reject and return forms to the CSC at the school for completion or clarification;
- the circumstances in which the Survey Manager will edit the form.

ITEM	FORM	QUESTION ON FORM	REJECTION / EDIT CRITERIA (unless the CSC has annotated the form with a satisfactory explanation)	SURVEY MANAGER PROTOCOL
1	PMF & CDF	Q1 (attachment)	No attachment* provided (regardless of whether box is ticked)	Reject and return to CSC (see exceptions to this rule below**)
2	PMF & CDF	Q2 (pages copied)	Blank	Reject and return to CSC
3	PMF & CDF	Q3 (times copied)	Blank	Reject and return to CSC "Unresolved - Default to 1" if unresolved after 3 reasonable attempts
4	PMF & CDF	Q2 x Q3 (Total of photocopied, printed and scanned fields)	Volume is greater than 500	Reject and return to CSC for confirmation that current volume entered is correct

ITEM	FORM	QUESTION ON FORM	REJECTION / EDIT CRITERIA (unless the CSC has annotated the form with a satisfactory explanation)	SURVEY MANAGER PROTOCOL
5	PMF & CDF	Q5 (bibliographic)	Details not provided/attached i.e. publication details, ISN/URL, author/title not provided and no tick in the "I cannot identify" box	Reject and return to CSC
6	PMF	Copier Number	Blank	Use surrounding forms to determine copier number and write in (green ink)
7	PMF & CDF	School ID, Date	Blank	Use surrounding forms to determine School ID /date and write in (green ink)
8	PMF & CDF	Date	Outside monitoring period	Query and amend (in green ink) as appropriate
9	PES	Q1	Start reading does not match end reading from the previous period	Query and amend (in green ink) as appropriate
10	PES	Q4	Number of PMFs on form does not match number received by AMR	Query and amend (in green ink) as appropriate
11	PES	Q5	Number of CDFs on form does not match number received by	Query and amend (in green ink) as appropriate

* attachment = the pages copied by the teacher for educational purposes (i.e. not attached as part of Q5).

** Exceptions: Forms will not be rejected and returned to the CSC, even if no attachment has been provided, so long as one or more of the following conditions have been met:

- the verso is attached to the form;
- an ISN has been provided (written at Q6 or attached to the form);
- an author name and title have been provided (written at Q6).

When the Survey Manager rejects and returns a PMF or CDF the record form is scanned, along with any attachment provided by the respondent, before a copy is emailed or posted to the appointed CSC at the school for clarification. The original record form is dispatched to Copyright Agency, with a brief summary of the nature of the query indicated on the form.

When the reject/return form is resolved the Survey Manager prints out a copy of the original form and annotates the copy of the record form (in green pen) with the following information:

- the outcome of the query (even if no edit is required);

- any required edit of the data resulting from the query (plus initials of editor and date of the edit if it is made by the Survey Manager).

The annotated copy of the form is then dispatched to Copyright Agency where it is attached to the front of the original.

Copyright Agency may reject and return a PMF or CDF to the Survey Manager when:

- the record form has blank fields or inadequate information (see table above) and has not been annotated by either the CSC or the Survey Manager;
- there is no attachment and no indication at Q2 of the number of pages that were copied.

In these cases Copyright Agency will scan and email a copy of the record form to the Survey Manager for querying with the school. The procedures for subsequent queries by the Survey Manager are as stated above.

Copyright Agency uses the annotations to help process the records, in accordance with the data processing protocols described in Section 2.

The Survey Manager is responsible for printing a barcode at the bottom of each PMF which stores a unique ID for each record.

2.3.1 Managing the register of licences

It is the Survey Manager's responsibility to manage the administration of the Register of Licences information from schools during the survey period.

The Register of Licences and Permissions template is sent to all schools as part of the training materials.

The deadline for completion of the register is set as 2 weeks after the beginning of the survey period. In the event that the deadline is breached by the school, each school is issued a reminder phone call or email as appropriate. Another reminder phone call follows at the end of the survey period.

If the survey period draws to a conclusion and the Register of licences has not yet been completed, the deadline breach is referred to the relevant CAG representative, NCU, and Copyright Agency.

2.4 AUDIT BY THE SURVEY MANAGER AFTER PROCESSING

The Survey Manager will conduct an audit of the processed records prior to receiving an electronic datafile (Remunerable Dataset) of the processed records from Copyright Agency.

2.4.1 Scope of Audit

The Survey Manager will request from Copyright Agency details on the number of Arrival Bundles (bundle of record forms for a school for a particular survey period) the survey has yielded. For each Arrival Bundle Copyright Agency will provide to the Survey Manager the following information:

- the number of total pages copied
- the School ID
- Term

The Survey Manager will then make a representative selection (based on this information) of between 3-5% of all Arrival Bundles. Each copying record within the selected Arrival Bundles will be audited.

2.4.2 Record Details Audited

For every record audited, the Survey Manager will compare the data entered into Copyright Agency's database against the corresponding fields on the hard copy record forms (PMFs and CDFs) completed by the survey participants.

The following fields will be audited by checking the Summary Sheet (cover sheet) for each selected Lot against the corresponding field in Copyright Agency's database:

- **School I.D.**

For each selected record the Survey Manager will ensure that the School ID in Copyright Agency's database matches with the School ID indicated on the corresponding Summary Sheet and entered by the survey participant on the hard copy record form.

- **Period Ending**

For each selected record the Survey Manager will ensure that the period ending in Copyright Agency's database matches with the period ending indicated on the corresponding Summary Sheet.

For the following fields, the Survey Manager will ensure that what is entered on the PMFs or CDFs, corresponds with what is entered in Copyright Agency's database.

- Number of published pages copied (Q2)

- Number of copies of each page (Q3)

If there are any amendments made by Copyright Agency which are not obviously in accordance with the Data Processing Protocols used to process the data, and which are not clearly explained by annotations on the record, carried out by either the Survey Manager or Copyright Agency, the Survey Manager will seek clarification to his or her satisfaction.

2.4.3 Results of Audit

Following completion of the audit, the Survey Manager will detail in writing, each record in the Copyright Agency database that requires clarification, and/or amendment. On receipt of this advice, the Survey Manager will require Copyright Agency to review each record, and respond to its findings in writing. For each record, Copyright Agency must respond by either affirming an amendment or providing an explanation why amendment is not necessary. The Survey Manager must be satisfied with any explanation provided, prior to confirming completion of the audit.

3 PROCESSING

3.1 ROLE OF DATA RESEARCHERS

Copyright Agency employs researchers with expertise and experience in the retrieval of information as data researchers. It is the role of the data researcher to utilise various resources to:

- verify (records may need to be amended if incorrect);
- validate (no changes required); and
- complete (add missing information such as author, publisher full title, ISBN etc.) information provided on the survey records by the survey participants.

In performing these tasks, researchers employ their best judgment based on accepted research tools (including those set out below) to reach decisions about copied material.

Where a change is made, the Copyright Agency researcher will annotate the change in the Copyright Agency database.

The researcher is also required to identify the relevant rightsholder of the material copied. It is not always possible for researchers to retrieve comprehensive bibliographic information so as to verify rightsholders. Researchers are constrained by the quality of original data provided in the survey and the complex nature of the publishing industry. However the role of the researcher is to identify and complete the citation as far as possible in the circumstances.

To perform these tasks the researchers make use of information provided in attached survey records and utilise the most recent editions of:

- Copyright Agency's database of works and copyright owners;
 - Copyright Agency membership files, including members' Records of Copyright Material;
 - Previous survey and distribution data;
- Online sources, including:
 - Online Library Catalogues, specifically Libraries Australia;
 - Ulrichsweb Global Serials Directory;
 - Publisher websites;
 - Decayed websites – www.archive.org
 - WHOis registry

3.2 INITIAL DATA SORTING AND SET UP

The Survey Manager collects the hardcopy survey records from the participating schools. The Survey Manager then sends these survey records to Copyright Agency. This process occurs throughout the survey year.

When the records are received by Copyright Agency, each bundle is date stamped.

The surveyed schools details are then entered into Copyright Agency's database with the following information:

- The school identification
- The term in which the school participated in the survey
- The type of school (i.e. primary or secondary)
- The state or territory location of the school
- The school system (Government, Catholic or Independent)
- Copier number
- All the collection periods for the particular school during the survey

Each Published Material Form (PMF) and Copying Declaration Form (CDF) has a unique identifier which is recorded by Copyright Agency.

Once completed, a unique identifier within a survey year is generated. This is known as an Arrival Bundle.

Separate Arrival Bundles are created for each copier in a school for each collection period.

3.3 COPYING VOLUMES

The copying volumes, as recorded by the survey participant in questions 2 and 3 of the Published Material Form (PMF) and Copying Declaration Form (CDF) are imported into Copyright Agency's database for each record. Note: See Annexure E for Survey Forms

Title pages, versos, contents listings and blank pages are not included in the calculation of pages copied.

Any copies made for the specific purpose of attaching to Copyright Agency survey forms will be excluded from volume counts.

Where only a verso page, publication page, or contents page/s have been attached, the researcher will default to the number of pages written on the form at question 2

The researcher will use the PMF/CDF attachment to verify the volume and Material Type. Explanations and examples of changes made to volume levels can be found at Annexure C.

Any changes made to the record by Copyright Agency are annotated on the Copyright Agency database.

3.4 MATERIAL SOURCE AND TYPE

Copyright material is classified by researchers into the source from which it originated (“source”) and the type of work that it is (“type”). It is the responsibility of the Copyright Agency researcher to review the material contained within submitted files and allocate the appropriate Material Source and Type.

Material Source	Material Type
Book	Chapter
Newspaper	Article
Journal	Poem
Magazine	Short Story
Website	Play
Other	Artistic Work
	Music

Survey participants will indicate the type of content they are copying through Question 4 on the form; Image only; Text only; Music only OR combination.

Material Source is referred to as the Major Work Type in the Copyright Agency Database.

Material Type is referred to as the Minor Work Type in the Copyright Agency Database.

Where there is a discrepancy between the type of material selected on the form and the information in the attachment, the researcher will change on the Copyright Agency database. Explanations and examples of changes made to material type can be found at Annexure C.

3.5 MATERIAL SOURCE

3.5.1 Book

Material will be classified as a book where:

- there is an ISBN;
- it is listed in a database of books;
- it is listed as a book in a library catalogue (e.g. National Library of Australia); or
- it is a work which is divided into chapters.

3.5.2 Newspaper

Material will be classified as a newspaper where:

- the work is a daily newspaper; or
- the work is a periodic publication in the form of a broadsheet or tabloid, which commonly contains news, comment, features and advertisements.

An ISSN is often an indicator that a work is a newspaper, magazine or journal.

3.5.3 Journal

A Journal is defined as a periodic publication **NOT** generally available in a newsagency.

Material will be classified as a Journal where:

- it has the word “journal” in its title or subtitle; or
- it is principally available by subscription; or
- it contains information of the following nature:
 - Technical
 - Scholarly
 - Professional
 - Academic
 - Scientific

An ISSN is often an indicator that a work is a newspaper, magazine or journal.

Note: for volume reporting purposes, a Journal is classified as a Periodical.

3.5.4 Magazine

A Magazine is defined as a periodical publication which is generally available in a newsagency and published no less than weekly.

Material will be classified as a magazine where:

- it is a periodic publication which contains popular or general interest material; and is generally published no less frequently than monthly; and
- is not classified as a journal (J) in accordance with this Protocol.

An ISSN is often an indicator that a work is a newspaper, magazine or journal.

Note: for volume reporting purposes, a Journal is classified as a Periodical.

3.5.5 Website

Material will be classified as Website where:

- there is a URL; or
- the work is clearly or most likely to be from a website
- the original source is not already classified as Book, Newspaper, Journal or Magazine.

Whenever the webpage is classified as Book, Newspaper, Journal or Magazine, the record will be flagged as being sourced from the Internet.

3.5.6 Other

Material Type Other is used for two purposes:

1. To classify material for which the type is unclear (e.g. where details of the publication have not been provided).
2. To classify material that is not one of the above material sources (i.e., it is not Book, Newspaper, Journal, Magazine, or Website). Examples include:
 - CD ROMs – not being one of the above material sources;
 - Examination papers (These should be excluded where they are used for assessment – refer to section 3.9.1.2);

3.6 MATERIAL TYPE

3.6.1 Text*

Material will be classified as Text if:

- the material is a form of writing other than article, poem, play, or short story as outlined below. Text will have its ordinary meaning, though reference is made to the Macquarie Dictionary definition: 'the main body of matter in a book or manuscript'. Examples include:
 - a page or pages from a book
 - a webpage with text

or

- the pages cannot be classified as one of the other Material Types as described below.

If more than one Text work appears on a page (such as a new chapter by a different author), the first will be processed as the remunerable page and included in the remunerable dataset. If the first Text work is out of copyright, the next Text work in copyright will be processed.

* Due to existing system labelling, material classified as Text appears in the CA database as Chapter.

3.6.2 Article

Material Type will be classified as article if:

- the material is an article or part of an article. Article will have its ordinary meaning, though reference is made to the Macquarie Dictionary definition; 'a piece of writing on a specific topic forming an independent part of the literary publication'.

If more than one article appears on a page, the first article will be processed as the remunerable article and included in the remunerable dataset. If the first article is out of copyright, the next article in copyright will be processed..

3.6.3 Poem

Material Type will be classified as a Poem if:

- the material is a poem or part of a poem. Poem will have its ordinary meaning, though reference is made to the Macquarie Dictionary definition: 'a composition in verse, especially one characterised by artistic construction and imaginative or elevated thought'.

If more than one poem appears on a page, the first poem will be processed as the remunerable poem and included in the remunerable dataset. If the first poem is out of copyright, the next poem in copyright will be processed.

3.6.4 Short Story

Material Type will be classified as a Short Story or part if:

- the material is a short story or part of a short story. Short Story will have its ordinary meaning through reference made to the Macquarie Dictionary Definition of Story; 'a narrative, whether true or fictitious, in prose or verse but without metrical structure.
- If more than one short story appears on a page, the first short story will be processed as the remunerable short story and included in the remunerable dataset. If the first short story is out of copyright, the next short story in copyright will be processed.

3.6.5 Play

Material Type will be classified as a Play or part if:

- the material is a play or part of a play. Play will have its ordinary meaning, though reference is made to the Macquarie Dictionary definition of; 'a dramatic composition or piece; a drama' (a drama being 'a composition in prose or verse presenting in dialogue or pantomime a story involving conflict or contrast of character, especially one intended to be acted on the stage.

If more than one play appears on a page, the first play will be processed as the remunerable play and included in the remunerable dataset. If the first play is out of copyright, the next play in copyright will be processed.

3.6.6 Artistic Work

Material Type will be classified as an artistic work if:

- the work is a map, illustration, photograph, drawing or picture or any other kind of artistic work recognized by the Copyright Act (1968), (the Act).

If more than one artistic work appears on a page, the first artistic work will be processed as the remunerable artistic work and included in the remunerable dataset. If the first artistic work is out of copyright, the next artistic work in copyright will be processed.

An artistic work that appears on a page with associated text as an illustration, not as a stand-alone work, will only be classified as Artistic Work if:

- the purpose of copying on PMF/CDF (Q4) is Image Only; and
- the material is not visual material that is processed as text only (see Annexure B).

Accompanying Artistic Works are identified by Copyright Agency researchers as Accompanying Artistic Work in Copyright Agency's database and may be entered for the

purpose of making equitable distribution to copyright owners only. This has no effect on the volumes of copying.

All works with a material type of Artistic Work will have an artistic works descriptor. See Annexure A for a list of artistic works categories. See Annexure B for visual material that is processed as text only.

3.6.7 Music

Material will be classified as music if:

- the work is sheet music (including accompanying lyrics);
- the work is song lyrics only (not accompanied by music);
- the work is music from a music tutorial. Music tutorials tend to be books about music or music theory, with instruction and exercises. Tutorials include the 'how to' play an instrument (e.g. scales; fingering charts and practice pieces); or
- the person completing the record has specified that they have copied print music and any attachments provided do not suggest otherwise.

Each music record will be given a sub-classification of sheet music, lyrics, or music tutorial.

Record/CD covers (the artwork) are NOT classified as MUSIC.

Records sent to AMCOS for processing

All photocopied sheet music records (including song lyrics accompanied by music) are forwarded to AMCOS for processing and are excluded from the volume estimate.

Sheet music which is printed or scanned and all music tutorial and lyrics-only records will be researched and not automatically excluded from the volume estimate.

3.7 COPY TYPE

At least one copy type must be allocated to each copying record.

The Copy Types applicable are:

- Photocopy
- Print
- Scan

Question 3 on PMF – How many copied of each published page?

A record will be created for each Copy Type which has a value entered. For example if “Times printed” is 25 and “Times Scanned” is 1, a record will be created for each of the two copying events.

3.8 MORE ON INTERNET MATERIAL

Where the record indicates a homepage or index page of a search engine has been copied (with no description/minor title information), Copyright Agency will exclude these records under the exclusion term 'Out of Scope' unless one of the following conditions applies:

- the record is from Google Earth or Google Maps; or
- the homepage or index page of the search engine features copyright works, such as articles, instructional manuals or artistic works.

All Internet Material will be classified in accordance with the agreed 'Schools Protocol for the Processing of Website copyright Notices'.

3.8.1 Allocations to unauthorised material on websites

Unauthorised works which appear on a website will not be processed in accordance with the terms and conditions of that website. The record will be flagged as 'Copying Not Permitted – Unauthorised Copying' in the Copyright Agency database.

Copyright Agency will only allocate monies to identified, original author/publisher of the work. A common example is the unauthorised reproduction of lyrics on a website.

3.9 LICENCE TERMS AND CONDITIONS

Schools records are processed and the exclusions as set out below are applied. These are separate to the remunerable dataset that is supplied to the Survey Manager for the volume report. Copyright Agency applies exclusions on a hierarchal basis commencing with the broadest exclusion category. These are:

Blanket/Processing Exclusions:

- Out of Copyright/Public Domain
- Out of Scope Material
- Clip Art
- AMCOS (photocopied music works only)

Notified Exclusions:

- Copyright Owner Notified Exclusions
- NEALS
- Global Licenses (CAG Global register of permissions)
- Register of Electronic Licences and Permissions (ROL)

Express Licences:

- Website terms and conditions

3.9.1 Blanket/Processing Exclusions

3.9.1.1 Out Of copyright/Public Domain

Works that have been protected by copyright, but for which that protection has expired, are out of copyright. For further guidance in determining whether a work is out of copyright, refer to Annexure D.

Works in the public domain will be excluded by Copyright Agency. For practicable purposes Copyright Agency processes all national flags, national emblems, national currencies and road and safety signs as Public Domain works. (Note that non-national flags, e.g. The Olympic, Aboriginal and Torres Strait Islander flags are still in copyright).

Works created by the United States Federal government are not entitled to domestic copyright protection under U.S. law and as such are commonly referred to as being in the public domain. Copyright Agency researchers will classify these works as an exclusion. Some publications contain 3rd party works that are clearly attributed as belonging to a third party (e.g. photos with a credit to a commercial photo library or a fine artistic works credited to the artist). Such works will be processed and included.

3.9.1.2 Out of Scope

Material classified as 'Out of Scope' will be flagged as excluded work. The Copyright Agency researcher will clearly annotate the record citing the reason why the work has been classified 'Out of Scope'. Below is a list of these works:

- a) Survey Manager, Copyright Agency or CAG material relating to the survey or administration of the survey
- b) personal material of a survey participant
- c) material that appears to be for internal administrative purposes (e.g. Letters, invoices, student reports, newsletters, timetables etc.) Note: 3rd party embedded works identified within this material is also OS.
- d) any copying of quotations and extractions of three (3) paragraphs or less, other than whole works
- e) material published by a government (this does not include commercial publishing arms such as CSIRO Publishing)
- f) material created by the surveyed institution's state peak body where it has not already been classified as a NEALS non-remunerable work
- g) material created by the surveyed institution's current employees – teacher's own work
- h) media or press releases
- i) stand-alone **unembellished** geometric shapes (e.g. Mathematical triangles, squares, circles, angles) and any copying of dice, dominos, blocks, unembellished mazes, playing cards **and** clock faces and there is three (3) paragraphs or less of accompanying text.
- j) blank tables and blank grids
- k) where the record indicates a homepage or index page of a search engine has been copied (with no description/minor title information) - see Section 2.9.1 for exceptions.
- l) examination papers/materials if used for assessment purposes. If material is dated the same as the survey year, the material will be excluded. (Note: *If the exam is dated from a previous year e.g. 2010 or 2007, the material is to be included*)

branding and promotional material (including logos, app icons, and advertisements)

- m) computer generated graphs/patterns, ECGs and seismographs
- n) generic or blank answer sheets and record pages
- o) material published by aschool
- p) material published with a Creative Commons licence.

3.9.1.3 Blackline Master (BLM)

Material will be classified as a BLM where:

- The work is identified as a BLM. That is, the material is a publication for which generally as part of the price, the purchaser is given certain rights to photocopy the work for a certain purpose including but not limited to use in the classroom, non-commercial classroom use or educational use. In some instances the phrase “Blackline Master” will appear on the front page or title page or verso page of the publication. Any instances of Blackline Masters being printed or scanned will be reviewed with CAG in bulk either during or at the completion of processing.

A Partial Blackline Master is a publication which contains non Blackline Master pages and Blackline Master pages. The BLM material generally provides specific instructions on the BLM page that it may be photocopied for certain purposes including but not limited to use in the classroom, non-commercial classroom use or educational use.

Records will be processed as per the BLM ‘decision tree’ in Annexure F.

If the teacher has attached multiple pages from the same work, some of which are deemed to be BLM from the decision tree in Annexure F and others are not BLM, the researcher will process the BLM pages separately. The total pages for that record will remain unchanged unless amended in accordance with this protocol.

3.9.1.4 Clipart

For the purposes of the schools survey the parties have agreed to assume that the usage of clipart by schools are undertaken under licence and will be excluded accordingly using the exclusion term “Clipart”.

Clipart can be defined as “A collection of graphical images designed to be copied and inserted into other applications” and is generally categorised by one of the following:

- CD/DVD Rom licence;
- Subscription licence;
- Software (e.g. Microsoft, Apple) licence.
- Where the URL or attached PDF indicates Clipart

3.9.1.5 AMCOS

AMCOS records will have a major title of ‘AMCOS’ entered and excluded using the category of AMCOS. The scanned records are sent to AMCOS for distribution.

3.9.2 Notified Exclusions

3.9.2.1 Copyright Owner Notified Exclusions

Copyright Owner Notified Exclusions are exclusions where the rights holder has advised Copyright Agency directly they do not wish to receive Copyright Agency monies for the

copying and/or communication of their works by schools and are recorded in Copyright Agency's Rights Database.

The records received from the survey will be checked against Copyright Agency's Rights Database and excluded from the dataset.

3.9.2.2 NEALS

Material produced by State Government Departments, Catholic Dioceses, Associations of Independent Schools, the Commonwealth or other NEALS participants, the pages will be excluded from the remunerable dataset at the completion of processing and included in a separate dataset provided to the Survey Manager. Works that appear on the Excluded NEALS Works Register will be processed as normal and allocated to the appropriate recipient and will be included in the remunerable dataset.

Copyright Agency may also from time to time contact a CAG member to confirm whether they are the correct copyright owner of a work or imprint and whether these works are included in the NEALS license.

3.9.2.3 Global Licenses

CAG will supply Copyright Agency with a Register of licences and permissions that various administering bodies have obtained from rights holders or their representatives on an annual basis. Copyright Agency records these in the Copyright Agency Rights Database and records will be excluded from the dataset.

3.9.2.4 Register of Electronic Licences and Permissions

The Survey Manager will supply Copyright Agency and CAG copies of the Schools Register of Electronic Licences and Permissions (ROL) following each completed survey period.

The records received from the Survey Manager will be checked against the ROL. The works which have been copied or communicated by a school, and appear on that schools ROL, will be excluded from the dataset at the completion of processing.

Where a record is password protected, the ROL will be examined to determine if the relevant school or jurisdiction has a licence. If no licence has been recorded, the Survey Manager will contact the relevant school or jurisdiction to check whether a licence or subscription exists. If a licence or subscription exists, Copyright Agency will exclude the relevant record from the data.

3.9.2.5 Express Licenses

Some websites grant a licence to copy and/or communicate works contained on the website. These licenses vary greatly in their terms and application.

Copyright Agency will refer to the agreed Schools Protocol for the Processing of Website Copyright Notices for the processing of all material identified as "Internet Material".

Under the Protocol for Processing Website Copyright Notices the following exclusions will apply:

- Non-commercial use
- Use in your organization
- Free Copying
- Free for education

Non internet material

In addition, Copyright Agency will exclude all material containing an express licence on the verso page, subject to the processing of Blackline Masters or a Partial Blackline Master in accordance with Annexure F.

Example material includes:

- Government reports and publications,
- International agency reports,

- Government agencies or quasi government agency publications
- publications licensed under Creative Commons Licenses
- Custom published works created specifically for the surveyed school

3.10 DATA CHECKING

3.10.1 Data Integrity Checks

During processing and at the end of processing various data integrity checks are carried out by Copyright Agency to ensure that the data has been entered correctly and consistently. This is a separate process to the data validation that happens before point of research.

The purpose of these checks can be broadly characterised as follows:

- Identify any records that should be excluded from the data set for both volume estimates and for distribution;
- Ensure works of the same type have been entered consistently;
- Improve the accuracy and consistency of bibliographic data;
- Minimize unidentified records;
- Ensure records are allocated to members consistently

3.10.2 Quality Control

To verify that the data researchers have processed in accordance with this protocol, Copyright Agency applies an internal quality control check to ensure that:

- No records have been duplicated or omitted. This is done by comparing the entry lines in Copyright Agency's database to the original records supplied by the Survey Manager.
- What has been entered in Copyright Agency's database is representative of the PMF/CDF. This is done by comparing the fields on the PMF/CDF to the corresponding fields in the database, including any amendments made by data researchers.

Any discrepancies identified by the data checker are referred back to the data researcher for clarification and/or correction.

As a final check, system query reports are run across the whole data set to ensure that all data is intact and that there are no invalid entries.

4 PROCESSING REVIEW

It is important that there is transparency in processing so that both Copyright Agency and CAG can be assured that:

- The Protocol is being followed; and
- Where uncertainty arises in relation to processing issues, both parties have the opportunity to participate in the determination of the outcome.

To demonstrate that the data has been processed in accordance with this Protocol CAG may appoint a representative to meet with a representative of the Data Processing team at Copyright Agency once a year (to a pre-agreed schedule). This visit will provide an opportunity for the CAG representative to observe and discuss Copyright Agency's processing procedures and identify any processing issues that have been encountered during research.

One way Copyright Agency may assist would be to provide a random selection of up to 200 records for CAG to review (annually). Copyright Agency will then retrieve the records and show all actions taken from when the data arrived to its current state.

Copyright Agency is responsible for ensuring records provided by the Survey Manager are processed in accordance with this Protocol.

Annexure A: List of artistic work categories

- Illustration, e.g.
 - Drawings
 - etchings
 - diagrams
 - dot-to-dots and colour-by-numbers
 - woodcuts
 - engravings
 - sketches
- Photo, e.g.
 - film stills
 - photographs
 - photomontage
 - composite photos
 - Author biography photos
- Painting
- Map
- Comic Strip
- Cartoon
- Plan, e.g.
 - blueprints
 - architectural plans
 - engineering plans and circuitry diagrams

Annexure B: Material processed as text only

VISUAL MATERIAL WHICH IS PROCESSED AS “TEXT ONLY”

- Crosswords
- Tables (except blank tables which are Out of Scope)
- Find-a-words
- Sudoku
- Graph
- Grids (except empty grids which are Out of Scope)
- Molecular and chemical structures Screen captures without visual material, including web pages
- Languages which are written using characters (e.g. Chinese and Japanese), script (e.g. Cyrillic) or pictorial representations (e.g. hieroglyphics)
- Journalist biography photos
- Text only posters
- Text only certificates
- Geometric shapes which form patterns, or include embellishments such as trees or grass
- Flowcharts

VISUAL MATERIAL PROCESSED AS “ACCOMPANYING ARTISTIC WORKS”

- Certificates with visual material
- Posters with visual material


Annexure C: Changes to volume and material type

The following are situations in which a researcher may change volume quantity and material type.

Note: If a survey participant has written an instruction, crossed out or circled sections of the attachment (or on the survey form), the researcher will amend the record to reflect the survey participant's instructions.

Volume Changes

3. Number of pages – This relates to Question 2 on the PMF
 - a. Newspaper articles which continue over 2 or more pages are entered as 1 page` *pages revised down*
 - b. When the attachment provided contradicts the number marked by the survey participant then changes to the volume may occur. Examples include:
 - i. reference pages such as title page and ISBN page have been included in count: *pages revised down*
 - ii. survey participant has written 1 page, but 2 pages have been attached: *pages revised up*
 - iii. survey participant has written 1 page, but 2 copyright pages have been photocopied onto 1 side of A4 paper (usually indicated by 2 page numbers or a fold mark down the middle): *pages revised up*
 - iv. unpublished material such as teacher's own or school or the school's State peak body created material has been included in count along with published material: *pages revised down* by the number of unpublished pages
 - v. survey participant has written 1 page, but a worksheet has been attached – each copyright item used is entered separately: *pages revised up or down depending on attachment*
 - vi. survey participant has written 2 pages and attached 2 pages, but they are the same page: *pages revised down*
 - vii. the numbers on the form at Q2 and Q3 will be switched by the researcher if:
 - o the number of attached pages (excluding verso, contents or publication pages) EQUALS the number stated on the form at Q3
 - AND
 - o not the number of attached pages at Q2 - *see example below:*

<p>2. How many pages have you photocopied/ printed/ scanned? <small>The number of pages you photocopied/ printed/ scanned from the original source. Do not count any extra pages for Question 5.</small></p> <div style="text-align: right;"> <table style="border-collapse: collapse;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">3</td> <td style="border: 1px solid black; width: 20px; height: 20px; text-align: center;">0</td> </tr> </table> <p style="text-align: center; margin-top: 0;">Pages photocopied/ printed/ scanned</p> </div>			3	0	<p>Note: The attachment contains 3 pages, not 30</p> <p>Action: switch 3 & 30</p> <p>Result: 3 published pages 30 copies</p> 
		3	0		
<p>3. How many copies of each published page? <small>The number you entered into the photocopier/printer/scanner minus the one for the extra copy provided in Question 1.</small></p> <p>Number of times photocopied 3 <small>Times photocopied</small></p> <p>Number of times printed <small>Times printed</small></p> <p>Number of times scanned <small>Times scanned</small></p>					
<p>4. Did you photocopy/ print/ scan this for:</p> <p><small>Images includes photographs, cartoons, drawings, graphs, charts, illustrations, maps and paintings.</small></p> <p><small>Music includes print music, lyrics and guitar tabs.</small></p> <p style="text-align: right;"><small>Check one box only</small></p> <p style="text-align: right;">Image Only <input type="checkbox"/></p> <p style="text-align: right;">Text Only <input type="checkbox"/></p> <p style="text-align: right;">Music Only <input type="checkbox"/></p> <p style="text-align: right;">Combination (image/ text/ music) <input type="checkbox"/></p>					

4. Times Copied

- a. When a survey participant has copied one page twice and reduced these two copies on to one A4 page, it is considered to be two copies. In most instances this means *times revised up*
- b. See *vii* in point 1 above

5. Specific to Question 4 – Did you photocopy/print/scan this for; Image Only; Text Only, Music Only or Combination (image/text/music)

Refer to Annexure A and Annexure B for artistic works classifications

Where the researcher has the full attachment to review (not only the verso, publication or contents pages) note the variations:

- a) ‘Text Only’ or ‘Music Only’ is selected and only an image is represented in the attachment, the researcher will change the form to ‘Image only’ and process the record as Artistic Work.
- b) ‘Text Only’ or ‘Music Only’ is selected and there is a combination of material represented in the attachment, the researcher will change the form to ‘Combination’ and process the record (as text or music with ‘Accompanying Artistic Work’ for example)
- c) ‘Image Only’ is selected and there is a combination of material represented on the one page, the researcher will only process the image/s.
- d) ‘Combination’ is selected and there is ONLY one type of material represented in the attachment (e.g. ONLY Music or Only Text or ONLY Image). Copyright Agency will annotate the change where appropriate and process accordingly.
- e) ‘Image Only’ is selected and no image is represented in the attachment, the researcher will change the form to reflect the attachment material process the record accordingly.

- f) 'Image Only' is selected, the attachment provided has more than one page and only part of the attachment has an Image. The researcher will annotate the image of the form and process the record accordingly.
- g) more than one selection is indicated on the form. The researcher will review the attachment and annotate the image of the form to reflect the material represented in the attachment and process accordingly.
- h) no selection made, The researcher will review the attachment and annotate the image of the form and process accordingly.

Annexure D: Out of copyright

	<i>Type of Material</i>	<i>Factors affecting duration</i>	<i>Copyright has expired</i>	<i>Duration if work was still in copyright on</i>
A	Works first published anonymously or		first published before 1 January 1955	year first published + 70 years
B	Photos first published anonymously or under a pseudonym		taken before 1 January 1955	year first published + 70 years
C	Photographs (except B)		taken before 1 January 1955	life of creator + 70 years
D	Engravings (except A)	published during creator's life	creator died before 1 January 1955	life of creator + 70 years
		not published during creator's life	first published before 1 January 1955	year first published + 70 years
E	Artistic works (except A, B, C & D)		creator died before 1 January 1955	life of creator + 70 years
F	Computer programs (except A)		creator died before 1 January 1955	life of creator + 70 years
G	Literary, dramatic and musical works (except A & F)	² made public during creator's life	creator died before 1 January 1955	life of creator + 70 years
		NOT made public during creator's life	made public before 1 January 1955	year made public + 70 years
H	Cinematograph films (underlying works such as screenplays and music are also protected)	made before 1 May 1969 and regarded as "dramatic work" ³	creator of film as dramatic work died before 1 January 1955	life of creator of film as dramatic work or of cinematographer (whichever longer)
		made before 1 May 1969 and not regarded as "dramatic work"	made before 1 January 1955	life of cinematographer + 70 years
		made on or after 1 May 1969	none in public domain by 1 January 2005	years first published + 70 years
I	Sound recordings (Underlying works are also protected)		made before 1 January 1955	years first published + 70 years
J	Broadcasts	made before 1 May 1969	not protected at all	not protected at all
		made on or after 1 May 1969	none in public domain by 1 January 2005	Year made + 50 years

K	Published editions⁴		First published more than 25 years ago	Year edition first published + 25 ears
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Notes:

¹ Where the identity of the author is not known and cannot be ascertained by reasonable inquiry

² "Made Public" here means published, performed, broadcast or recorded and offered for sale

³ Films made before 1 May 1969 are regarded as "dramatic works" "the arrangement, the acting form or the combination of incidents represented gives the work an original character"

⁴ A "published edition" means the typographical arrangement and layout of a published work.

Annexure E: Survey Forms

- Copying declaration form
- Published material form
- Unpublished material log
- Period ending summary

Available at:

<https://www.copyright.com.au/data-processing-protocols/>

Annexure F: Protocol for Classifying and Monitoring Devices

- Device classification protocol

Available at:

<https://www.copyright.com.au/data-processing-protocols/>

Annexure G: Protocol for the Processing of Website Copyright Notices

Available at:

<https://www.copyright.com.au/data-processing-protocols/>

Annexure H: BLM Decision Tree

ANNEXURE F

BLM Processing Decision Tree

