MyAberdeen
This library guide concerns all areas of The University's Virtual Learning Environment (VLE) including MyAberdeen, MyMBchB, MyBDS etc. When this guide refers to MyAberdeen it is also referring to all other areas of the VLE.

Staff members are reminded that many of the items they may wish to include as course materials will be subject to copyright and/or licensing restrictions.

This guide explains what you need to do to ensure that your course materials on MyAberdeen do not contravene current UK copyright legislation or licensing restrictions.

CLA Photocopying and Scanning Licence
The University of Aberdeen holds a Copyright Licensing Agency (CLA) Higher Education Photocopying and Scanning Licence. This allows University staff to make scans of limited extracts from published books, journals and magazines and to make these available to registered students on MyAberdeen.

The licence covers most UK publications and a number of European, US and international publishers. Details of countries and publishers covered by the licence can be found on the CLA website at www.cla.co.uk/. Materials not covered by this or any other licence can only be included in MyAberdeen with the rights holder's permission unless it is (a) out of copyright or (b) you own copyright in the material.

To check whether a specific title is included in the licence, use the Title search function from the CLA website. The Photocopying and Scanning licence covers photocopying and scanning from printed sources, and the copying of paid-for digital material plus the right to copy and re-use free-to-view (but not free-to-copy) website content.

Before scanning from a print copy, check the library catalogue to determine whether the University already has a digital copy of the work; if so, then provide a link to the item.

The best way to do this is via a stable URL (also called a persistent URL or permanent link). You can also use the DOI (Digital Object Identifier) which is unique to each article. You can convert a DOI into a web link by appending it to the URL of a “DOI resolver” such as http://dx.doi.org/. Please note that not all publishers use DOIs. For example, JSTOR, Westlaw and Lexis Library do not use DOIs.

DO NOT upload a pdf copy of an article from an electronic journal directly onto MyAberdeen unless you have the publisher's permission to do so.

A few things to bear in mind when providing links to online articles:
- Always provide a full reference.
- Pay particular heed to any specific terms and conditions listed on individual websites.
- Set links to open in a new window.

Where the university does not have electronic access to a specific resource, you may scan from a print copy up to the following limits:

For each item scanned, whichever is the greater of:
- up to 5% or one chapter of a book
- up to 5% or one article from a single issue of a journal
- up to 5% or one paper from one set of conference proceedings
- up to 5% of an anthology or one short story or one poem of not more than 10 pages
- up to 5% or one case from a report of judicial proceedings

The materials scanned may be text only, text with embedded image(s) or images disembedded from text. Materials to be scanned must not be edited prior to scanning, i.e. the digital copy must represent a direct unaltered representation of the original printed page.

If you wish to scan a separate photograph, illustration, map or other graphical material not covered by the CLA licence, the permission of the rightsholder will be required.

Some classes of material are excluded from the photocopying and scanning licence. These include newspapers, printed music and maps. There are also certain publishers and certain countries whose published output is excluded from the licence. A complete list of excluded works and excluded territories can be found on the CLA website at www.cla.co.uk/.
For each digital copy there are **specific obligations:**

- The copy from which the scan is made must be owned by the University – this excludes personal or review copies. If the item is covered by the licence, but the university does not own a copy, you will need to obtain a Copyright Fee Paid (CFP) Copy from the British Library. Library staff will be able to assist you in obtaining such a copy. There will be an additional charge for a CFP copy beyond that of the standard Inter-library loan fee. Library staff will advise on the cost of the item at the time of ordering the copy.

- If a CFP copy cannot be sourced or if the item is not covered by the licence you will need to contact the rightsholder to obtain (or purchase) permission to use the material.

- Materials must be made available on a secure server and only to students registered on the relevant course of study and only for the duration of the module/course. Materials must be removed from MyAberdeen after the end of the course, although the scanned copy can be held on a secure server and reused if the course is re-run in the next year.

- A Copyright Notice available at [www.abdn.ac.uk/library/learning-and-teaching/copyright/vle/](http://www.abdn.ac.uk/library/learning-and-teaching/copyright/vle/) must be appended to each scanned item placed in MyAberdeen. If a scanned copy is being re-used in a subsequent session a new copyright notice must be appended and a copy of the revised notice sent to the Copyright Officer.

- All staff who scan materials under the CLA licence are required to provide details of the materials used. Please use the enclosed spreadsheet to record details of all items scanned under the licence and remember to include details of the course code, course duration and student numbers for each of the courses covered. Please forward the spreadsheet to Mary Mowat by 21st May 2016.

**Other specific requirements related to the CLA Licence**

The CLA licence states that only designated persons may place scanned material on the VLE. Each department/school must maintain a list of designated persons who must be staff members and not students. The list may include named individuals, or designated postholders. A list of designated persons must also be sent to the Copyright Officer (m.mowat@abdn.ac.uk) at the start of each session. All designated persons are required to attend a training session organised by the Copyright Officer.

**Textbook substitution**

Staff should be aware that the course materials selected for inclusion in MyAberdeen must not inadvertently create a collection of items which cover substantially the same material as a standard textbook for a given course. This could happen when individual extracts on a particular topic from a number of different books are gathered together as course readings which, when taken together, form a "virtual textbook". This form of textbook substitution is not considered best practice under the terms of the licence.

**Uploading materials covered by other licences**

The CLA licence does not cover all types of material you may wish to use in your teaching. The University has an NLA Licence which covers a range of UK and foreign newspapers. This licence allows you to make up to 250 photocopies of an article from these newspapers for distribution to students. Each copy or collation of copies made under the licence must be labelled, in text no smaller than 6 point, "with permission, copied from [title of newspaper(s)] dated (date)".

You may make copies "with a view to their projection by illumination on to a screen". You are not, however, allowed to scan any articles electronically for inclusion onto MyAberdeen.

Details of newspapers covered under the NLA licence can be found on the Check Permissions section of the CLA web-site.

**ERA (Education Recording Agency)**

This licence allows licence holders to record the broadcast output from the BBC (television and radio), and broadcasts from The Open University, ITV, Channel 4, Channel 5, S4C. Broadcasts made under the ERA licence may be shown to students for educational purposes and may also be digitised for use in MyAberdeen provided these are made available to students based in the UK only.

The ERA licence also covers the use of the Box of Broadcasts (BoB) service.
**Scanning materials outside a licence**

Any copying that is not covered by one of the licences outlined above must be done within UK Copyright Law – Copyright Designs and Patents Act 1988.

Copies made under the “Fair Dealing” exemption of the CDPA 1988 (See QG GEN008: Introduction to Copyright – quick guide) must not be placed on MyAberdeen without the explicit, written permission of the copyright owner. If no such permission is forthcoming you must assume you cannot copy, as a lack of response does not indicate consent.

Exceptions to this rule are the following situations:

- where copyright has expired, usually 70 years after copyright owner’s death
- where copyright has been waived by the copyright owner, in writing
- where copyright belongs to you or the university

A number of amendments to the Copyright Designs and Patents Act (1988) came into force on 1st June 2014. Some of these changes are likely to impact on your use of copyrighted materials for the purposes of education and instruction.

One amendment to the CDPA relates to copying for the purpose of instruction where copying could only be undertaken provided a reprographic process such as photocopying or scanning was not used. The exception has been widened to allow photocopied or scanned materials to be used for teaching purposes; however it is restricted to “fair dealing” which means only a small portion of a given work can be used in this way, and it must be for illustrative purposes and not merely as an embellishment. See QG GEN008: Introduction to Copyright – Quick Guide for further details on the changes to the copyright exceptions.

The new “illustration for instruction” exception covers all types of copyrighted work so you may use excerpts from films, sound recordings and broadcasts as well as textual materials. Materials can be included in MyAberdeen or displayed on interactive whiteboards. Sufficient acknowledgement must be given, as well as due consideration to what constitutes “fair dealing”.

You may also now include PowerPoint presentations containing copyrighted materials in MyAberdeen provided the use satisfies the criteria for “fair dealing” as detailed in QG GEN008: Introduction to Copyright – Quick Guide.

Another change since June 2014 relates to copying for examination purposes. Previously, it was acceptable to copy copyrighted materials (with the exception of sheet music) for the purposes of examination; however, this has now been subsumed within the exception allowing copying for the purpose of instruction, which means that any copying or scanning undertaken for the purposes of examination is subject to the fair dealing test.

**Using images found on the internet**

Images on the internet are subject to copyright, and as such, for any usage which goes beyond the limits of fair dealing you need to obtain permission from the rightsholder before placing them onto MyAberdeen.

Sometimes websites will include a statement of permitted use, or the images may have been made available under Creative Commons or other similar sharing and re-use licences. If you intend to take advantage of such licences, please ensure you are familiar with the terms and conditions attached, including the requirement to include a licence phrase attributing ownership. As with printed material from the internet, the safest way is to provide a link and always acknowledge the source.

You can also search a number of “copyright free” image databases. These contain images that have been produced under a Creative Commons Licence. Sites such as Flikr (See The Commons for collections of images with no known copyright restrictions) and Scran offer a wide range of images produced under CC licences. You do not have to report your usage of such images, but you should always attribute the source. Please ensure that the type of licence used covers your intended usage.

**Help**

The Library website includes a section on Copyright and My Aberdeen.

Further help and guidance on all matters pertaining to copyright and course materials on MyAberdeen is available from the Copyright Officer (m.mowat@abdn.ac.uk), Telephone 01224-438703.

See also QG GEN008: Introduction to copyright – quick guide.