



## **Tyndale House Copyright Policy**

For information on Intellectual Property Rights please see our Intellectual Property Rights policy.

Tyndale House upholds Copyright Law in respect of copying and scanning works within the Collections of Tyndale House Library.

### **What is copyright?**

- Copyright is mainly based on the *Copyright, Designs and Patents Act 1988*, and subsequent revisions including the *Copyright and Related Rights Regulations 2003*, *Copyright Rights in Performances Regulations 2014*, previous *Copyright Acts (1911 and 1956)*, and Directives, Treaties, Conventions and Case Law.
- Copyright is an exclusive economic right granted to the creator of original work to permit or prevent other people from copying it.
- Copyright does not protect an idea, only the material expression of the idea.
- Works are protected regardless of artistic merit, although they need to be original and/or show skill and judgement.

### **What does copyright protect?**

- Copyright only protects certain things specified by the *Copyright Act* - if it does not fall within one of the eight categories – it will not be protected
- These categories are: Literary works, Dramatic Works, Musical Works, Artistic Works, Broadcasts, Sound Recordings, Films and Typographic Works

### **How are works protected?**

- There is no need to register copyright in the UK: it exists automatically as soon as a work in one of the above categories is created
- There is no need to use a copyright symbol in the UK, if a work is protected by copyright, it will be protected anyway
- For most works, copyright protection in the UK lasts 70 years from the end of the year in which

the person who created the work dies. When the creator dies, copyright normally passes to their estate unless they specify otherwise.

- As a general rule, the first owner of copyright in a Work(s), the “Copyright Holder” will be the person who produced the work unless it was made by an employee in the course of his or her employment.
- A Copyright Holder is able to transfer the legal ownership of that copyright to a third party (also called an "assignment") or grant permission to use it under licence.

### **What are “Moral Rights”?**

- Moral Rights relate to the creator’s honour or reputation. They give the creator:
  - The right to be named as the creator of the work (paternity right)
  - The right to object to someone wrongly named as the creator of his/her work (false attribution right)
  - The right to object to derogatory treatment of the work (derogatory treatment right)
- Moral rights can’t be assigned to anyone else (unlike copyright), but they can be waived.

### **Copyright Restrictions**

In respect to copying, scanning, or photographing/filming a printed work:

Under UK law, the concept of “Fair Dealing” allows the lawful reproduction of a work without having to seek permission from the copyright owner.

Fair Dealing permits making a copy:

- if the use is for private study or research or
- if it is used for the purposes of quotation, criticism or review

Under Fair Dealing you may make a single copy of:

- up to one chapter or 5% - whichever is greater - of a published book
- up to 10% of a short book (up to 200 pages long)
- one poem or short story of up to 10 pages long
- one article from any single issue of a published journal

Only single copies are permitted - unless you are authorised to make multiple copies under the Copyright Licensing Agency (CLA) Photocopying, Scanning and Digital Re-Use – Comprehensive Higher Education Licence. See <https://www.cla.co.uk/higher-education-licence> for information.

Unless authorisation has been given, any digital copies must not be placed on a network or onto the Internet.

**Please note that unpublished materials – such as theses and dissertations – are not covered by Fair Dealing. You may only copy from these with the written consent of the author.**

### **Creative Commons Licences**

Creative Commons Licences have been developed by Creative Commons, a not-for-profit charity [www.creativecommons.org](http://www.creativecommons.org). In order to facilitate sharing of creative works, Creative Commons have developed several licences to enable rights holders, and those acting with the specific authorisation of rights holders to use, share and reuse their work.

*Disclaimer: None of the information contained within this document should be construed as legal advice. Should specific legal advice be required, please consult the appropriate legal advisor.*

*NB Some of the information here is taken from material by Naomi Korn and licensed for use under a Creative Commons Attribution Share Alike Licence (CC BY SA)*