

CUFCMP301A

Unit Descriptor

Implement copyright arrangements

This unit describes the performance outcomes, skills and knowledge required to implement individual or collaborative copyright arrangements.

This unit is related to CUFCMP501A Manage and exploit copyright arrangements.

No licensing, legislative, regulatory or certification requirements apply to this unit at the time of endorsement.

Employability Skills

This unit contains employability skills.

Application of the Unit

This unit addresses the implementation of copyright arrangements, including sourcing copyright information, gaining clearance to use other people's material and protecting material from unauthorised use. It has application to people involved in using/creating original works, including literary works, computer programs, compilations, artistic works, dramatic works, musical works, cinematograph films, sound recordings, broadcasts, photographs, photographic imagery and published works.

This unit does not address assigning copyright and licensing rights. This is addressed in:

- CUFCMP501A Manage and exploit copyright arrangements.

Unit Sector

No sector assigned

ELEMENT

PERFORMANCE CRITERIA

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| 1. Source information on copyright. | 1.1 Identify sources of information on copyright. |
| | 1.2 Determine what is and is not protected by copyright. |
| | 1.3 Identify and determine role of copyright collection societies . |
| | 1.4 Check copyright legislation with appropriate person . |
| 2. Obtain permission to use copyright material. | 2.1 Identify copyright owner's exclusive rights . |
| | 2.2 Determine need for copyright clearance and identify potential for fair use of copyright material. |
| | 2.3 Discuss and confirm copyright clearance issues. |
| | 2.4 Determine if moral rights or performer's rights need to be credited. |
| | 2.5 Obtain and accurately record copyright clearance. |

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| 3. Protect material from unauthorised use. | 3.1 Confirm <i>original work</i> as being the result of individual/collaborative skill and effort. |
| | 3.2 Discuss and formally record copyright ownership/proportional ownership. |
| | 3.3 Identify and confirm individual/collaborative copyright responsibilities. |
| | 3.4 Identify potential infringements to copyright and activities that will not infringe copyright. |
| | 3.5 Apply <i>copyright notices</i> on creative works in a correct manner. |
| | 3.6 Prepare, date and store <i>documentation</i> to track copyright requirements. |

REQUIRED SKILLS AND KNOWLEDGE

This describes the essential skills and knowledge and their level, required for this unit.

Required skills

- numeracy skills sufficient to determine the duration of copyright arrangements
- literacy skills sufficient to read copyright information and to complete copyright documentation
- learning skills sufficient to maintain knowledge of copyright issues
- teamwork skills sufficient to work with collaborators when discussing copyright ownership
- problem solving skills sufficient to recognise problems that arise from copyright ownership discussions and to seek expert advice on solving them
- technology skills sufficient to use documentation systems for tracking copyright requirements and for accessing/downloading copyright material.

Required knowledge

- basic understanding of copyright principles/legislation relevant to implementing copyright arrangements
- recognised procedures to determine copyright ownership
- function of the Australian Copyright Council as it relates to own work context.

RANGE STATEMENT

The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Bold italicised wording, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.

Sources of information

may include:

- Australian Copyright Council
- copyright collection societies
- copyright legislation
- industry associations
- industry information sheets and journals
- internet
- libraries
- union publications (newsletters, magazines, bulletins and letters).

Copyright collection societies may include:

- Australasian Mechanical Copyright Owners Society Ltd (AMCOS)
- Australasian Performing Right Association (APRA)
- Christian Copyright Licensing International
- Copyright Agency Ltd (CAL)
- International copyright collection societies
- Mediacom/LicenSing
- Phonographic Performance Company of Australia (PPCA)
- Screenrights
- VISCOPY
- Word of Life International.

Appropriate person may include:

- agents/artists' managers/industry managers
- Australian Copyright Council representatives
- copyright collection society representatives
- employee association/union representatives
- industry/industry association representatives
- legal representatives
- licensors/publishers.

Exclusive rights may include:

- communicating the work to the public
- importing the work into Australia
- licensing and assigning the work
- making an adaptation of the work
- making the work public for the first time
- performing/showing/transmitting the work in public
- reproducing the work.

Fair use of copyright material may include:

- new exceptions for consumers and new flexible dealing exception
- professional advice by a lawyer, patent attorney or trade mark attorney
- reporting news
- research, study, criticism or review.

Moral rights may include the right of the creator:

- not to have their work falsely attributed
- not to have their work treated in a derogatory way
- to be attributed (or credited) for their work.

Performer's rights may include:

- the moral rights in performances
- the ownership of copyright in sound recordings
- the rights to control recording and communication of their performances.

Original work may include:

- artistic works, e.g. paintings, drawings, cartoons, sculpture, craft work, architectural plans, buildings, photographs, photographic imagery, maps, plans, special effects make-up
- broadcasts, e.g. television, radio
- cinematograph films, e.g. film, video, DVD
- compilations, e.g. anthologies, directories, databases
- computer programs
- dramatic works, e.g. choreography, screenplays, plays, mime pieces, performances
- musical works/performances
- published editions
- sound recordings
- textual material, e.g. journal articles, novels, screenplays, poems, song lyrics, reports.

Copyright notices may include:

- for sound recordings, the letter P (for phonogram) in a circle or in brackets is used
- the symbol ©, followed by the name of the copyright owner and the year of first publication.

Documentation may include dated copies of:

- artwork
- digital media products
- footage
- letters or other communications with people who have access to the original work
- manuscripts
- music (presented in any media or format)
- negatives/photographs/photographic imagery
- recordings
- scores (music/film).

EVIDENCE GUIDE

The evidence guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.

Overview of assessment

Critical aspects for assessment and evidence required to demonstrate competency in this unit

Evidence of the following is essential:

- ability to source information and seek appropriate assistance as required to organise copyright arrangements, and ability to apply this information to day-to-day work activities
- knowledge of copyright principles/legislation.

Context of and specific resources for assessment

Assessment must ensure:

- access to a range of relevant and current industry information materials, such as the Copyright Act 1968, Copyright Amendment (Digital Agenda) Act 2000 and Australian Copyright Council information sheets
- access to an environment where copyright information can be applied and copyright ownership discussed
- access to appropriate personnel to check copyright legislation
- access to appropriate technology to source copyright information and prepare copyright documentation
- access to appropriate learning and assessment support when required
- the use of culturally appropriate processes, and techniques appropriate to the oracy, language and literacy capacity of the assessee and the work being performed.

Method of assessment

The following assessment methods are appropriate for this unit:

- direct observation of the candidate obtaining permission to use copyright material
- case studies to assess ability to identify sources of information on copyright
- written and verbal questioning or interview to test knowledge of the sources of information and the role of copyright collection societies
- problem solving activities to assess ability to recognise problems that arise from copyright ownership discussions
- review of portfolios of evidence and third party workplace reports of on-the-job performance by the candidate.

Guidance information for assessment

Holistic assessment with other units relevant to the industry sector, workplace and job role is recommended, for example:

- CUFIND201A Develop and apply creative arts industry knowledge.