



Information Sheet: Copyright

What is Copyright?

Copyright is an economic right that means you, as the creator, can control what happens to your work. This is an automatic process, not subject to registration or the addition of a copyright symbol. As soon as you create a work, it is protected by copyright.

But it must be in a material form, for example, recorded in some manner, whether electronically or physically written down. An unrecorded idea is not covered. Equally, there must be a creative force behind the work (an author/creator) and it must be original.

There are often different layers of copyright on a work. For example, in a short story anthology, each author owns the copyright for his or her own work. However, the creator of the anthology would also own copyright over the layout, story choice and so on.

What rights do you have as the creator?

The creator has exclusive rights to:

- Reproduce (copy the work in any format)
- Publish (make the work public, whether that be via performance, print, online and so on)
- Adapt (translating the work into a different form, for example, a book into a film).

You can also license other people to produce your work, which involves signing over your copyright. This could mean you lose the rights to performing or sharing your work, as someone else would then own the copyright.

Duration

Copyright lasts for 70 years after the death of the creator, which means intellectual rights can be inherited. This duration, however, varies. For example, television and sound broadcasts are copyrighted for 50 years from the end of the year of broadcast.

For detailed information, visit the [Australian Copyright Council](#) or [Arts Law](#).



Moral rights

Copyright is an economic right and your work is also subject to moral rights, which involve the ideas of attribution and integrity of authorship. The former means that as the creator, you have the right to be attributed to that work, which equally means no one else can claim your work as his or her own. Integrity of authorship means you have the right to object to any mutilation, distortion or act that damages your work or your reputation.

Using copyrighted works

Writers must be very careful about infringing other people's copyright. Australian Copyright laws allow the use of an insubstantial part of a work without breaching copyright - which is vaguely defined as 10% - but there are also exceptions to this rule. The safest approach is obtain approval for anything you want to use that you did not create - from songs lyrics, photographs, other images, letters, book excerpts and so on.

Remember that just because you own an artwork (a photograph, a painting, a book), it doesn't mean you own copyright of the artwork. This is equally true of family diaries and photographs.

Creative Commons Licenses: Copyright in the Digital Age

Creative Commons provides a range of different copyright licenses, which allow the creator to choose the extent to which their work can be shared, changed or used for monetary gain. The main four conditions of these licenses are as follows:

- Attribution: the original creator must be attributed to the work.
- Non-commercial: no monetary gain must come from the use of the work.
- No-derivatives: the work may be shared and performed, but no changes can be made.
- Share-alike: allows the adaption or remixing of the original work, as long as the derivative work is distributed under the same license as the original.

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