

Information Bulletin #6 Copyright for Archivists

Putting copyright material on a website

The rules set out in the *Copyright Act* apply to the Internet in much the same way as they do to other media. To determine the copyright status of material to be posted on a website, some of the basic questions to ask are:

-Is the material a work protected by copyright?

[The Copyright Act protects 7 categories of material:

- o literary,*
- o dramatic,*
- o musical and*
- o artistic works,*
- o sound recordings,*
- o communication signals and*
- o performer's performances.]*

-Who owns the copyright?

[The general rule is that copyright is owned by the author of the work.]

-Has the term of copyright expired?

[The general rule is that copyright lasts for the lifetime of the author, plus 50 years after the author's death.]

-What rights of the copyright owner need to be cleared?

[The Copyright Act provides authors with moral rights as well as economic rights relating to a number of uses including the reproduction, public performance, adaptation and communication to the public by telecommunication – all of which may be involved when developing a website.]

-Are there any exceptions that permit the envisaged use?

[Although archives and their patrons benefit from exceptions for certain uses of copyright material, these exceptions for the most part do not extend to putting copyright protected material on a website without permission from the owner of the copyright in the work.]