



THE UNIVERSITY OF
NEWCASTLE
AUSTRALIA

USING YOUTUBE

COPYRIGHT - WHAT YOU NEED TO KNOW

This factsheet is intended for University of Newcastle staff members to use in the context of their employment only and provides general advice. University staff should contact the Copyright Advisor if they have specific questions or concerns.

Can I use YouTube videos in my Canvas course?

YouTube's [Terms of Service](#) allow for "show[ing] YouTube videos through the embeddable YouTube player". Canvas and Panopto provide options to embed YouTube content. You can also link to videos either in Canvas or via [Course Readings](#).

What YouTube content is suitable to use?

Look for officially posted content on approved channels. For example, a clip from a Marvel movie should come from the official 'Marvel Entertainment' channel, not via an unauthorised channel such as 'MarvelFan3000'. Officially posted content is more likely to be stable and persistent. Using infringing content in your course could mean that you are seen to be 'authorising' infringement under the *Copyright Act 1968* (the Act).

Videos making use of copyrighted content for 'criticism or review' and/or 'parody or satire' purposes are covered under 'fair dealing' in Australia. Some videos on YouTube have been made available using provisions from copyright legislation in other countries – this does not mean that these videos are necessarily covered for use in Australia. If you are unsure of a video's suitability, please contact the **Copyright Advisor**.

Do I need to use the S113P copyright notice with YouTube content in Canvas?

Where videos are linked or embedded, there is no need to use the S113P notice.

Can I include YouTube videos in my online lectures or recordings?

YouTube's [Terms of Service](#) do not permit "transmission" (streaming) or "reproduction" (recording) of videos on the platform. Best practice is to pause or edit session recordings so that YouTube content is not shared in the recording. The Panopto lecture capture system allows for YouTube to be [embedded into Panopto videos](#).

What about YouTube videos that are open-licensed?

Where YouTube videos are released under a Creative Commons (CC) licence (check the 'Show more' notes under the video), you can rely on this licence to make use of YouTube content outside of the usual [Terms of Service](#). You will need to [follow proper attribution practices](#) to rely on a CC licence.

[TED Talks are CC-licensed](#) and may be able to be used outside of standard YouTube usage restrictions.

Can I post recordings of my teaching or course content to YouTube?

There are a few factors that mean you **should not** post course-related videos to YouTube:

- Under the University's [Intellectual Property Policy](#), "the University owns the copyright in course materials created by staff members". As you are not the copyright owner of your course materials you are therefore unable to agree to the terms of the YouTube licence.
- When you use images, tables, etc., in your presentation or recording, this is most likely third-party copyright. The University relies on the educational statutory licence (S113P) in the Act to communicate third-party material. This licence has usage requirements that YouTube does not meet, and you would therefore infringe copyright.
- YouTube's [Terms of Service](#) state that content "must not include third-party intellectual property".

Best practice

- Embed or link to YouTube videos, do not stream or record.
- Do not use/promote infringing content in your course.
- For licensed video content, access the [ClickView](#), [Kanopy](#) and [TVNews](#) databases. Usage varies by licence.
- Do not post your course materials to YouTube. Video hosting can be done via [Panopto](#).

For more information see **Copyright Support** below.

Copyright Support

Ask a question: newcastle.edu.au/copyright-request

Phone: (02) 492 16456

Web: newcastle.edu.au/copyright-support

Academic Division | Library Services

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**GETTING
COPYRIGHT
'RIGHT'**