



# EXAMINATIONS

## 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.

### Using 'third-party' copyright

When you add images, graphs, tables, text, memes, etc., to your course materials from sources such as books, articles, and the Internet, this is known as using third-party copyright. When reusing this external content, there are requirements you must follow so that you do not infringe copyright. [UON's Copyright Compliance Guidelines](#)

### The 'examination-use' exceptions

The *Copyright Act 1968* (the Act) includes exceptions for the University to use third-party content for examination purposes without infringing copyright. Section 200(1A) of the Act allows for copying and communicating 'the whole or a part of copyright material', as long as the material is used as part of the questions in an examination (or in an answer thereto). Section 200(1B) provides further allowance to make an adaptation of that material.

These exceptions may be relied on to include third-party material 'as-is' in your examination materials/documents [1A] and/or to reproduce material with any needed changes to make it usable in your examination (e.g. altering a case study to include Australia) [1B]. This covers usage for both print (in-person) and online examinations.

### Can these exceptions be used with other assessments?

The exceptions at s200(1A) and s200(1B) **only provide allowance for use in an examination – not for other forms of assessment** such as quizzes or assignments. Where third-party material needs to be shared with students outside of an examination, please do so via the [Course Readings system](#) or under the educational statutory licence (s113P). See the information sheets for [Readings in Your Course](#) and/or [Using Printed Readings](#) for more.

### Open-licensed licenced materials

Material shared under [Creative Commons](#) or other open licensing will include specific requirements for reuse. At a minimum, reuse will require attribution ([outlining the source, the licensing involved, and any changes you have made](#)).

### Other permissions

You may also be able to rely on direct permissions from the copyright owner (e.g. for an architectural plan). Where you rely on these permissions, keep a written copy on file, and note the copyright involved with your reproduction of this material.

### Best practice

- When relying on the examination-use exceptions to share third-party copyright material, add the following text to the examination materials/documents:

#### WARNING

This material has been reproduced and communicated to you by or on behalf of the University of Newcastle in accordance with Section 200(1A/1B) of the *Copyright Act 1968* (the Act).

The material in this communication may be subject to copyright under the Act. Any further reproduction or communication of this material by you may be the subject of copyright protection under the Act.

#### Do not remove this notice

- Acknowledge your reuse of the third-party material by providing source details, including an 'Adapted from ...' statement where required.
- Where you need to provide third-party copyright materials to students for other assessments, this can be done via the [Course Readings system](#). Readings can be hidden from student view until needed.

For more information see [Copyright Support](#) below.

### Copyright Support

Ask a question: [newcastle.edu.au/copyright-request](https://newcastle.edu.au/copyright-request)

Phone: (02) 492 16456

Web: [newcastle.edu.au/copyright-support](https://newcastle.edu.au/copyright-support)

