

Copying Print Materials in Education

Exceptions under the Copyright Act permit certain things to be done by educational institutions that would infringe copyright if there were no exceptions. Teachers can

- copy and perform very small parts of any work protected by copyright, unless the part is highly significant or valuable
- copy or perform works whose author(s) died more than 50 years ago (but not translations or annotations of such works)
- use any work protected by copyright with the permission of the copyright owner (including the text of federal and Ontario statutes, regulations, and court decisions)
- use small parts of works protected by copyright for private study, research, criticism, review, or news reporting under the sections of the Copyright Act that allow such uses of copyright material - referred to as "fair dealing"
- copy a work protected by copyright by hand onto a surface normally used to display hand-written material, such as a blackboard, whiteboard, or flip chart
- copy a work protected by copyright for the purpose of overhead projection using a device such as an LCD, overhead, opaque, or slide projector, provided the work is used for the purpose of education and training and is not already available in a commercial format

Can teachers copy print materials?

Yes, in two ways: under the provisions in the Copyright Act outlined immediately above and under your province's, territory's, or school board's licence with CANCOPY.

What print materials can teachers copy under the CANCOPY licence?

All publicly funded schools in the elementary and secondary systems across Canada (except in Quebec) are covered by a five-year licence (1999-2004) with CANCOPY. Annually, each province and territory pays CANCOPY a fee for this licence. The fees are redistributed by CANCOPY to copyright owners.

The CANCOPY licence provides permission to educational institutions to make reprographic copies, the most common form of which is photocopies. The CANCOPY licence also provides teachers and students with limited rights to copy legally the published print works of others without seeking permission. But the licence does not give teachers and students the right to do any and all forms of reproduction.

Teachers and students are permitted to make copies for school purposes, including class sets, as well as for administration, communications with parents, and library use. The CANCOPY licence covers published print works from the following countries: Australia, Canada, Denmark, France, Germany, Iceland, Ireland, Italy, Liechtenstein, Malta, the Netherlands, New Zealand, Norway, South Africa, Spain, Switzerland, the United Kingdom, and the United States of America. CANCOPY also has a reciprocal agreement with COPIBEC covering the copying of print material published in Quebec.