



Australian Government

BSBIPR401 Use and respect copyright

Release: 1

BSBIPR401 Use and respect copyright

Modification History

Release	Comments
Release 1	This version first released with BSB Business Services Training Package Version 1.0.

Application

This unit describes the skills and knowledge required to use and respect copyright. It covers maintaining control over the copyright owner's work, commercialising copyright material, preventing the unauthorised use of an original work and using other party's original work legitimately.

It applies to people who may be authors, creators or other owners of works covered by copyright. It also applies to employees who have a role in ensuring that their organisation's copyright is protected and/or that their organisation uses others' copyright appropriately to benefit the organisation without infringing the rights of copyright owners.

No licensing, legislative or certification requirements apply to this unit at the time of publication.

Unit Sector

Regulation, Licensing and Risk – Intellectual Property

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
<i>Elements describe the essential outcomes.</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
1. Identify extent of copyright protection for original works	1.1 Research copyright and its application to original works 1.2 Identify legislative requirements governing copyright 1.3 Determine the copyright owner of original works within or used by the organisation 1.4 Research the rights of the copyright owner, including moral rights 1.5 Determine whether a copyright notice is required 1.6 Identify sources of information and advice regarding copyright

ELEMENT	PERFORMANCE CRITERIA
	issues and use copyright professionals where required
2. Ensure that copyright protection is effective when using original works	2.1 Identify material within the organisation that may attract copyright 2.2 Identify and review organisation policies and procedures to ensure that own and others' original works are protected against direct or indirect infringement of copyright 2.3 Implement policies and procedures to protect the organisation's copyright, recognising exceptions that allow the legitimate use of own copyright material by others 2.4 Provide advice to relevant personnel about the legal and economic implications of copyright infringement 2.5 Evaluate and make recommendations for the commercialisation potential of copyright material 2.6 Research issues that need to be considered when licensing or selling copyright rights, including the use of copyright collection societies
3. Monitor policies and procedures for use of own copyright materials by other parties	3.1 Monitor policies and procedures to ensure that the organisation's copyright is respected locally and internationally 3.2 Create and maintain documentation in relation to copyright agreements where established 3.3 Implement procedures to limit or deter infringement of organisation's copyright and/or encourage the proper use of the organisation's copyright 3.4 Make recommendations to appropriate personnel when real or potential infringements of organisation's copyright may require further action
4. Monitor policies and procedures for legitimate use of others' copyright materials	4.1 Research when permission is needed to use copyright material belonging to others 4.2 Advise appropriate personnel about restrictions on and licensing requirements for the use of others' copyright material, and implement training if required 4.3 Advise appropriate personnel of legislative exceptions that allow use of copyright material without permission 4.4 Monitor policies and procedures covering organisational use of others' copyright material to ensure it is to the benefit of the organisation 4.5 Monitor organisational use of others' copyright material to reduce the risk of infringement

ELEMENT	PERFORMANCE CRITERIA
	4.6 Take action to minimise damage if infringement of others' copyright material occurs

Foundation Skills

This section describes language, literacy, numeracy and employment skills incorporated in the performance criteria that are required for competent performance.

Skill	Performance Criteria	Description
Reading	1.1-1.4, 2.1, 2.2, 2.6, 3.1, 4.1, 4.4	- Researches and analyses complex texts, including legislation, to identify relevant information - Monitors and reviews organisational policies and procedures to ensure compliance with legislative requirements
Writing	1.1, 1.3, 1.4, 2.2, 2.4, 2.5, 2.6, 3.2, 3.4, 4.1, 4.3	- Summarises research findings relevant to the organisation - Records and maintains copyright documentation according to organisational and legislative requirements - Reviews and updates organisational policies and procedures to ensure compliance with legislative requirements
Oral Communication	1.3, 1.6, 2.4, 2.5, 3.4, 4.2, 4.3	- Provides advice using language and terminology appropriate to audience - Obtains information from others by listening and questioning
Navigate the world of work	1.2, 2.2, 2.3, 3.1, 3.3, 4.4	- Identifies and complies with legislative requirements associated with own role - Implements, monitors and reviews policies and procedures to ensure organisational compliance with legislative requirements
Interact with others	1.3, 1.6, 2.4, 2.5, 3.4, 4.2, 4.3	Follows accepted communication practices when seeking or providing advice about intellectual property
Get the work done	1.1-1.6, 2.1-2.3, 2.5, 2.6, 3.1-3.4, 4.1, 4.4-4.6	- Plans, organises and implements tasks needed to ensure compliance with organisational and legislative requirements - Systematically gathers and analyses information to decide on action needed to prevent or address copyright infringements

		• Uses digital technologies or tools to access and record information
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Unit Mapping Information

Code and title current version	Code and title previous version	Comments	Equivalence status
BSBIPR401 Use and respect copyright	BSBIPR401 Use and respect copyright	Updated to meet Standards for Training Packages	Equivalent unit

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=11ef6853-ceed-4ba7-9d87-4da407e23c10>

Assessment Requirements for BSBIPR401 Use and respect copyright

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Performance Evidence

Evidence of the ability to:

- review and interpret information to determine how copyright applies in the organisation
- implement and review organisational policies and procedures to ensure that own and others' original works are protected
- recommend actions to address risks and infringements
- communicate advice or recommendations about copyright to a range of stakeholders
- identify the need for training on copyright and implement training as appropriate.

Note: If a specific volume or frequency is not stated, then evidence must be provided at least once.

Knowledge Evidence

To complete the unit requirements safely and effectively, the individual must:

- outline the legislative framework for copyright and its application to the organisation
- list and describe the types of works that attract copyright
- identify sources of information and advice on copyright
- explain methods to limit or deter unauthorised use of copyright material
- explain direct and indirect infringement
- give examples of action to take if infringement occurs
- give examples of when authorisation for use of copyright material is needed and how to obtain it
- outline different types of licenses and how they apply to the organisation
- outline options for commercialisation of copyright and potential benefits for the organisation.

Assessment Conditions

Assessment must be conducted in a safe environment where evidence gathered demonstrates consistent performance of typical activities experienced in the regulation, licensing and risk – intellectual property field of work and include access to:

- relevant legislation, regulations, standards and codes
- relevant workplace documentation and resources
- case studies and, where possible, real situations
- interaction with others.

Assessors must satisfy NVR/AQTF assessor requirements.

Links

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