

Dos and Don'ts in Classroom Activities

1. Playing Sound and Video Recordings

(A) Sound Recordings, Films, Broadcast of radio, TV or cable programmes:

a) DOs:

- Make sure all three of the following conditions are satisfied:
 - the playing is in an educational establishment
 - the playing is to an audience consisting wholly or mainly of teachers, students, their parents or guardians and other persons directly connected with the activities of the educational establishment
 - the playing is for the purpose of instruction

b) DON'Ts:

- Cut the credits at the end of the recordings.

(B) Other recordings:

a) DOs:

- Make sure all three of the conditions stipulated in paragraph 1(A) above are satisfied.
- Make sure the license conditions of the commercially available sound/video tapes do not forbid the playing of the tapes in schools.

b) DON'Ts:

- Cut the credits at the end of the recordings.

2. Projection of Materials onto a Screen/Presentation of Materials#

a) DOs:

- Make sure the materials are your own work.
- If you do not own the copyright of the materials to be projected/presented, make sure
 - you have obtained the permission of the copyright owner, or
 - the materials are covered by a licensing scheme or agreement which the University has joined or entered into, and that the terms and

- conditions of the schemes/agreements are observed , or
- the amount of materials used is fair* if a licensing scheme does not exist.

b) DON'Ts:

- Create illegal copies of the copyright materials (taken from books/journals) for projection/presentation
- Use illegal copy of presentation software in the projection.

3. Giving Handouts to Students

a) DOs:

- Make sure the materials are your own work.
- Make sure that terms and conditions of the agreement with the Hong Kong Reprographic Rights Licensing Society (HKRRLS) are observed.
- Make sure that appropriate security measures, such as requiring login usernames and passwords from restricted users, are adopted if the handouts are placed on an intranet; and ensure that the work is only stored for a maximum of 12 months.
- Mention the source of the materials and ask the students to gain access to the materials themselves.

b) DON'Ts:

- Make copies of copyright materials and distribute them to students.

4. Using Copyright Materials in Test/Examination Papers

a) DOs:

- Make sure the amount of materials used is fair* such that it does not conflict with a normal exploitation of the work by the copyright owner and does not unreasonably prejudice the legitimate interests of the copyright owner.
- Create your own data sets, charts and diagrams as far as possible.

#Educational establishments (including their libraries) may now import or possess for use parallel imported copies of copyright works, which are genuine copies that are originally made and destined for a market outside Hong Kong, but are subsequently imported into Hong Kong without the consent of the copyright owner, without resulting in any liability.

*Some of the circumstances to be considered to decide whether an act of dealing with a copyright work is “fair” are:

- the purpose and nature of the dealing, including whether such dealing is for non profit-making purpose and whether it is of a commercial nature;
- the nature of the work;
- the amount and substantiality of the portion dealt with in relation to the work as a whole; and
- the effect of the dealing on the potential market for or value of the work.

Reference:

“Hong Kong’s Amended Copyright Law – a Guide for Teachers and Students”, available at the website of the Intellectual Property Department of the Hong Kong Special Administration Region Government (<http://www.ipd.gov.hk/eng/education.htm>)

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Task Force on Copyright and Intellectual Property Rights