

複印須知 (適用於複印有版權的素材)

法律規定

1. 凡為自用而複印者：複印件只可作研究或個人學習之用，或於本校提供的課程中為教學或接受教學之用。
2. 如為他人複印，複印件只可：
 - (a) 作研究或個人學習之用，且不得使多於一人同時擁有實質上相同的複印件；或
 - (b) (代教師複印)為在本校提供的課程作教學之用。
3. 假若你代表本校作出翻印複製，該翻印複製必須：
 - (a) 為在本校提供的課程作教學的目的；或
 - (b) 為考試的目的。

複印限度

用於研究和個人學習 :-

視乎複印行為是否符合公平處理的原則，須考慮有關個案的整體情況，尤其須考慮的因素包括：(i) 該項處理的目的及性質，包括該項處理是否為非牟利的目的而作出以及是否屬商業性質，(ii) 所複印著作的性質，(iii) 就整本作品而言，複印的數量及內容，及(iv) 該項處理對該作品的潛在市場或價值的影響。

用於教學的目的 :-

該複印行為必須:-

- (a) 由教師(或代表)或學生作出，目的是為在本校提供的課程教學或接受教學，而且必須在考慮有關個案的整體情況下(尤其考慮以上(i)至(iv)的因素)構成公平處理；或
- (b) 對於藝術作品，或已發表的文學、戲劇或音樂作品，(如果代表本校複印)為教學的目的或(如果由接受教學的學生複印)為在本校提供的課程接受教學的目的，而且複印必須限制在合理的範圍之內。

用於考試 :-

該複印只可為考試的目的並藉擬出試題、向考生傳達試題或解答試題而作出，但不可複印音樂作品以供考生表演。

注意： 複印行為既不應與版權擁有人對作品的正常使用相抵觸，也不應無理地侵害版權擁有人合法權益。

如有複印行為超出許可之範圍，本校有權勒令複印者立即停止複印，並就本校因此而承受的一切索賠、責任、費用及損失，要求該複印者賠償。如有疑問，請於香港特別行政區政府律政司網站 <http://www.legislation.gov.hk/eng/home.htm> 查閱有關版權條例(第528章)。

WARNING to Photocopier Users *This applies to photocopying of copyrighted material*

Legal Restrictions

1. For all individuals making **PERSONAL COPIES**:- Photocopies made must be for the purpose of research or private study, or for giving or receiving instruction in a course of study provided by the University.
2. Where **COPYING IS MADE FOR OTHERS**, the copying must be:-
 - (a) for research or private study, and the copying must not result in more than one person having copies of substantially the same material for the same purpose; or
 - (b) on behalf of a teacher for giving instruction in a course of study provided by the University.
3. If **COPYING IS TO BE MADE ON BEHALF OF THE UNIVERSITY**, the copying must be:-
 - (a) for the purpose of giving instruction in a course of study provided by the University; or
 - (b) for the purpose of an examination.

Extent of Copying

If copies are for research or private study :-

The test is whether the act of photocopying constitutes fair dealing taking into account all the circumstances of the case and in particular :-

- (i) the purpose and nature of the dealing, including whether the dealing is for a non-profit-making or commercial purpose;
- (ii) the nature of the work copied;
- (iii) the amount and substance copied in relation to the work as a whole; and
- (iv) the effect of the dealing on the potential market for or value of the work.

If copies are for the purpose of instruction:

The copying must either :-

- (a) constitute fair dealing by or on behalf of a teacher or by a pupil for the purposes of giving or receiving instruction in a course of study provided by the University taking into all the circumstances of the case (in particular factors (i) to (iv) above); or
- (b) be limited to a reasonable extent of an artistic work, or a published literary, dramatic or musical work, for purposes of giving instruction (if the copying is made on behalf of the University), or for purposes of receiving instruction in a course of study provided by the University (if the copying is made by the pupil receiving instruction).

If copies are for examination:

The copying must be for the purposes of an examination by way of setting, communicating or answering the questions, excluding photocopying of musical works for performance by examination candidates.

Note: The act of photocopying should not conflict with a normal exploitation of a work by the copyright owner nor unreasonably prejudice the legitimate interests of the copyright owner.

In case any photocopying made by a user falls outside the scope allowed, the University has the right to immediately disallow the user from making any copies and shall hold the user liable on an indemnity basis for any claims, liabilities, costs and damages the University may suffer as a result of such infringement. In case of any doubt, please check the Copyright Ordinance (Cap 528) at the website of the Department of Justice of the HKSAR Government: <http://www.legislation.gov.hk/eng/home.htm>