CLAN Copyright and Intellectual Property Policy

Version No. & History	2.0 (January 2011, March 2015, March 2020, February 2024)
Date approved	February 2024
Date last updated/reviewed	December 2025
Review date	September 2027

1. Introduction

CLAN is responsible for managing its assets, including its intellectual assets, in such a way as to maximise their contribution to the goals of the organisation. Subject to these responsibilities, CLAN is committed to the widest possible dissemination of its ideas and findings where these may assist others.

2. Purpose

The purpose of this policy is to provide a framework for all workers and members with respect to copyright and intellectual property rights.

3. Scope

This policy applies to all workers, Committee members, staff, volunteers and partner organizations of CLAN whilst in the delivery of CLAN programs. Where a person or organisation wishes to use CLAN intellectual property for other reasons, an application must be made to CLAN for approva

CLAN Copyright and Intellectual Property Policy

Version No. & History	2.0 (January 2011, March 2015, March 2020, February 2024)
Date approved	February 2024
Date last updated/reviewed	December 2025
Review date	September 2027

1. Introduction

CLAN is responsible for managing its assets, including its intellectual assets, in such a way as to maximise their contribution to the goals of the organisation. Subject to these responsibilities, CLAN is committed to the widest possible dissemination of its ideas and findings where these may assist others.

2. Purpose

The purpose of this policy is to provide a framework for all workers and members with respect to copyright and intellectual property rights.

3. Scope

This policy applies to all workers, Committee members, staff, volunteers and partner organizations of CLAN whilst in the delivery of CLAN programs. Where a person or organisation wishes to use CLAN intellectual property for other reasons, an application must be made to CLAN for approval prior to the use of any CLAN materials. CLAN must be acknowledged any time in any manner where CLAN's copyright and intellectual property is used outside of CLAN's own work.

4. Definitions

Copyright	Copyright is a legal concept, enacted by most governments, that grants the creator of an original work exclusive rights to its use and distribution, usually for a limited time, with the intention of enabling the creator of intellectual wealth (eg, the photographer of a photograph or the author of a book) to receive compensation for their work and be able to financially support themselves
Intellectual property	Intellectual property (IP) rights are the legally recognized exclusive rights to property creations of the mind. Under intellectual property law, owners are granted certain exclusive rights to a variety of intangible assets, such as musical, literary, and artistic works; discoveries and inventions; and words, phrases, symbols, and designs. Common types of intellectual property rights include copyright, trademarks, patents, industrial design rights, trade dress, and in some jurisdictions trade secrets.

5. Policy

Copyright works created by CLAN whether on paper or electronically may include:

1) Literary works such as books, reports, blogs, emails, newsletters, written material in paper or digital format, research material, data, translated documents, CLAN programs
2) Computer software e.g. disks or apps

l prior to the use of any CLAN materials. CLAN must be acknowledged any time in any manner where CLAN's copyright and intellectual property is used outside of CLAN's own work.

4. Definitions

Copyright	Copyright is a legal concept, enacted by most governments, that grants the creator of an original work exclusive rights to its use and distribution, usually for a limited time, with the intention of enabling the creator of intellectual wealth (eg, the photographer of a photograph or the author of a book) to receive compensation for their work and be able to financially support themselves
Intellectual property	Intellectual property (IP) rights are the legally recognized exclusive rights to property creations of the mind. Under intellectual property law, owners are granted certain exclusive rights to a variety of intangible assets, such as musical, literary, and artistic works; discoveries and inventions; and words, phrases, symbols, and designs. Common types of intellectual property rights include copyright, trademarks, patents, industrial design rights, trade dress, and in some jurisdictions trade secrets.

5. Policy

Copyright works created by CLAN whether on paper or electronically may include:

1) Literary works such as books, reports, blogs, emails, newsletters, written material in paper or digital format, research material, data, translated documents, CLAN programs
2) Computer software e.g. disks or apps
3) Pictorial works such as images, photographs
4) Sound recordings.

Material created by workers of CLAN entirely on their personal time and not involving the use of CLAN's facilities, materials or intellectual property shall be the property of the creator, and an individual's "personal time" shall mean time other than that for which they receive salary (in the case of staff) or perform assigned functions (in the case of volunteers).

If the material was created as part of stated duties and done in personal time, the material belongs to CLAN and cannot be used outside of CLAN's operations. If the material is to be used outside of CLAN's operations, then permission must be sought via the President/Vice President. Depending on the nature of the material will determine the level of approval required.

Workers who claim that material was made or created on personal time have the onus of demonstrating this proposition. Workers engaged in work during personal time where later confusion may possibly occur are encouraged to discuss this with the President/Vice President.

With the exception of material created on personal time, all materials that result from activities carried out at CLAN, or developed with the aid of CLAN's facilities, workers, intellectual property or developed through funds administered by CLAN, shall be the property of CLAN except by specific prior written agreement. Materials written for the purposes of publication are excluded from this section.

Works by independent contractors shall be owned in accordance with the contract under which the work was created. CLAN shall ensure that there is a written contract for work by an independent contractor specifying institutional ownership.

Any dispute between CLAN and its staff or volunteers, or between staff or between volunteers, on issues of copyright ownership shall be determined by the organisation's dispute resolution procedures.

Staff and volunteers are required to observe all applicable copyright laws and regulations. The copyright policies of CLAN are binding on all staff, whether paid or voluntary. The copyright policies of CLAN, as amended from time to time, shall be deemed to be a part of the conditions of employment of every employee and shall be included in the orientation material given to every volunteer. The Committee is to develop and maintain procedures in accordance with this Policy.

6. Procedures

A statement of this copyright policy shall be included in the organisation's terms and conditions of employment.

CLAN will keep records of any discussions made with any staff member regarding any agreements as to the copyright status of any material. Contracts made by CLAN with third parties shall specify in writing the copyright status of any material produced under that agreement. Any dispute between CLAN and its staff or volunteers, or between staff or between volunteers, on issues of copyright ownership shall be determined by the organisation's dispute resolution procedures. All uses of copyright materials are recorded. All compensable uses of copyright material are appropriately processed.

7. Copyright on CLAN's materials

The Committee is required to ensure:

1) That all uses of copyright materials are recorded
2) All compensable uses of copyright material are appropriately processed
3) All materials produced by or on behalf of CLAN are copyright
4) Permission to reproduce such materials depends on the category into which they fall
5) All materials produced by or on behalf of CLAN will be classified.

8. Categories for classification

Categories for classification into one of the following classes:

1) Those materials that are copyright and that cannot be reproduced by any process other than for the purposes of and subject to the provisions of the Copyright Act and any licensing agreement between the user and CLAN.
2) Those materials that are copyright and that may nonetheless be circulated and/or reproduced as long as any reproduction features specified credits and disclaimers.
3) Those materials that are copyright and that may nonetheless be reproduced without conditions.
4) Those materials that are not copyright.

9. Policy review.

This policy will be reviewed bi-annually.

10. Legislation

- Copyright Act 1968
- Copyright Amendment Act 2006