

Copyright and Distribution – Student Project Work Policy and Procedure

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1. Purpose

1.1. This Policy sets out:

- who owns copyright in films and sound recordings and other work created by students while they are studying at AFTRS;
- how AFTRS may distribute and use Student Project Work; and
- a student's right to be involved in the distribution of their Student Project Work, to develop it further, and to use it for their promotion.

2. Scope

2.1. This policy and procedure apply to all AFTRS' students enrolled in Award courses.

3. Policy Statement

AFTRS' ownership

- 3.1. AFTRS owns the copyright in Student Project Work (as defined in section 6. Definitions).
- 3.2. AFTRS will sometimes consider requests to assign part of the copyright back to a student, where this supports or enhances course learning outcomes, for example, where entrepreneurship is a Graduate Capability in a Master's degree course. AFTRS may impose terms for such assignment.

- 3.3. AFTRS does not own student scripts, scores, lyrics, essays or any other work that is not Student Project Work.
- 3.4. AFTRS does not own any work produced by students in any non-Award courses.
- 3.5. This policy does not apply to films and sound recordings that students make in their own time using their own equipment: this is owned by the student.

Student ownership and AFTRS' rights

- 3.6. AFTRS does not own student scripts, scores, lyrics, essays or any other work that is not Student Project Work. However, students permit AFTRS to use the work they own for AFTRS' educational, promotional, library, reporting and archival purposes and to meet AFTRS' obligations as an Australian government statutory authority, such as by providing examples of student work to overseas embassies.

AFTRS' Distribution

- 3.7. AFTRS may distribute Student Project Work as it deems appropriate.
- 3.8. As the copyright owner of Student Project Work, AFTRS automatically has the right to distribute it, either itself or by appointing another distributor or sales agent.
- 3.9. A selection committee reviews graduate Student Project Work in the Master of Arts Screen ("MAS") course, Bachelor of Arts Screen Production ("BA") course and Graduate Diploma in Radio and Podcasting and decides which works will be actively distributed by AFTRS. In exceptional circumstances Student Project Work in MAS Year 1, BA Year 1 and Year 2 may be recommended for distribution by staff.
- 3.10. AFTRS has two current distribution streams for Student Project Work:
 - Active Distribution – AFTRS enters the film or sound recording into festivals and other distribution avenues. AFTRS will contact the student to offer this support and work with student to determine the distribution strategy, taking into account its genre, content, timing, quality and the student's comments.

Chain of Title must be cleared by the student and approved by the Head of Producing and Production before a film can be Actively Distributed.

- Self-Distribution – a student can apply for Self-Distribution to distribute their work to festivals and markets, and promote online. Any successes must be reported to AFTRS.
- 3.11. Chain of Title must be cleared by the student before their work can be distributed. The student is responsible for all Chain of Title clearances and for all fees and other charges incurred to distribute the Production lawfully. The student will be required to indemnify AFTRS from and against all costs, damages or expenses incurred by AFTRS in defending and / or settling any actions, suits, proceedings, claims or demands made or brought against it in consequence of any breach or non-performance of your obligations in this clause
 - 3.12. AFTRS and its licensees may submit Student Project Work to festivals and markets or may distribute it in other ways, such as by arranging for it to be shown on free-to-air or subscription television, online platforms and inflight entertainment programs or by making sales to educational institutions and VOD platforms.
 - 3.13. When acting as a distributor, AFTRS and its licensees may use the names, images and biographies of the students associated with the Student Project Work, to advertise and promote AFTRS, the students and their work. AFTRS does not nominate Student Project Work for awards such as Guild Awards, that is the student's own responsibility.
 - 3.14. Whether AFTRS or a student distributes Student Project Work, any prizes awarded by a festival or competition are given to the applicable student. Sales of Student Project Work and festival screening fees are paid to the copyright holder. Festival screening fees received for self-distributed films are paid to the students.

Graduate website and showreel use

- 3.15. AFTRS may distribute Even though AFTRS owns copyright in a Student Project Work, the graduate who created it is always permitted to use up to 3 minutes or 10% (whichever is the lesser) to promote themselves on their websites and showreels. This permission is subject to:
- each excerpt including a copyright notice referring to AFTRS as the copyright owner; (AFTRS logo not permitted)
 - the graduate being responsible for clearing all material and doing anything else necessary to use excerpts of the Student Project Work in this way without contravening applicable laws or third-party rights; and
 - the graduate respecting the moral rights of all authors who hold moral rights in the Student Project Work.
- 3.16. Graduates may privately screen their entire Student Project Work to potential employers and to anyone else interested in their creative work in a private screening capacity.

4. Procedure

Applying for Self-Distribution

- 4.1. If a student wishes to apply for permission to Self-Distribute, they must contact the AFTRS Sales and Distribution Manager 4 weeks prior to the student commencing to distribute the material. When contacting the Sales & Distribution Manager, the request must be in writing, detailing the work and the distribution plans.
- 4.2. If AFTRS gives the student a licence to Self-Distribute Student Project Work, the student is responsible for all Chain of Title clearances and for all fees and other charges incurred to distribute the Production and will be required to indemnify AFTRS in this regard (as set out in clause 5).

Use of the AFTRS logo

- 4.3. The AFTRS logo must not be displayed without AFTRS' prior written consent.
- 4.4. Student Project Work selected for Active Distribution will display the AFTRS logo, which will be added by AFTRS on delivery of the student work, this also includes trailers. The AFTRS 'banner' logo is added to Self-Distributed projects when selected for a festival screening, and this is also activated by AFTRS.

Credits

- 4.5. Students are required to acknowledge AFTRS in the credits of Student Project Work on a separate line in the form: *the student and staff of AFTRS*
- 4.6. Students are not permitted to thank any individual AFTRS staff.
- 4.7. All Student Project Work selected for Active Distribution will have the official AFTRS Acknowledgement of Country placed after the credits and before the AFTRS logo by the Video Post department. Students who are self-distributing their work will need to request this placement.
- 4.8. The official AFTRS Acknowledgement of Country may be updated from time to time with approval from AFTRS' First Nations & Outreach Department. If a student wishes to use an alternate version, they will need to seek prior written approval from their Production tutor with final written approval from the First Nations & Outreach Department. If approval is granted, the student must advise the Video Post department for placement.
- 4.9. The student's name officially registered with AFTRS will be the name used in all Student Project Work credits unless advised by the student during the making of the work. Name changes on credits are not encouraged after Student Project Work is complete, however in certain circumstances the alumnus can make an application in writing to the Head of Producing and Production. It will then be up to the discretion of the Head of Producing and Production to approve the change.

Further development of Student Work

- 4.10. AFTRS strongly encourages all graduates to continue to develop their Student Project Work for future development and production after completing their studies at AFTRS. If a graduate wishes to do so, they may need a licence or assignment of the copyright in their Student Project Work in which case they should contact the Head of Producing and Production, giving details of their plans. The Head of Producing and Production will advise the graduate in writing if their request is approved and the terms of any approval.

5. Responsibilities

Compliance, monitoring and review

- 5.1. The Sales & Distribution Manager ensures this policy & procedure:
- aligns with relevant legislation, government policy and/or AFTRS requirements/strategies/values
 - is implemented and monitored
 - is reviewed to evaluate its continuing effectiveness.

Reporting

- 5.2. No additional reporting is required.

Records management

- 5.3. All records relevant to administering this policy and procedure will be maintained by the Policy and Governance Officer.

6. Definitions

Student Project Work / Student Work: Work that has been completed while undertaking studies in an Award course at AFTRS for which AFTRS has provided funds, facilities, equipment or staff supervision.

This work may be film, video or sound recordings. This work does not include scripts, scores, lyrics, essays or other work that does not fall under the definition of Student Project Work. This definition excludes any work produced by students as part of an AFTRS non-Award course. It also excludes film and sound recordings created by the students in their own time, using their own equipment.

Any material created as part of Course Related Practice falls under the definition of Student Project Work.

Course Related Practice: Any screen or audio production activity, using AFTRS equipment and facilities, that assists the student in achieving the learning outcomes for the award course the student is enrolled in.

7. Related Legislation and Documents

- The Australian Film, Television and Radio School Act 1973 (AFTRS Act)
- AFTRS Corporate Plan (Current)
- Student Access to Equipment & Facilities Policy
- Student Access to Equipment and Facilities Procedure
- Student Handbook

8. Approval and Review Details

Approval and Review	Details
Approval Authority	CEO
Responsible Officer	CEO
Contact Officer	Sales and Distribution Manager
Distribution	Intranet and AFTRS website (& StudentHub) Staff and Student facing
Next Review Date	15 November 2024

Approval and Amendment History	Details
Original Approval Authority and Date	15 November 2021
Amendment History and Date	Reviewed December 2015 ; minor administrative changes made 15 February 2016; Reviewed August 2017 – changes made mainly to distribution; Reviewed January 2018 – v1.5; Reviewed 1 July 2018; Reviewed November 2021 - Major changes to clearing chain of title in policy, adoption of new template/layout.
Notes	N/A
Minor Amendment Approval and History	N/A

AFTRS acknowledges its reference to the University of Melbourne's Guidelines for Drafting Policy (June 2013) in developing this template.