

	THE CORPORATION OF THE COUNTY OF LAMBTON LAMBTON COUNTY LIBRARY POLICY MANUAL			
	Subject:	Copyright Policy	Section L10	Index #01
	Effective Date:	July 2, 2020	Approved By: Lambton County Council	
	Revision Date:	May 20, 2020		
	Drafted on:	May 20, 2020		

PURPOSE

The purpose of this policy is to outline the role and position of Lambton County Library (the Library) related to applicable Copyright and Intellectual Property legislation.

POLICY

Lambton County Library respects the copyright and moral rights of authors and copyright holders and seeks to educate library patrons about these rights with regard to the Library's physical and digital collections. Most of the material in the Library's collection is subject to copyright held by others. In such cases, there may be restrictions on reproduction. Lambton County Library is not responsible for infringing copies made by users of the Library's copying equipment and Makerspace equipment. The Library's staff and patrons may make copies for specific purposes under the Fair Dealing provision of the Copyright Act.

DEFINITIONS

"Copyright" is a legal means of protecting an author / creator's work.

"Intellectual Property" occurs when a person(s) owns the rights of intangible and non-physical goods that they have created.

"Fair Dealing" outlines a user's right in copyright law permitting use of a copyright protected work without permission or payment of copyright royalties for the purpose of research, private study, education, satire, parody, criticism, review or news reporting, provided that what you do with the work is 'fair'.

REGULATIONS

1. Fair Dealing

- 1.1. Lambton County Library seeks to advocate for, inform and support the intellectual property rights of the creator as outlined within Canadian legislation while balancing the social benefit and educational value of fair use.
- 1.2. The majority of the material in the Library's collection is subject to copyright. It is not the role of Library staff to interpret the Copyright Act for patrons. Responsibility regarding copyright, arising from the use and / or copying, is the responsibility of the patron making the copy, whether the patron uses his / her own equipment or Library equipment.
- 1.3. Lambton County Library is not responsible for infringing copies made by users of the Library's copying equipment and Makerspace equipment.
- 1.4. It is the user's obligation and responsibility to determine and satisfy copyright or other use restrictions (such as privacy rights, CSA standards, technical protection measures, licensing and trademark, etc.) when using Lambton County Library's collection, equipment and software.
- 1.5. Fair Dealing is a long-standing feature of Canadian copyright law that permits certain uses of copyright material in ways that do not unduly harm the interests of copyright owners, but which could have significant social benefits. In Canada, Fair Dealing does not infringe copyright and is limited to the purpose of research, private study, education, parody or satire, criticism, review and news reporting.
- 1.6. Lambton County Library staff and patrons may make copies for specific purposes under the Fair Dealing provision of the Copyright Act. Any concerns of the legitimacy of staff copying for these purposes will be referred to the Manager, Library Services, or designate.
- 1.7. Lambton County Library's copying services, whether the copy is made by Library staff or a patron, are provided without a motive of financial gain. The fee charged is intended to cover a portion of the Library's costs.
- 1.8. Lambton County Library will post signage to make patrons aware of the Copyright Act.
- 1.9. Lambton County Library retains copyright for content created by Lambton County Library.
- 1.10. Lambton County Library will maintain a license with Access Copyright which grants staff and patrons additional copying permissions.
- 1.11. Lambton County Library will maintain Public Performance Rights for designated facilities which permit public viewing of films in accordance with the Government of Canada Copyright Act (R.S.C., 1985, c. C-42).

2. Intellectual Property

- 2.1. The intellectual property laws of Canada govern the making of reproductions and / or use of some materials. Certain copying may be an infringement of copyright law under Canadian Intellectual Property Rights and Legislation.

ASSOCIATED DOCUMENTS

Canadian Intellectual Property Rights and Legislation
The Government of Canada Copyright Act (R.S.C., 1985, c. C-42).

POLICY HISTORY

REVISION	DATE	PREPARED BY
Created	July 2, 2020	Manager, Library Services