

Licence terms for the partial copying and use of works and publications protected by the Finnish Copyright Act (404/61) in teaching, research and administrative activities organised by the licensee.

Section 1 Scope of the licence

These licence terms apply to the copying and use of copies in Finland under the terms set out below in universities and universities of applied sciences, including education in open universities and open universities of applied sciences organised and continuing education provided by the licensee.

These licence terms do not apply to

- education organised by summer universities or
- copies for which the student is charged a separate fee or other remuneration.

Section 2 Works covered by the licence

This licence allows, under the terms set out below, for the partial copying of

- Finnish and foreign books and other printed publications and images therein,
- articles in newspapers, magazines and scientific publications,
- musical notations, song lyrics and sheet music publications,
- RT files and SFS standards,
- catalogues and databases,
- literary works published in electronic format (electronic books), such as fiction or non-fiction books and images therein, unless otherwise stated in a licence agreement, licence or these licence terms, and
- works made available to the public online with the copyright holder's consent.

With the exceptions determined in Section 4, this licence applies to works in any field that has an operative Kopiosto member organisation. Kopiosto's member organisations are listed at the end of these licence terms.

In these licence terms, *work* refers to a literary or artistic work protected by the Copyright Act and a graphic representation of a musical work, a photograph as referred to in Section 49a of the Copyright Act and a catalogue or database, or parts thereof, as referred to in Section 49 of the Copyright Act.

Musical work refers to sheet music, tablature, song lyrics, composed text or other similar written format of a musical work's notation in printed or electronic format.

Copyright holder refers to the author, publisher or other holder of the copyright of a work.

Copyright holders have the right to include in the copying licence works or publications that would not otherwise be covered by it. Information about these works and publications can be found on the Kopiosto website www.kopiosto.fi/opt-in.

Section 3 Permissible uses

The copies can be used as additional material to the actual teaching and learning material, as a part of course material compiled by a teacher and project or exercise work by a student, as well as in the licensee's research and administrative activities.

The licence applies to copying and use carried out by, under the guidance of or at the initiative of a lecturer, teacher, researcher or other member of the licensee's staff.

This licence does not allow the distribution or publishing of the copies online or the use of the copies in other publishing activities. In addition to this, the copies may not be used in activities that compete with or replace printed or electronically produced learning material or products by, for example, creating material databases for educational use.

Section 4 Material not covered by the licence

The copying licence does not allow for the copying of

- workbooks, exercise books and answer books,
- international standards,
- audiovisual works and audio recordings, such as audio books, music, cinematic works and radio and TV programmes,
- computer software,
- works shared for communication purposes between private persons on social media, such as in discussion forums, blogs or image sharing services,
- works or materials that are used under a separate agreement or licence, such as electronic learning materials or the Creative Commons licence, or
- works or publications the copying and use of which under the copying licence have been prohibited by the copyright holder, with the copyright holder having informed Kopiosto about the prohibition. Information about such works or publications can be found on the Kopiosto website www.kopiosto.fi/exclusions.

Section 5 Scope of permissible copying for educational purposes

PUBLICATIONS OTHER THAN SHEET MUSIC PUBLICATIONS

Copying during the same term or period of teaching for the same students on the same course is allowed as follows:

- photocopying, printing or reproducing in a similar method of a maximum of 20 pages of a single publication; however, no more than half of the publication,
- scanning or reproducing in a similar method of a maximum of 20 pages of a single publication; however, no more than 20% of the publication,
- of works and publications made freely available to the public on the internet upon permission from the copyright holder a maximum of 20 images or A4-sized pages from the same website,
- an entire article published in a scientific magazine,
- a maximum of 20 pages of a single electronic book; however, no more than 20% of the publication and
- a maximum of 10% of the publication or total number of pages of an SFS standard or a publication containing them may be copied, without exceeding 20 pages. This licence does not apply to situations where simply the core element of a standard is being copied, such as an essential table, figure or other similar element.

Publication refers to a publication produced by printing or similar methods, such as individual magazines or books.

Scientific journal refers to a publication whose articles have been assessed both by the editorial staff and the external experts selected by the staff (the referee policy).

OTHER TERMS CONCERNING THE SCOPE OF COPYING

The aforementioned page limits may not be exceeded even when the copying occurs during the same term or period of teaching for the same course from the same publication on several occasions.

When an image, article or similar on a single page of a printed publication is copied, it is regarded as the copying of one page. The copying of a single image on a website is also regarded as the copying of one page.

The permitted number of copies is the same as the number of students being taught, along with a few additional copies for the lecturer's own use.

Section 6 Using copies for educational purposes

A copy can be

- included as a part of material created by the lecturer, teacher or trainer,
- saved on a course platform or other closed network that can only be accessed by students attending the course in question,
- distributed via email to students taking the course
- shown, projected or otherwise presented in a teaching situation to students present or at an event organised by the licensee that is free of charge and where the audience mainly consists of the licensee's staff, students and their friends and family. The audience may also include the licensee's interest group representatives.
- provided to be used by another lecturer or teacher working in cooperation on the same course or similar study unit.

Closed network refers to a data network or data storage platform that can only be accessed by the licensee's registered users, such as teachers and students.

Interest group refers to the licensee's cooperation partner in community relations and funding.

Study unit refers to a basic unit of teaching and studies in terms of content and structure, for example a single course. A study module consists of several study units.

The copies may remain available to the course participants for the duration of the course, including course exams.

After the exam, the materials created by the lecturer, teacher or other trainer that include copies made in accordance with these licence terms can be saved on the licensee's closed network in such a way that they can only be accessed by the licensee's staff. The copies may remain accessible to the licensee's staff for as long as the licensee has a valid copying licence. Later use of the materials under the licence is considered recopying the material. However, this does not allow simultaneous availability of material from a single publication in amounts exceeding those given above in Section 5.

Material created by the lecturer, teacher or other trainer refers to material, such as presentation material, the content of which is for the most part made by the lecturer or teacher.

Other copies made in accordance with these licence terms may be saved in the licensee's closed network in such a way that the copies can only be accessed by the lecturer, teacher or other trainer that

made them for later licensed use for as long as the licensee has a valid copying licence. Later use of the copies under the licence is considered recopying the material.

Section 7 Copying sheet music and the use of copies in teaching

The copying of a single publication containing musical works by photocopying, printing, scanning or other similar method is limited to a maximum of 10 pages; however, no more than half of the publication.

Sheet music for choirs, bands and orchestras may only be copied for the purposes of teaching music theory, and research.

Sheet music, song lyrics and other written or graphic representations of musical works may only be copied and used in performances or in preparing for them in cases where the performance takes place

- in connection with the licensee's conventional teaching situation or
- at an event organised by the licensee that is free of charge and where the audience mainly consists of the licensee's staff, students and their friends and family. The audience may also include the licensee's interest group representatives.

A copy may be saved on a course platform or other closed network that can only be accessed by students attending the course in question. The copy may also be distributed via email to students taking the course. The copies may remain available to the course participants in the closed network for the duration of the course, including course exams.

Section 8 Copying for research purposes

Works and publications can be copied for research purposes to the required extent if copying the work is necessary to further the research.

Research refers to scientific or artistic non-commercial research, survey, thesis or similar conducted by the licensee's student, researcher or staff. Research is not considered to be commercial solely based on outside funding.

Copies created for research purposes may be

- saved on the licensee's closed network or server so that they can be accessed by the research group for which the copies were made, and
- distributed to the research group via email.

Research group refers to the group of researchers, students or other assisting persons participating in a particular research project of the licensee.

However, the copying and distribution to the research group allowed for research purposes exceeding the amount specified in Sections 5 and 7 does not apply to materials that can be acquired commercially or otherwise through conventional acquisition methods, such as from libraries, for example.

Copies made for research purposes may be available to the research group until the research is completed. Subsequently, the copies made for a specific research project can be available to the researchers for verification of the study or later research when

stored in a closed, certified archive in a manner agreed upon separately by the licensee and Kopiosto.

If the licensee has a legal or other statutory obligation to keep the copies made for the purposes of research for a certain period of time, the copies may be stored in the manner and for the duration as required by the law or other statute.

Section 9 Copying for administrative activities

For the licensee's internal administrative activities, the photocopying or printing of a single publication is limited to a maximum of 20 pages; however, no more than half of the publication. Copying of separate publications containing only musical works is not allowed for the licensee's administrative activities. The licence does not apply to digital copying and distribution in administrative activities.

Administrative activities refer to the licensee's internal preparatory, decision-making, communications, planning, archiving and other similar activities.

The permissible number of copies corresponds to the number of copies required for the appropriate completion of the task in question.

Section 10 Recordings of teaching situations

A recording of a teaching situation is permitted to contain the works shown or performed in the teaching situation. The works contained in the recording can be simultaneously distributed to the students participating in the course in another place via a closed network as television images or similar and saved on a closed network in such a way that the recording can only be accessed by the course participants.

The recording may remain available in the closed network for the duration of the course, including course exams.

After the exam, the recording of the teaching situation may remain on the licensee's network where it is only available to the licensee's staff for as long as the licensee has a valid copying licence. The licensee may use the recording again, if the licensee has a valid copying licence. In this case, the use of the recording is considered recopying the material.

Section 11 Translation of literary works as a part of teaching

A lecturer, teacher or student may translate a literary work or parts thereof into another language as an exercise for educational purposes excluding lyrics of musical works. This licence does not permit the translation of works or parts thereof for any other purpose.

A lecturer, teacher or student may save and distribute a translation they have made to be available to the lecturer, teacher and course participants when it is necessary for the implementation, printing and assessment of the exercise.

A translation produced in accordance with this licence may not be published or used for any other purpose.

Section 12 Modification of works as a part of teaching

Highlighting, underlining or similar markings may be made to copies made based on this licence in order to illustrate things being taught.

In a teaching situation, a lecturer, teacher or student may modify works covered by this licence as an exercise, when the modification of the work is necessary for the teaching of a certain study module.

This modification right does not apply to published learning material or musical works. The modification must take into account the moral rights of the author and an individual's right to their picture in accordance with the Copyright Act.

A modification based on this licence may be presented to the course participants present at a teaching situation. A student may save and distribute a modification they have made to be available to the lecturer, teacher and other course participants when it is necessary for the implementation, printing and assessment of the exercise.

A modification produced in accordance with this licence may not be published or used for any other purpose.

Section 13 Publication and author data

The publication and author data must be marked on the copy or in connection to it in accordance with good practice. Copy-compositions must cite all the works used. Metadata included in a work or photograph may not be altered or removed.

Section 14 Other terms of copying

Copies may be made of the original publication, a work made available to the public online with the copyright holder's consent or from some other legal source.

Copies made in accordance with these licence terms may be used and made available to the course participants and licensee's staff as stated only for the validity of the licence.

The licensee has a responsibility to ensure that the data network used by them corresponds to the definition of a closed network, as defined in these licence terms.

The content of the copied work or the file created by copying may not be altered or changed in situations other than those defined in Sections 11 and 12.

Copies may not be used to create a database or a material bank apart from in the situations permitted in Section 6 (material created by the teacher, lecturer or other trainer) and Section 8 (saving research materials for verification purposes).

Copies may not be offered for sale and no fees or other remunerations may be charged for them. Copies for which the student is charged a separate fee or other remuneration requires a separate copying licence from Kopiosto.

Section 15 The responsibility of Kopiosto

Kopiosto assumes liability for those justifiable claims that are brought forth by a copyright holder that is not part of Kopiosto or its member organisation for any copying carried out during the validity of the copying licence and in accordance with the terms of this licence.

Section 16 Surveys on copying and reporting digital copies

Kopiosto informs the licensee of the manner in which digital copies made in accordance with the copying licence may be reported.

The licensee commits to participating in the survey, follow-up and reporting of copying activities when requested, and to providing Kopiosto with the necessary information.

The survey and reporting data on the quantity and content of copies and the use of copies is used to determine the remuneration in

accordance with the copying licence and the distribution of the remuneration to the copyright holders.

Section 17 Right of inspection

Kopioisto, or a party authorised by Kopioisto, has the right to inspect the copies stored under the copying licence on the storage platforms or the closed network used by the licensee, as well as other copying arrangements of the licensee. Furthermore, Kopioisto has the right to request that the licensee provide a report on the application of the copying terms in the licensee's operations.

Section 18 Activities in violation of the licence terms

If the licensee violates these licence terms, Kopioisto has the right to terminate the licence with immediate effect.

Section 19 Entry into force

The licence in accordance with these licence terms will enter into force once the licensee has paid the remuneration to Kopioisto in accordance with the invoice. The licence applies to the copying and use by the licensee during the current calendar year in accordance with the licence terms.

Section 20 Validity of the licence terms

These licence terms are valid until further notice from 1 January 2019 onwards.

MEMBER ORGANIZATIONS

Akava – Confederation of Unions for Professional and Managerial Staff in Finland
Association for Local Papers Editors-in-Chief
Finnish Animation Guild
Finnish Association for Scholarly Publishing
Finnish Association of Directors of Photography in Television
Finnish Association of Science Editors and Journalists
Finnish Association of Technical Publishers
Finnish Composers' Copyright Society Teosto
Finnish Magazine Media Association
Finnish Music Creators
Finnish Musicians' Union
Finnish Playwrights and Screenwriters Guild
Finnish Society of Cinematographers
Forum Artis, The Joint Organization for Associations of Finnish Artists
Freelance Media Workers' Association
Grafia – Association of Visual Communication Designers in Finland
Gramex – The Collective Management Organisation for Recorded Music in Finland
News Media Finland
Society of Swedish Authors in Finland
The Artists' Association of Finland
The Association of Finnish Film Directors
The Association of Finnish Illustrators
The Association of Finnish Non-fiction Writers

The Association of Finnish Radio- and TV Commentators
The Central Association of Finnish Photographic Organizations, Finnfoto
The Finnish Association of Magazine Editors-in-Chief
The Finnish Association of Translators and Interpreters
The Finnish Book Publishers' Association
The Finnish Comics Professionals
The Finnish Critics' Association
The Finnish Music Publishers' Association
The Finnish Union of authors writing for children, youngsters and young adults
The Guild of Finnish Editors
The Society of Finnish Composers
The Swedish speaking Actors Union of Finland
The Union of Finnish Writers
The Union of Journalists in Finland
Theatre, Film and Television Designers
Trade Union for Theatre and Media Finland
Union of Dance and Circus Artists Finland
Union of Film and Media Employees Finland
Union of Finnish Actors
Union of Finnish Radio and TV Journalists
Union of Theatre Directors and Dramaturgs Finland
Visual Artists' Copyright Society KUVASTO