EdUHK Library Production of Scan Copies of Course Packs

This document is applicable only to the production of Scan Copies of Course Packs. For Paper Copies of Course Packs, please refer to the document "Production of Paper Copies of Course Packs".

A. General Information on Course Pack Production

A1. The University has entered into Licence Agreement with the Hong Kong Reprographic Rights Licensing Society (HKRRLS) for production of paper and scan Course Packs. The Library will co-ordinate and handle the production of Course Packs requested by individual academic departments. Under the Licence Agreement, HKRRLS grants the University a non-exclusive and non-transferrable licence to make and use Paper Copies and/or Scan Copies of Licenced Materials for preparation of Course Packs subject to the terms and conditions set out in the said Licence Agreement.

A2. <u>Definition of Course Pack and Licenced Materials</u>

- (i) According to the said Licence Agreement, a Course Pack is a compilation of extracts of Licenced Materials for scanning in the form of Scan Copies, designed in advance to be used in support of a course of study.
- (ii) Licenced Materials refer to the works described in Schedule II of the said Licence Agreement, i.e. all literary, musical, dramatic or artistic Works, or a part of such works in original printed form, of which copies have been issued to the public whether in the form of a book, magazine, newspaper, journal, periodical or otherwise excluding all textbooks, all Works listed in Schedule IV of the Licence Agreement, and those works (if any) listed in writing by the HKRRLS and issued to the University in January and July of each year during the term of the Licence Agreement. The exclusion list and additions to the exclusion list shall not take effect until one month after written notification to the University.
- A3. All requests for production of Course Packs must comply with the Copyright Ordinance and the said Licence Agreement made between the University and HKRRLS. The Library reserves the right not to accept any request for Course Pack production in case of doubt.
- A4. Instructors shall make Course Pack production requests through their Departments. Restrictions imposed by HKRRLS must be observed, which are summarized below for quick reference (please refer to the original Licence Agreement for details):
 - (i) The Course Packs must be used for instruction of EdUHK courses and made available only to EdUHK students and instructors (i.e. academic or teaching staff) of the

- relevant courses via a network which is accessible by means of secure authentication.
- (ii) All Course Packs in the form of Scan Copies must be made on the initiative of the University's instructors, and made by designated persons authorized by the University. The designated person must first satisfy himself/herself that scanning is the most practical method, or to identify whether other digital versions of the work in question is technically suitable for the purpose under a licence which permits the making of multiple copies for students or is available as Scan Copies (e.g. from an e-journal subscribed by the Library and accessible by all students), and if so, such digital versions should be used instead of creating Scan Copies.
- (iii) Only one Course Pack can be prepared in relation to the same course of study.
- (iv) Only users of the relevant course of study, i.e. students (including distance learners outside Hong Kong who should make no further copying and be responsible for complying with their local laws) who are enrolled on that course of study, instructors who are providing teaching to those students in respect of that course of study and visiting academics teaching or auditing that course of study may download, print out and retain a Scan Copy from the Course Pack for the duration of the relevant course of study, and may retain the Paper Copies printed out by themselves for subsequent reference.
- (v) Distribution of Paper Copies of the Course Pack to users of the relevant course of study is not allowed.
- (vi) With respect to a Course Pack, it shall not include Scan Copies of extracts from more than 30 works in which copyright subsists under the Copyright Ordinance.
- (vii) With respect to each issue of newspaper, journal or periodical, no more than one (1) complete article can be copied from that issue of newspaper, journal or periodical for a Course Pack.
- (viii) With respect to Licenced Materials other than newspapers, journals or periodicals, no more than 10% or a chapter, whichever covers the smaller portion, can be copied for a Course Pack.
- (ix) Editing, amendments, alterations, manipulations, additions, etc. of the Scan Copies are not permitted.
- (x) Scan Copies should be removed from the Course Pack if requested by HKRRLS.
- (xi) Each Scan Copy should be made from the current edition of the original, unless for pedagogic purposes.

- (xii) Scan Copies can only be stored for the duration of the course, and must be deleted at the end of the academic year.
- (xiii) A per page per Course User licence fee has to be paid to the HKRRLS. Course Users are defined as students enrolled on the relevant course of study, tutors, lecturers, supervisors or other persons providing teaching of the those students of that course of study, as well as visiting academic teaching or auditing that course of study, irrespective of whether they make access to the Course Pack.
- (xiv) The University may apply to the HKRRLS for extension of the limitations set out in (vi), (vii) and (viii), and that an appropriate fee to be determined by the HKRRLS shall be charged for granting such permission.
- (xv) The following statement must be exhibited on the first page of every Course Pack or Scan Copy:

"This material (Reference No. xxxx (no. to be obtained from HKRRLS by Library)) has been scanned in accordance with the terms of the licence issued by The Hong Kong Reprographic Rights Licensing Society Limited. Unless otherwise authorized, you are not permitted to make any further copy of this material, or to make it available to others. No re-sale is permitted."

A5. Copyright Clearance

(i) The Library will serve as the copyright clearing house and will liaise with HKRRLS as well as relevant copyright agents and owners for copyright clearance. The following table serves as a general guideline for copyright clearance actions required for different types of materials. The Library will always seek clearance from the copyright agents and owners in case of doubt.

1.	Materials with copyright owned by	Copyright clearance is not required.
	requesting instructor(s) or the	
	University.	
2.	Materials provided by the	Copyright clearance is not required.
	requesting instructor(s) to their	
	students including course details,	
	grading criteria, assignments,	
	reading list, URLs for accessing	
	online resources which the	
	students have right to access (e.g.	
	electronic resources subscribed by	
	the Library, open access journals,	
	etc.), examination details, etc.	

fre su pe co pr	ome of the materials available om electronic resources abscribed by the Library, with ermission for making use of their ontent materials for Course Pack roduction in their licence greements.	Copyright clearance is not required.
4. M	laterials not covered by any cencing bodies.	Copyright clearance is not required according to Copyright Ordinance Section 41A "Fair dealing for the purpose of giving and receiving instruction" and Section 45 "Reprographic copying made by educational establishments or pupils of passages from published works", provided all requirements of fair dealing have been complied with. Reasonable portions of the materials can be used in a fair manner without obtaining copyright clearance. In considering what constitutes "reasonable portion" or "fair manner", all the circumstances of the case have to be taken into account, including the purpose of the use; the nature of the materials; the amount and substantiality of the portion of the materials to be used; and the effect on the potential market for or value of the materials.
	Taterials licenced from licencing odies, including HKRRLS.	Copyright clearance is required and fees need to be paid to HKRRLS and/or other relevant licencing bodies.

- (ii) Reproduction of textbooks and "consumables" such as worksheets, assignments, exercises, tests, etc. in the Course Packs is not allowed.
- (iii) If copyright clearance is required for a Course Pack:
 - a. The requesting instructor(s) shall indicate the need for copyright clearance by filling in the <u>Course Pack Production Order Form B1</u> (as at <u>Attachment 1</u>).
 - b. Instructors making the requests should provide to the Library a complete bibliography as stipulated in the EdUHK-HKRRLS Licence Agreement on the Course Pack Copyright Materials Form B3 (as at Attachment 3) for all the content materials of the Course Packs prepared by them, and which are not their

- original works or with copyright not owned by them or the University.
- c. The Library will first check the proposed content materials against its electronic resources. Instructors will be informed the amount of works which will be available online to their students from the Library's electronic resources either via URL links or as full-text files in Course Pack, and shall inform the Library whether any of those materials available via URL links should be removed from the list of content materials. Materials in full-text files with permission for Course Pack production in their licence agreements will be included without the need for copyright clearance.
- d. For those copyright materials which are not covered by the EdUHK-HKRRLS License Agreement but by other copyright licencing bodies, the Library will try to contact such licencing bodies for copyright clearance. In such circumstance, the time required for securing copyright permissions will be longer.
- e. For those copyright materials not covered by any licencing bodies, copyright clearance is not required according to Copyright Ordinance Section 41A. But all requirements of fair dealing as stipulated in this Section must be complied with.
- f. Administration fee will be charged by the Library for copyright clearance of the reading materials contained in the Course Pack at \$10 for each Course User, including all students, tutors, lecturers, supervisors or other persons teaching the course, and visiting academic teaching or auditing the course, irrespective of whether they will make access to the Course Pack
- g. Administration fee listed in A5(iii)f will be charged irrespective of the final results of copyright clearance.
- h. The requesting instructor(s) must provide accurate and correct copyright information of their Course Packs to the Library and shall bear the full responsibility if they failed to do so.
- (iv) If copyright clearance is <u>NOT</u> required, the requesting instructor(s) shall use the <u>Course Pack Production Order Form B2</u> (as at <u>Attachment 2</u>). The Library will not bear any legal and financial liabilities if copyright clearance is subsequently required for that Course Pack.

A6. Charging Scheme

- (i) Charges for the production of a Course Pack will include:
 - a. Licence fee payable to HKRRLS:
 - \$1.00 x total number of Course Users x number of pages of Scan Copies made of the Licenced Materials for the period <u>1 January to 31</u> <u>December 2023</u> (with Production Service Incentive of \$0.05 per page per Course User)
 - \$1.00 x total number of Course Users x number of pages of Scan Copies made of the Licenced Materials for the period <u>1 January to 31</u> <u>December 2024</u> (with Production Service Incentive of \$0.05 per page per

- Course User)
- Total number of Course Users shall include each and every one of the Course Users (including all students, tutors, lecturers, supervisors or other persons teaching the course, and visiting academic teaching or auditing the course) irrespective of whether they will make access to the Course Pack
- Additional charges by HKRRLS according to A4(xiv)
- b. Licence fee payable to other licencing bodies or copyright owners
- c. Administration fee payable to the Library if copyright clearance is required (see A5(iii)f):
 - \$10 x total number of Course Users as defined in A6(i)a
- (ii) The Library will inform the requesting instructor(s) via their Department Office of the total charges (i.e. the unit price) of the Course Pack after relevant copyright clearance has been obtained.

B. Guidelines and Workflow on Production of Course Pack

B1. Instructors should start preparing Course Packs at least two months Instructors before the beginning of the semester in which the courses will be held. B2. Instructors requesting for production of Scan Copies of Course Pack should fill in and sign either Course Pack Production Order Form B1 Instructors if copyright clearance is required, or Course Pack Production Order Form B2 if no copyright clearance service is required (see A5(iii) and A5(iv)). If Form B1 is used, the requesting instructor(s) should also fill in Course Pack Copyright Materials Form B3 listing all content materials requiring copyright clearance for subsequent action by the Library. B3. Instructors should send the completed form(s) mentioned in B2 to Mr Emil Li of Library for record and processing via their Department Instructors Office at least six weeks before the start of the semester. A soft copy Department Office of the completed Form B3 should also be e-mailed to Mr Emil Li at cheukwai@eduhk.hk for forward submission to HKRRLS and/or other licencing bodies. All required forms are obtainable at the Library Website (www.lib.eduhk.hk) or Course Pack Corner on the EdUHK Intranet. B4. The Library will cross check the materials listed in Form B3 against its electronic resources holding and will advise the requesting instructor(s) if any of the materials are available from the Library's Library electronic resources. The requesting instructor(s) may revise their content materials on Form B3 accordingly (see A5(i)). Instructors B5. The Library will check the revised materials list on Form B3 against the permission list issued by HKRRLS. If copyright permission from other licencing bodies is needed, the Library will contact the Library requesting instructor(s) and seek their consent as longer processing time will be required (see A5(iii)d). B6. The Library will clear copyright with the HKRRLS and/or other licencing bodies, normally four weeks before the start of the semester. Library Also at four weeks before the semester begins, the requesting instructor(s) should prepare and submit to the Library a nice photocopy, print-out or digital copy of the materials (the cameraready "master copy") for inclusion in the Course Pack according to Instructors

Action

the following guidelines:

(i) Provide clear and legible copy

The "master copy" can be either in black-and-white or in colour. Make sure the "master copy" is clear and legible. Check for good contrast and ensure that no line is broken.

(ii) A4-size master copy only, avoid odd-size copy

"Master copy" must be printed on A4-size white paper or formatted in A4 size. If a page is taken from a leaflet or brochure, it should be enlarged or reduced to A4-size first.

(iii) Single-sided photocopies

If the "master copy" is paper-based, all pages should be numbered sequentially on the back. Page numbers will be provided by the Library at the bottom of all pages of the Course Pack.

(iv) No staples, no "manual paste-up" artworks

The paper-based "master copy" will be fed into an automatic document feeder. Documents with staples or bindings therefore cannot be accepted. Do not send "paste-up" copies. Photocopies of all these "artworks" should be made for passing to the Library.

- (v) If a single soft copy will be generated for the whole Course Pack, compile a table of contents for the Course Pack with the correct page numbers. This table of contents will be reproduced as the first page (p. 1) of the Course Pack.
- (vi) Make copies or backups of the documents for their own record before making submission to Library, as the "master copy" will be kept by the Library for some time.
- B8. After copyright has been cleared by the HKRRLS and/or other licencing bodies, the Library will provide a first draft of the Course Pack (the "dummy Course Pack") to the requesting instructor(s) via their Department Office for confirmation. The Library will also inform the requesting instructor(s) and the Department Office the total cost (i.e. unit price) of Course Pack production, which includes applicable licence fee and administration fee for copyright clearance. For details of the charges, please refer to A5(iii)f and A6.

Library

Action

B9. The requesting instructor(s) should approve the "dummy Course Pack" by returning a Course Pack Proof Confirmation Form B4 (as at Attachment 4) to the Library as soon as practicable, and in any case, not later than two working days before the Course Pack is used. The approved "dummy Course Pack" shall then become the final product of the Course Pack.

Instructors

B10. The requesting instructor(s) should also provide the total student number and the total number of other Course Users (see A5(iii)f) on Form B4. Based on the total number of Course Users provided on Form B4 and the total charges as worked out by the Library in B8, the Library will issue a Statement of Cost for Course Pack Production (as at Attachment 7) to the Department Office listing the total amount (i.e. unit price of Course Pack x total number of Course Users) payable to the Library.

Instructors

Library

Department Office

B11. In their first lecture, the instructors should inform their students about the Course Pack and the access method. They should also instruct their students to approach their Department Office within the first two weeks of the semester to pay for the Course Pack by filling in their details on the Course Pack Student Order Form B5 (as at Attachment 5). Instructors are not allowed to distribute any Paper Copies of their Course Packs to students. They must duly inform and warn their students that they are not allowed to photocopy their course-mates' Course Packs, or re-sell Paper Copies of their Course Packs to any other persons. Fee paid by the students for the Course Pack is not refundable.

Instructors

Department Office Students

Instructors

Students

B12. Students can make payment for the Course Pack at the Octopus Payment Machines ("OPM")located at Block B2/B4/ the Learning Commons at Block C. They should choose "Course Pack" from the "Item" tab, then choose the icon of the Octopus Code for the course pack being purchased. Students should submit their **original** Octopus receipts to the Department Office as proof of payment within the first two weeks of the semester

Students

B13. The Department Office will arrange payment of the full cost of Course Pack production to Library (as listed in the Statement of Cost for Course Pack Production issued by the Library in B10) via FO with authorization by Department Head or delegate. FO will charge the respective Department and will pay Library the full cost of producing

Department Office

Department Office

Action

the Course Pack.

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B14. When students have settled their payments for the Course Packs, the Department Office will attach the students' original Octopus receipts (sample as at Attachment 6) to the Course Pack Student Order Form B5 and forward them to the Finance Office within the same month of receipts to ensure timely record of income and reconciliation. The Department Office should indicate on Form B5 which students have paid for the Course Packs, and the corresponding Octopus receipt numbers. FO will credit the amount collected from students to the Department's account to offset the production cost paid to Library. If, at the end of each financial year, there remain outstanding debts owed by students on Course Packs, the respective Department will have to absorb such outstanding amount from its Self-financing Activity Fund.

FO

Department Office

B15. The Library will settle the relevant licence fees with the HKRRLS and/or other licencing bodies, which have been included in the total production cost of the Course Pack.

Library

B16. Contact Information

Please contact Mr Emil Li of Library regarding Course Pack production by phone at 29486575 or by e-mail at cheukwai@eduhk.hk.

rev. Dec 2016, Dec 2018; Dec 2022

Attachment 1

The Education University of Hong Kong Library Course Pack Production Order Form (Scan Copies - Copyright Clearance Required)

Course Code:	
Course Title:	
Number of Students:	(as of
First Date of Class:	Last Date of Class:
Additional Instructions:	
Name(s) of Professor(s)/Instructor(s):	
E-mail:	Phone:
Department/Office/Unit:	
Name of Contact Person:	
E-mail:	Phone:
the production of Course Pack. I/We information on all the content materiunderstand that incomplete citation production. I/We will further defen Library against any liability if any of the Signature of Professor(s)/Instructor(s)	the Hong Kong Reprographic Rights Licensing Society (HKRRLS) for a will either attach a complete bibliography or provide complete citation ials of the Course Pack which requires copyright clearance. I/We information can delay the Course Pack copyright clearance and and indemnify The Education University of Hong Kong and its information provided by me is inaccurate or incorrect.
Course Pack Production Team	ion University of Hong Kong,
Enquiries: Mr Emil Li Phone: 2948 6575 E-mail: <u>cheukwai@eduhl</u>	<u>k.hk</u>
For Library Use Only:	
EdUHK Course Pack Serials Number	r: Date:
HKRRLS Reference Number:	<u>HCP</u>

Dec 2022

Attachment 2

The Education University of Hong Kong Library Course Pack Production Order Form (Scan Copies - Copyright Clearance Not Required)

Course Code:						
Course Title:						
Number of Students:						
Additional Instructions:						
Name(s) of Professor(s)/Instructor(s):						
E-mail:	Phone:					
Department/Office/Unit:						
Name of Contact Person:						
E-mail:	against any liability if any of the information provided by me/us is ck Production Order Form and return to: Library, University of Hong Kong,					
copyright clearance is required from the University of Hong Kong and its Libratinaccurate or incorrect.	he Library. I/We will further defend and indemnify The Education ary against any liability if any of the information provided by me/us is:					
Date	:					
Course Pack Production Team	ion University of Hong Kong,					
For Library Use Only:						
EdUHK Course Pack Serials Number	r: Date:					
Copyright clearance is not require	d					

Dec 2022

Attachment 3

The Education University of Hong Kong Library Course Pack Copyright Materials Form (Scan Copies - Copyright Clearance Required)

Course Code:	
Course Title:	
Total Number of Students:	
First Date of Class	
Name(s) of Professor(s)/Instructor(s):	Signature:
Department/Office/Unit:	
Name of Contact Person:	
E-mail:	Phone:

Please complete the list below and return to Mr Emil Li by e-mail at: cheukwai@eduhk.hk

	Name of Author(s)	Title of Book / Journal (Including Edition or Issue No.)	Name of Publisher	Publication Year	ISBN/ISSN	Total Number of Pages of Original Publication	From Page No.	To Page No.	Total Number of Page(s) Used
1									
2									
3									
4									
5									
6									
7									
8									
9									
10 11									
12									
13									
14									
15									
16									
17									
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22									
23									
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25									
26									
27									
28									
29									
30									

Attachment 4

The Education University of Hong Kong Library **Course Pack Proof Confirmation Form** (Scan Copies)

Attached please find a soft copy of a proof of your Course Pack ("dummy Course Pack") for your confirmation. Please check carefully and confirm the following:

- Your name(s) and your course title appear correctly on the front cover
- All works contained on this proof are correct and in correct sequence

If you accept this proof, please complete and sign on the following form and return it to the Library. If amendments are needed, please mark on the proof and send the soft copy to the Library via e-mail.

Course Pack Production Team Library Enquiries: Mr Emil Li Phone: 2948 6575 E-mail: cheukwai@eduhk.hk To: Mr Emil Li, Course Pack Production Team, Library Course Code: Course Title: Name(s) of Professor(s)/Instructor(s): Number of Students: Number of Other Course Users (including all instructors, visiting instructors, reviewers, etc.): First Date of Class: Please tick one: I/We confirm the contents of the proof. Amendments are required and are marked on the proof which is returned separately by e-mail. I/We understand that additional charges will be incurred for amendments at this stage. Signature: Date:

Dec 2022

Attachment 5

The Education University of Hong Kong Library Course Pack Student Order Form

				For Department Office Use Only						
			Octopu	s Receipt Submitt	ed	Course Pack	Collected			
	Student Number	Student Name	Mobile Number	Octopus Receipt Number	Receiving Staff's Signature	Date	Student's Signature	Date		
1										
2 3 4 5 6 7 8										
3										
4										
6										
7										
Q Q										
0										
11										
10 11 12										
3										
4										
.5										
16										
7										
8										

- Blk C to make the payment.
- 3. Students should submit the **original Octopus receipt** to the Department Office as proof of payment.

For Department Office Use Only			
		<u>Students</u>	Other Course Users
No. of Course Pack Users:			
No. of Octopus Receipt Submitted to FO:			NA
Amount (\$):	(A)		(B)
		Total Amount (A+B):	
Contact Person:Pho	ne No.:	Da	ıte:
Dec 2022			



Top-up lEdSmartePurse 教院通電子錢包增值 Buy 1 at \$0.10 \$0.10-

TOTAL

\$0.10

Octopus Payment/\	、達通付款	\$0.10)
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Octopus No. 八達通卡號碼 : 86490832

Receipt no. 收據號碼 : 100019

Amount Deduct 扣除金額 : \$0.10 Remaining Value餘額 : \$68.10

Device No. 機號 :40E742

Thank You

Date/Time 日期/時間:2011-4-21 15:33:05

Shop/Location 店號/區號:0

18683256090001

End of Receipt

Attachment 7

The Education University of Hong Kong Library Statement of Cost for Course Pack Production (Scan Copies)

Department:	XXX				Date: xx/xxx/xxxx
Course Code:	XXX				No.: L00001
Course Title:	XXX				
Attn:	XXX				
		Particulars			Amount (\$)
Unit Price:		XX			
Number of Stu	dents:	XX			xxx
Number of Otl	her Course Users				
(including all in	structors, visiting				
instructors, revi	iewers, etc.):	xx			xxx
			Total	Amount (\$)	: xxx
Please complete Course Pack Pro Library		tom of this statem	ent for paymer	nt and return	it to the Finance Office.
Enquiries: Mr Emil Li Phone: 2948	6575 E-mail	: <u>cheukwai@ed</u> ı	<u>uhk.hk</u>		
Payment of Cos	st for Course Packs	Production for:	_		
			Students	<u>. </u>	Other Course Users
•	ent/ Project (i.e. Cl				
Amount(\$):		(A)		(P	5)
			Total Amour	nt (A+B):	
Signature of H	lead of Departmen	t / Project Leader			Date
Contact Person:		Phone No.:		Date:	

SCHEDULE IV

LIST OF EXCLUDED LICENSED MATERIALS FOR SCANNING

THIS AGREEMENT DOES NOT COVER ANY OF THE FOLLOWING LISTED CATEGORIES OF WORKS OR PUBLISHED WORKS:

- * Works published outside the following territories: Hong Kong SAR, Australia, Canada, Denmark, Ireland, Jamaica, Mainland China, New Zealand, Quebec, Singapore, South Africa, South Korea, Spain, Switzerland, Taiwan, UK, USA and Zimbabwe. (In other words, Works published in named territories may be scanned under this Agreement.)
- Works without ISBN or ISSN (except that this Agreement covers designated newspapers without ISBN or ISSN).
- Workbooks, work cards, exercise books, worksheets, assignment sheets, tests, examination papers, and other Published Works intended to be "consumable" or for one-time use.
- Teachers' resources, including instructors' manuals, solutions manuals, test bank, teachers' guides.
- * Instruction manuals.
- Publications containing a notice expressly prohibiting copying under the authorization of a licence from a reproduction rights organization.
- Newspapers (except that this Agreement covers newspapers published in Canada, Denmark, Jamaica, Mainland China, Quebec, Singapore, South Africa, Spain, Switzerland, Taiwan and USA).
- Magazines (except that this Agreement covers magazines published in Canada, Denmark, Ireland, Jamaica, Mainland China, New Zealand, Quebec, Singapore, South Africa, South Korea, Spain, Switzerland, Taiwan, UK and USA).
- Printed music including the words (except that this Agreement covers printed music including the words published in Hong Kong SAR, Australia, Denmark, Mainland China, South Korea, Switzerland, Taiwan, USA and Zimbabwe).
- * Works listed hereunder:
 - All publications published by the City University of Hong Kong Press
 - All case studies published by Harvard Business School
 - Hong Kong Nursing Journal published by the College of Nursing, Hong Kong
 - All publications published by the National Comprehensive Cancer Network