

# QUICK REFERENCE

## BASIC RULES FOR USING AUDIO AND VIDEO MATERIALS

### LINKS ARE ALWAYS ALLOWED

Links to legally published images, videos and audio recordings are always allowed. Any video or audio footage you wish to use must be 'Streamed directly from the internet, since first downloading and then playing is prohibited, unless the licence permits otherwise.

### USE IMAGES, AUDIO AND VIDEO RECORDINGS THAT ARE LICENSED FOR REUSE

Images and audio/video recordings published under a licence for reuse (such as one of the Creative Commons licences) can be downloaded and shown without any problem. The type of permitted reuse is dependent on the type of Creative Commons licence, see <https://creativecommons.org/licenses/>  
More information: <http://wiki.creativecommons.org/FAQ>

### EXERCISE YOUR 'RIGHT OF CITATION'

The Dutch 'citation law' (citaatrecht) permits the use of images or audio/video recordings under the following conditions:

- The citation must support the educational content of your presentation or lesson and thus be more than embellishment or fun..
- The length of a citation should be 'proportionate to its purpose', which means in practice that audio and visual citations should be limited to short fragments. Images can be 'cited' in their entirety.
- The work being cited from has been lawfully published.
- You must include a reference.
- Fragments used for citation may not be altered in any way.

### ARE THE IMAGES OR AUDIO/VIDEO RECORDINGS AVAILABLE THROUGH THE SCHOOL/UNIVERSITY'S DIGITAL LIBRARY?

The institution you work for may have a database subscription allowing the general use of images and audio/video recordings for educational purposes within your institution (eg Academia). No additional application for permission or fee payment is required.

## **USING OR PRESENTING COMPLETE AUDIO/VIDEO RECORDINGS**

Audio and video works may be played or shown in their entirety and free of charge if the following conditions are met:

- The showing serves an educational purpose in the context of a class or seminar and forms part of a course.
- The showing takes place within the educational institution's premises.
- The showing takes place in the context of non-profit education.

It is forbidden to copy the work to an e-learning environment for students to play at home. This type of use requires prior permission.

## **INCLUSION OF CLIPS FROM AUDIO/VIDEO WORKS IN AN E-LEARNING ENVIRONMENT**

Clips from audio and/or video recordings may be included in an e-learning environment provided the following conditions are met:

- The clips should be shown/played only for explanatory purposes in the context of non-profit education. The clips should thus complement and not replace the teaching.
- The clips should be placed in a closed environment that is accessible only to students (e.g. by requiring user names and passwords).
- A reasonable fee is paid to the copyright holder(s).

In such cases, the showing/playing of the material is not restricted to the premises, and students can watch or listen to the clips from home.

## **USING A PERSONALLY RECORDED TELEVISION PROGRAM**

You are permitted to burn dvd's of tv programs available via the Open Net. Please be advised (also see rule #8):

- DVD'S with Open Net programs must be exclusively viewed within the educational institution's premises.
- Viewing is exclusively used for non-profit educational purposes.

The downloading and recording of programs via Uitzending Gemist (Viewing Missed) is not permitted. Content can only be viewed through normal personal internet use.

## **COPYING AUDIO/VIDEO MATERIALS**

For practical reasons, it is permitted to make extra copies of an audio/video work for non-profit educational use. Tip: Include in your study guide that you make copies in order to clearly indicate state copies are for educational use only. It is not permitted to make copies for distribution to students.

It is permitted to make DVD copies of a legally purchased VHS video in order to make it viewable. This is called a preservation copy. This is especially important when the technology required for viewing is no longer available. Tip: Save the original bill of sale or packaging to prove this is a legally acquired copy.

## **BORROWING AND LENDING AUDIO/VIDEO MATERIALS**

Carriers of audio and/or video content legally purchased by your institution may be borrowed, and the borrower is entitled to view or listen to them at home (i.e. outside the institution's premises).

Any copies of audio and/or video recordings made by the institution itself may NOT be borrowed. Although the Dutch copyright act (Auteurswet) does not specify whether watching and/or listening to such copies on the premises is allowed or not, Dutch educational institutions follow the guideline that such copies may be watched and/or listened to without permission from or payment to the copyright holder, provided such use is restricted to the premises, as when the works are consulted by students or used in classes.

## **MAKE SURE TO ACKNOWLEDGE YOUR SOURCES CORRECTLY!**

If the right of citation is too restricted for your purposes, you will have to obtain permission to play/show the images or audio/video recordings from one of the organisation representing the copyright holders. They are:

- VIDEMA
- BUMA/STEMRA
- PICTORIGHT

**SURF**

info@surf.nl  
www.surf.nl  2015

No rights can be derived from the information in this document.

Available under the Creative Commons Attribution 3.0 Netherlands License [www.creativecommons.org/licenses/by/3.0/nl](http://www.creativecommons.org/licenses/by/3.0/nl)

**POWERED BY SURF**