

## **APPROPRIATE USE OF INFORMATION RESOURCES**

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Access category: Public

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### **1. Policy Statement**

- 1.1 This policy documents the terms and conditions for the usage of all NTU Library's (referred to as Library hereafter) physical resources, e-resources and viewing of audio-visual materials as governed by or negotiated with various authorities (e.g. publishers, IMDA, copyright laws).

### **2. Background and Rationale**

The rationale supporting this policy is as follows.

#### **2.1 Print Materials**

All materials available at the Library are copyrighted. Users are not to photocopy, scan, distribute, publish, transmit, broadcast, reverse engineer, decompile or modify, download or reproduce the materials in any form or manner, in whole or in part, unless permitted by the Singapore Copyright Act.

#### **2.2 Electronic Resources**

Use of electronic resources subscribed by the Library is governed by license agreements negotiated between the Library and publishers/vendors. These license agreements are legally binding contracts that allow staff, students, and other authorised users to access the resources for non-commercial, educational, scholarly and research purposes.

#### **2.3 Audio-Visual Resources**

The viewing of audio-visual materials is governed by Info-comm Media Development Authority of Singapore (IMDA), which gives IMDA ratings to various media content (e.g. feature film, documentary, variety, music compilation). More information of the ratings can be found on the official IMDA website.

The distribution and viewing of NC16, M18, R21 and relevant unclassified films shall comply with the provisions under legislation in the Films (Class Licence for Lending by Libraries and Educational Institutions) Order 2019.

### **3. Scope**

- 3.1 This policy is applicable for all materials purchased, owned or subscribed by the Library.

## **4. Policy**

### **4.1 Loan**

- 4.1.1 Members must use their own valid membership cards to borrow physical materials.
- 4.1.2 Members who return library materials in a damaged condition shall bear the cost of repair or replacement for the item.

### **4.2 Penalties for late or non-return of materials**

The Library shall impose various disincentives to discourage late, non-return of items. These include fines, cost of the lost item, suspension of loan privileges or use of library services and facilities or a combination of the above.

More information can be found on NTU Library website.

### **4.3 Reproduction of library materials**

- 4.3.1 All materials available at the Library are copyrighted. Users are not to photocopy, scan, distribute, publish, transmit, broadcast, reverse engineer, decompile or modify, download or reproduce the materials in any form or manner, in whole or in part, unless permitted by the Singapore Copyright Act.

#### **4.3.2 Fair Dealing**

- a) Exception to copyright infringement is provided under “fair dealing” where a certain amount of copying is permissible for the purpose of study or research, criticism or review, and news reporting.
- b) The following points are taken into account when determining whether fair dealing is applicable.
  - i) the purpose and character of the dealing, including whether such dealing is of a commercial nature or is for non-profit educational purposes;
  - ii) the nature of the work or adaptation, or audio-visual item;
  - iii) the amount and substantiality of the part copied taken in relation to the whole work or adaptation, or audio-visual item;
  - iv) the effect of the dealing upon the potential market for, or value of, the work or adaptation, or the audio-visual item; and
  - v) the possibility of obtaining the work or adaptation, or audio-visual item, within a reasonable time at an ordinary commercial price.
- c) The Copyright Act allows a reasonable portion of the work to be copied for the purposes of research or study.
- d) For literary, dramatic or musical works, ‘reasonable portion’ refers to
  - i) Not more than 10% of the total number of pages of a published work that contains more than 10 pages, or
  - ii) Not more than one chapter of a published work that is divided into chapters.

- iii) Not more than one article from a periodical.
- e) For literary, dramatic or musical works in electronic format, 'reasonable portion' refers to
  - i) Not more than 10% of the total number of bytes of a published work stored electronically and not divided into pages, or
  - ii) Not more than 10% of the total number of words or 10% of the contents if it is not practical to use the total number of words as a measure, or
  - iii) Not more than a single chapter of a published work divided into chapters.
- f) Exceptions

In addition to fair dealing, reproduction is permissible for the purpose of judicial proceedings or professional advice; or when temporary reproduction is made during the communication, for example caching.

#### 4.3.3 Copying for Education Purposes

- a) Multiple copying or communication, 14 days after the previous copy was made or communicated, of insubstantial portions of works by any person is permissible if the copying or communication is carried out or initiated from the premises of the University for the purposes of a course of education provided by the University. "Insubstantial portions of works" here refers to
  - i) not more than 5 pages of a work that is less than 500 pages, or
  - ii) not more than 5% of a work that has more than 500 pages.
- b) Under the statutory licence for educational institutions, multiple copying of a reasonable portion (amount permitted under fair dealing) of a work by the University for educational purposes is permitted. Written record of the copying shall be kept. Teaching staff should check with their respective schools on how these records are maintained.

#### 4.3.4 Copying beyond Copyright Limits

- a) Permission must be obtained to use copyrighted materials if it exceeds the legal limit. Staff or student need to contact the
  - i) copyright owner to negotiate for permission or a licence to use the material; or
  - ii) collective society that administers the rights of copyright owner. In Singapore, The Copyright Licensing and Administration Society of Singapore Ltd (CLASS) has a group of international and local academic book publishers and local authors as members. The Composers and Authors Society of Singapore (COMPASS) deals with music copyright and the usage of musical works.
- b) If copying exceeds the limits allowed under the Copyright Act, the University will not be liable for any infringement of copyright action which may be taken against the perpetrator.

#### **4.4 Viewing of AV materials**

- 4.4.1 Users may view unrestricted AV materials within the Library at workstations provided. They can also be borrowed out on short term loan.
- 4.4.2 Restricted AV materials include NC16, M18, R21 and relevant unclassified films.
  - a) NC16 and M18 titles are to be viewed by students within the library premises only.
  - b) Students have to be at least 16 and 18 years old in order to view NC16 and M18 titles respectively.
  - c) R21 and relevant unclassified films can only be viewed by students enrolled in the course in which the item is used as course material, or academic or research staff undertaking research on the title.
- 4.4.3 AV materials borrowed out of the Library by a user are meant for personal viewing and are strictly not to be screened for groups or the public.
- 4.4.4 Borrowers must comply strictly with copyright laws and ensure that AV materials charged out under their names are not communicated or reproduced in part or in whole in whatever ways possible.
- 4.4.5 Group film screenings in the Library are for two possible purposes:
  - a. Teaching/learning. Required viewing of legally acquired course-related films for the students enrolled in a specific course is supported by Library policy.
  - b. Non-course related/leisure. Only titles acquired with Public Performance Rights can be screened. Most films acquired by the Library prohibit public performance and as such the Library cannot support their screening.

### **5. Use of Electronic Resources**

#### **5.1 Access to electronic resources**

- 5.1.1 Electronic resources provided by the library are mostly subscribed from vendors and publishers. Only Library members have access to e-resources either within the Library or remotely via their NTU staff or student network accounts. Library members who are not staff or students of NTU may access most of these onsite at Lee Wee Nam Library only.
- 5.1.2 License Agreements
  - a) Access to and use of electronic resources subscribed by the Library is governed by license agreements negotiated between the Library and publishers/vendors/ content providers. These license agreements are legally binding contracts that allow staff, students, employees and other authorised users to access the resources for non-commercial, educational, scholarly and research purposes.
  - b) While licenses are different for each resource, there are general clauses that are applicable to all electronic resources in general. These clauses prohibit:
    - i) large-scale or systematic downloading of single or multiple copies of abstracts, tables of contents or full text documents in print or electronic copies or permanently retaining them on any file or on any hard drive, server or other form of memory

- ii) utilisation of software programmes or routines designed to continuously and automatically search and index the resources, such as spiders, web-crawlers and robots
  - iii) alteration, amendment, modification, abridgement, translation or change in any manner of and including the removal of copyright information from the licensed materials
  - iv) sales and exploitation of licensed materials for any commercial purposes
  - v) publication, distribution, mounting on any electronic network, or retaining portions of licensed materials or combining them with any other material
- c) Resources where additional restrictions apply will require Library users to agree to the terms and conditions of use via an online click through acceptance page before proceeding to use the resource.

### 5.1.3 Singapore Copyright Act

- a) In addition to License Agreements, use of electronic resources is also governed by the Singapore Copyright Act.

## 5.2 Downloading of Electronic Resources

### 5.2.1 Excessive downloading

- a) Excessive downloading occurs when a user downloads files in quick or systematic succession using robots, spiders, automated downloading programmes or other manual methods; or copies the whole or a significant portion of an e-journal, e-book or database for retention, distribution or other purposes that violate the terms of use of the resource.
- b) Detection of excessive downloading of files from e-resource provided by the Library will lead to blanket suspension of access to the whole university community for a significant period of time by the respective publisher. A user who engages in this act will cause great inconvenience for the entire university community and gravely affect the work of members who need uninterrupted access to the resource.
- c) Users who engage in excessive downloading or share login credentials with external party resulting in excessive downloading are liable for disciplinary action.

### 5.2.2 Penalties imposed on violations

- a) On detection of extensive downloading activity by the Library, the user account will be suspended from accessing electronic resources. Depending on the outcome of investigation, access privileges may be restored.
- b) On blanket suspension of access imposed on the entire university community by the publisher due to excessive downloading traced to a user, the offending user will have his access to all library e-resources suspended for a minimum of 1 week and subject to completion of all tasks required by the publisher and the Library to lift the suspension. This may include deleting of all downloaded materials and a written undertaking not to repeat the offence. The offender's name will be logged in the Library rules violation file.

- c) On subsequent violations, a suspension of all library privileges will be imposed and a formal notification of offense sent to the respective deans of colleges and other supervisory staff for further action.

### 5.3 Digital Rights Management and Circumvention of Technology

- 5.3.1 Users are strictly prohibited to remove or alter the Digital Rights Management (DRM) relating to a material or to undertake any act or provide any device, product or component to circumvent a technological measure which controls access to a material.

## 6. Consulted Parties

- 6.1 The following agencies have been consulted in the development of this document.
- Content & Standards (Films, Video Games & Arts), Info-Communications Media Development Authority
  - Intellectual Property, Sports and Gaming, Rajah & Tann

## 7. Related Legislation, Policies, Procedures and Guidelines

Type	Document Title (hyperlink to document if available)
Legal Document	<a href="#"><u>Singapore Copyright Act Revised Edition 2006</u></a> <a href="#"><u>Singapore Films Act Revised Edition 1998</u></a> <a href="#"><u>Films (Class Licence for Lending by Libraries and Educational Institutions) Order 2019</u></a>
The Media Classification Database	<a href="#"><u>Info-comm Media Development Authority of Singapore (IMDA) Ratings</u></a>

## 8. Responsible Parties and Contacts

Policy Owner: Ms Caroline Pang, University Librarian

Responsible Office: Office of Information, Knowledge and Library Services

For clarification on this policy, please contact:

Name	Designation	Email	Telephone
Mr Frank Seah Eng Kiat	Senior Librarian (Reproduction and Viewing of Library Materials)	FrankSeah@ntu.edu.sg	63168726
Mr Sean Goh	Senior Assistant Manager	SeanGoh@ntu.edu.sg	67905215

	(License Agreements and Use Violations of Electronic Resources)		
Ms Samantha Seah Siew Cheng	Librarian (Loan Policy)	SamanthaSeah@ntu.edu.sg	65138547
Ms Wong Oi May	Senior Librarian (Coordinator)	OMWong@ntu.edu.sg	67904037

## 9. Revision History

Version	Approved By	Approval Date	Effective Date	Sections Modified
1	University Librarian	20 July 2011	20 July 2011	-
2	Deputy Associate Provost (Information & Knowledge)	2 January 2018	2 January 2018	Recast contents in policy template.
3	University Librarian	22 February 2021	22 February 2021	<ul style="list-style-type: none"> <li>• Section 1 Policy Statement – Para 1.1</li> <li>• Section 2 Background and Rationale – Para 2.3</li> <li>• Section 3 Scope – Para 3.1</li> <li>• Section 5 Use of Electronic Resources – Para 5.1.1, 5.2.1a, 5.3</li> <li>• Section 7 Related Legislation, Policies, Procedures and Guidelines</li> <li>• Section 8 Responsible Parties and Contacts</li> </ul>