

Explanatory Leaflet

for The NHS in Wales

1.0 Introduction

Your organisation holds a licence with the Copyright Licensing Agency Ltd (CLA) which allows you to make copies of extracts from books, journals and periodicals published in print and from selected digital publications, subject to certain terms and conditions. Copies may be made from publications including those to which you subscribe and from articles or press cuttings provided by licensed external suppliers (e.g. a public relations or press cuttings agency or the British Library) where a copyright fee has been paid.

These guidelines are intended to help you to comply with the terms of the licence.

The licence covers:

- Photocopying
- Scanning
- Copying of digital content, e.g. PDFs from electronic subscriptions or scanned articles circulated by email – that is, digital-to-digital, digital-to-print, and print-to-digital-to-print.

Which Publications?

- Books
- Magazines
- Trade press
- Journals
- Copyright fee paid copies
- Periodicals
- Law reports
- Reference editions
- Press cuttings received from a press cuttings agency
- Some digital versions of the above (see Digital publications below) and other digital originals

Common examples of where you might need to make and distribute copies internally within your organisation include:

- To share with colleagues at meetings or briefings
- For internal training purposes, e.g. Journal Clubs, nurse teaching sessions, students on placement etc
- Information on an illness, condition or treatment for the benefit of a patient
- Health & Safety or Environmental awareness
- For research & development

2.0 Requirement to Own an Original

Your organisation should have paid for, or legitimately own, an original of any work being copied. That is, the NHS in Wales should subscribe to the journal or online publication being copied, have been a subscriber for the period covered by the issue being copied, have bought the book or off-line publication, or have been presented with it – for example, in the case of a controlled-circulation magazine.

In general you can copy from material which:

- has been purchased as part of a current or past subscription, by your organisation
- has been received from Press Cuttings and PR agencies (however newspaper content is excluded)

- has been supplied by a 3rd party licensed document supplier and where a copyright fee has been paid
- has been supplied by a Library service Provider: any organisation contracted by the NHS inWales to provide library services to, and for the purposes of the NHS in Wales
- this licence does not allow you to copy from an employee's personal subscriptions unless the employee permanently donates the copy to your organisation.

3.0 How much can be copied?

On each occasion you may copy up to 5% or a single chapter of a book or up to two articles from a periodical, whichever is the greater.

Specific guidance for copying:

Material Type	Copying Guidelines
Magazines, Journals and Periodicals	You may copy up to two articles from any single issue or, where the issue or a substantial part of it is dedicated to a particular theme, any number of articles dealing with that particular theme
Books	You may copy up to one chapter of a book
Law Reports	You may copy the whole report of a single case
Abstracts Journals	You may copy providing it is no more than five per cent of the issue
Letters pages	You should treat a letter as an article and you may therefore copy up to two letters per issue

4.0 Who is entitled to copy and or/receive copies?

- Any NHS Wales Authorised person (including employees, consultant or agency worker, or student on placement) is entitled to make and receive a photocopy.
- A patient or client may receive a single paper copy of licensed material relevant to their condition or treatment
- Any NHS Wales Authorised Person is entitled to make and receive a scan or digital copy providing these copies are sent and accessed via your organisations network.

The term 'consultants' shall also include those members of a Designated Committee (not otherwise being an Authorised Person) when acting in connection with the activities of the Designated Committee and Local Authority Councillors.

5.0 Storage of copied material

- Your employees, etc may store Digital Copies to their local hard drives or personal server space.
- Your employees, etc may additionally store digital copies (including those licensed individuals) on any NHS in Wales intranet for access by authorised users for a period of up to 30 days. These can then be downloaded and stored locally by employees or printed or forwarded by email to colleagues.

6.0 Specific Copying Guidelines

Photocopying - The Licence permits photocopying from a very wide range of publications. You can copy from all publications in the UK, the US and other Mandating Territories (see notes) except Excluded Works and works in any Excluded Category (see notes)

Scanning – The licence permits scanning from a very wide range of publications.

You may make Digital Copies from all print works published in the UK, the US and other countries with which CLA has agreed a 'Digital Repertoire Exchange' as listed on www.cla.co.uk and updated from time to time except Excluded Works and works in any Excluded Category (see notes).

Digital Copying

- You may make Digital Copies from publications created and distributed in electronic form published by a Participating Digital Material Publisher (see notes) except Excluded Works or works in any Excluded Category (see notes).

7.0 No Substitution for Purchase

The licence does not permit you to make copies which directly or indirectly substitute for the purchase of an original published edition (whether print or digital), or which might be used instead of commissioning work directly from an artist or a writer. The licence has been developed to help you make full use of the material you already own.

8.0 Data Collection

The NHS in Wales pays an annual licence fee to CLA, which (after deduction of CLA's costs) is distributed to the authors, artists and publishers concerned.

CLA uses a number of means to distribute the licence fee as fairly as is practical without imposing an undue burden of reporting on licensees. Although you do not need to keep an ongoing record of your copying, you may from time to time be asked to take part in a data gathering exercise, such as providing CLA with information on your publication holdings or answering questions on the copying that is done under your licence.

9.0 Additional Information

CLA produces a number of other documents to support the licence and its interpretation. The latest versions of these documents are available on the CLA website at: <http://www.cla.co.uk/> and you should check the version on the website before copying.

10.0 Notes

In these guidelines, some terms are used which have special meanings:

Excluded Work

An Excluded Work is a work (such as a book, journal or periodical) which is specifically excluded from our licence coverage and cannot therefore be copied without direct permission from the rights holder. A list can be found at <http://www.cla.co.uk/excludedworks.php>

Excluded Category

An Excluded Category is a category of work (for example maps) which is specifically excluded from our licence coverage and cannot therefore be copied without direct permission from the rights holder. A list can be found at <http://www.cla.co.uk/cla.co.uk/excludedworks.php>

Participating Digital Material Publisher

A Participating Digital Material Publisher is a publisher who has agreed to include their digital publications in our digital licence. A full list of these can be found at http://www.cla.co.uk/list_included_works.php

Mandating Territory

A mandating territory is a country with whom CLA has signed an agreement with to include in CLA licences some or all publications from that country. A list of these countries can be found at http://www.cla.co.uk/Mandating_overseas_terr.php

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