

POLICY/PROCEDURE

TITLE:	FAIR DEALING FOR COPYING OF COPYRIGHTED WORKS FOR EDUCATION AND RESEARCH PURPOSES	ORIGINAL DATE: November 2017	VERSION: 1.0
IDENTIFICATION NUMBER:	OP 4052	LAST REVISION DATE: July 2018	NEXT REVIEW DATE: July 2021
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1.0 POLICY STATEMENT AND PURPOSE:

- 1.1 The Fair Dealing policy outlines the copying of copyright-protected works that can be made in print and/or electronic form by the staff of Hamad Medical Corporation. It pertains to the use of materials for the purpose of education or research, without seeking permission of the copyright owner.
- 1.2 To qualify for fair dealing, two tests must be passed:
- 1.2.1 The dealing must be for the purpose of research, private study, criticism, review, news reporting and education.
 - 1.2.2 The dealing must be "fair."

2.0 DEFINITIONS:

- 2.1 **Academic Institution** - An organization dedicated to education and research is known as an academic institution. Academic institutions usually grant academic degrees.
- 2.2 **Academic Health System**– A partnership between leading universities and healthcare providers. Hamad Medical Corporation is part of an accredited academic health system.
- 2.3 **Fair dealing** – A limitation and exception to the exclusive right, granted by copyright law, to the author of a creative work. The following factors are used to determine whether a dealing is fair:
- 2.3.1 The purpose of proposed copying.
 - 2.3.2 The number of copies.
 - 2.3.3 The amount or proportion of work.
 - 2.3.4 The effect of copying - whether the copy will compete with the commercial market of the original work.

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2.4 **Short excerpt** – An extract which is 10% or less of a work, or no more than:

- 2.4.1 One chapter from a book.
- 2.4.2 A single article from a periodical.
- 2.4.3 An entire artistic work (including a painting, print, photograph, diagram, map, chart and plan) from a work containing other artistic works.
- 2.4.4 An entire newspaper article or page.

2.5 **Copyright**- The exclusive legal right to reproduce, publish, sell, or distribute the matter and form of something (such as a literary, musical, or artistic work).

2.6 **License agreement** - A licensing agreement refers to a written agreement entered into by the contractual owner of a property or activity giving permission to another to use that property or engage in an activity in relation to that property.

3.0 PROCEDURE/PROCESS:

3.1 Educators may reproduce short excerpts from a copyright-protected work for the purpose of study or research without paying a royalty/fee to the author.

3.2 Copying must mention the source and name of author of work, if given in the source, in the following circumstances:

- 3.2.1 News reporting.
- 3.2.2 Review.
- 3.2.3 Criticism.

3.3 A copy of the excerpt may be provided to each student enrolled in the course.

3.4 Where the academic institution has entered into a license agreement with publishers:

- 3.4.1 Any copying or distribution restrictions contained in the license will take precedence over the Fair Dealing policy.

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3.5 Permission:

3.5.1 If copying is outside the Fair Dealing policy, permission of the holder of copying must be secured.

3.6 Works available on the Internet:

3.6.1 The institution, or person under its authority, must mention the source using the Universal Resource Locator (URL).

4.0 DOCUMENTATION: Not applicable.

5.0 REFERENCES:

5.1 Law No. 7 of 2002 on the Protection of Copyright and Neighboring Rights, Qatar

6.0 TRACKING HISTORY OF CHANGES:

REVISION DATE:	CHANGES:
	New Developed Policy

SUBJECT MATTER EXPERT CONTRIBUTORS:	None
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7.0 ATTACHMENTS: Not applicable.