

# Australian Copyright Council

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## Bulletin 59

# Journalists & Copyright

Copyright is the source of primary income for freelance journalists. It is the legal basis upon which they can negotiate the sale of rights in their work. Copyright is also becoming increasingly important as a source of “secondary” income, not only for freelancers but also for many staff journalists. There are now secondary uses of journalists’ work, apart from syndication, which can result in income to the journalists. In addition to secondary use in the media, these include media monitoring services, photocopying by educational institutions and Government departments and copying of radio and television programs by educational institutions and Government departments.

Journalists also need to be aware of their legal obligations when using the work of others. Whilst information and facts are free, the use of another person’s explanation or presentation of that information may require permission.

The aim of this publication is to increase awareness of issues which journalists need to take into account when dealing with the rights in their work, and of circumstances in which permission may be required to use another person’s work. We do not intend to provide a comprehensive answer on every issue of copyright law, and in many cases a journalist will need to seek advice about the application of the law to the fact situation in which he or she is involved. Further information and free legal advice can be obtained from the Copyright Council.

The Council also publishes a number of other titles in its Bulletin series, most of which are intended as practical guides for a particular category of creator, or user, of copyright material. These include Bulletin 64, *Photographers & Copyright*, and Bulletin 80, *Writers & Copyright*. A complete list of publications can be obtained from the Council.

We update this and other Copyright Council Bulletins before they are reprinted. This Bulletin was first published in March 1987, and was revised before being reprinted in June 1992. In this revision we have taken account of the Copyright Law Review Committee’s report on journalists’ copyright handed down in 1994, and the resulting Government proposal to amend the split ownership provision applying to print media employees. We have also taken account of the Government’s proposal to introduce moral rights and have included information about the ongoing process of review of the Copyright Act, including the report of the Copyright Convergence Group and the wide ranging review by the Copyright Law Review Committee.

We welcome comments and suggestions from readers for future issues.

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