

DCC Archives Copyright Guidelines on Images

1. Purpose

The purpose of these guidelines is to establish a common objective and suite of principles that support consistency and transparency for the Dunedin City Council (DCC) Archives decision making and activities on use and reuse of images.

The guidelines include:

- A statement that outlines the objectives of DCC Archives use and reuse activities.
- An outline of the need for guiding principles for use and reuse of digital collections.
- The principles for DCC Archives staff when determining rules, processes, guidance and messages for use and reuse of collections.

2. Objective

The DCC staff and public can easily use and reuse the online image collections of DCC Archives to create new knowledge, within a clear and transparent framework.

3. Assumptions

The principles in these guidelines are established on the following assumptions:

- DCC Archives have a responsibility to provide information to ensure researchers know their responsibilities for how images can be used and reused, however DCC Archives has no actual control over what researchers do with the content. The responsibility for following abiding by the information provided sits with the researcher.
- The researcher has been granted access to the images, either through an online channel or an in-person service.
- DCC Archives does not indemnify researchers against claims by copyright owners or other proprietors claiming damages for publication, use or reuse of images.

4. Definitions

Researcher: Any person making use of the range of collections available via DCC Archives and for fulfilling an information need. Sometimes researchers are also referred to as staff, users, clients, customers, or collaborators.

Use and reuse: For the purposes of these guidelines, use and reuse is defined as any means of employment of images for personal, social, educational or commercial use. It could include (but is not limited to);

- Personal research or interest
- Formal academic research
- Other fair dealing uses like criticism and review and reporting current events.
- Adapting, copying, modifying, mixing, re-mixing, reproducing, repurposing, or publishing images in any forum
- Sharing or distributing to recipients via any public forum

Image: Any image from the DCC Archives collections that are accessible online to a researcher for use or reuse, at any level of aggregation. This includes born digital content, physical/analogue content digitised by DCC Archives, or physical/analogue content captured by a researcher on a digital camera.

5. Principles for Use and Reuse of Images.

These principles frame all activities undertaken by DCC Archives that address the use and reuse of images.

Principle 1: DCC Archives services that support the use and reuse of images are lawful. Explanation: The provision of the range of DCC Archives activities and services that support and enable use and reuse of images will comply with the requirements under the Copyright Act 1994, and other relevant legal instruments.

Principle 2: All images will be delivered to researchers with clear and consistent statements on use and reuse rights and permissions. Explanation: Clear and consistent use and reuse statements accompanying images are important if the DCC Archives' use and reuse vision is to be achieved.

Principle 3: Where no copyright restriction applies, DCC Archives will seek to provide the items for use and reuse with a statement of 'Public Domain', after careful consideration of cultural and ethical issues relating to the items. Explanation: DCC Archives intends to remove, as much as possible, the 'permissions barrier' through expanding the number of images which are out of copyright, or where no copyright restriction apply, that are made available to researchers, without use or reuse restrictions.

Principle 4: Images with 'Public Domain' and 'CC BY 4.0' statements should be available for use and reuse at an appropriate quality resolution. Explanation: DCC Archives acknowledges that availability of only low-resolution images which have 'Public Domain' and 'CC BY 4.0' can provide a practical restriction on the use and reuse of those items.

Principle 5: The principles of NZGOAL will be applied to images for which DCC Archives is the rights owner. Explanation: The New Zealand Government Open Access and Licensing framework (NZGOAL) is government guidance for agencies to follow when releasing copyright works and non- copyright material for use and reuse by others. It seeks to standardise the licensing of government copyright works for use and reuse through application of Creative Commons New Zealand licences.

Principle 6: For 'Some rights reserved' images appropriate attribution for public use and reuse of images is necessary to provide a traceable path back to the authoritative source for the images. Explanation: The purpose of appropriate attribution or acknowledgement is to enable a researcher artistic freedom to use and reuse images in creative ways and/or according to the norms of the sector within which the content is used or reused, while at the same time providing a traceable path back to the images and their context to any other researcher wanting to use and reuse the images.