

**Media Resources and Public Performance Rights**  
University of Guelph Library and University of Guelph Humber Library Services  
Date Approved: January 30, 2006

***Purpose***

The purpose of the policy is to foster greater use of Library media resources by transferring the cost of obtaining public performance rights (currently borne by academic departments, student groups or individuals) to the Library. The Library will be responsible for paying the costs associated with public performance rights where the use is for educational purposes, including classroom use.

This policy covers public performance rights for media acquired or licensed by the University of Guelph Library and the University of Guelph-Humber Library Services. Media resources include all VHS, DVD and film formats as well as online audio and video resources whether downloaded or streamed. In all cases, the use of media resources on a University of Guelph campus, including classrooms, is subject to the Copyright Act of Canada.

The Library does not obtain public performance rights for any campus venue in which an admission fee is collected and cannot allow materials from the collection to be loaned for this purpose unless proof of public performance rights can be produced at the time of request.

***Acquiring Public Performance Rights***

The Library will strive to negotiate and acquire public performance rights licenses for all media either at the time of purchase, or upon specific request where such a license is required for public performance. PPR may be obtained at the time of purchase, or alternatively through a campus site license (such as those negotiated for feature films), or through licenses obtained through film distribution companies.

In cases where a public performance license cannot be obtained for a specific resource, the material will be limited to personal use and labelled 'Home use only. No classroom viewing provided.'

All enquiries and requests regarding public performance rights should be directed either to the University of Guelph Library's Media Specialist or to the attention of University of Guelph-Humber Media Services Staff.

***Geographic Limitations on Classroom Use of Videos***

DVDs, VHS tapes and films generally require separate public performance licenses for the University of Guelph, the Regional Colleges and the University of Guelph Humber.

***Streaming Media***

Public performance rights and other kinds of copyright licences for online and streaming media are usually negotiated such that they cover all affiliated Guelph campuses. Enquiries about the use of online or streamed media in course/learning management systems should be directed to the Manager of the Library's E-Learning and Reserve Services.

***Public Performance Rights and Off-Air Taping***

Upon specific request, the Library will make efforts to obtain a commercially available copy of a program to secure adequate public performance rights. Off-air tapes may be used where public performance rights can be secured through the Educational Rights Collective of Canada (ERCC).

## ***Frequently Asked Questions (FAQ):***

The Library provides the following support service which is intended to encourage greater use of media resources by University of Guelph faculty, students and staff.

### *Why?*

Any use of media resources on a University of Guelph campus, including classrooms, is subject to the Copyright Act of Canada, and usually requires paying an extra fee to the studio or distributor who “holds” copyright to the title. In Canada, you cannot legally give a public performance using media (films, music, artwork) without obtaining copyright permission to do so. This requirement can be both inconvenient and financially difficult, and as a result many media titles purchased by the Library have only been licensed for individual use. Such resources are typically labelled “Home Use Only”.

### *What’s changing:*

In the past, the cost of obtaining public performance rights (copyright permission) was paid for by academic departments, student groups, or individuals. Beginning May 1<sup>st</sup>, 2006, the Library will take on the full cost of obtaining public performance rights where the use is for educational purposes, including classroom use and out-of-classroom educational events.

### *What’s covered?*

This policy covers public performance rights for media acquired or licensed by the University of Guelph Library and the University of Guelph-Humber Library Services. Media resources include all VHS, DVD and film formats as well as online audio and video resources whether downloaded or streamed.

### *What’s NOT covered?*

The Library cannot allow materials from the collection to be loaned for any venue in which an admission fee is collected unless proof of public performance rights can be produced at the time of request. The library can provide advice and/or assistance in negotiating special licenses for such events, however, the library will not be responsible for covering any direct costs associated with the license.

There are some geographic limitations depending on format – licensing for DVDs and VHS tapes are campus-specific (separate permissions required for Guelph, Guelph-Humber, and regional campuses)

In some instances, it may not be possible to obtain public performance rights for a specific resource.

Upon specific request, the Library will make efforts to obtain a commercially available copy of a program to secure adequate public performance rights. Off-air tapes may be used where public performance rights can be secured through the Educational Rights Collective of Canada (ERCC).

### *How it works...*

The Library will strive to negotiate and acquire public performance rights licenses for all media either at the time of purchase, or upon specific request where such a license is required for public performance.

### Contacts:

- **University of Guelph** Library Media Specialist (Krys Mooney, extension 52313, email [kmoon@uoguelph.ca](mailto:kmoon@uoguelph.ca))
- **Guelph-Humber** Media Services (booking): [libmedia@uoguelph.ca](mailto:libmedia@uoguelph.ca)
- Enquiries about **online or streamed media** for University of Guelph course/learning management systems should be directed to the Manager of the Library’s E-Learning and Reserve Services (Heather Martin, extension 54701, email [martin@uoguelph.ca](mailto:martin@uoguelph.ca))