



## POLICY AND PROCEDURE

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<b>Name:</b>	<b>INTELLECTUAL PROPERTY POLICY</b>
<b>Policy No:</b>	PP3103
<b>Approved by:</b>	ACER Academic Board
<b>Last reviewed:</b>	August 2018
<b>Responsible Division/ Department</b>	Professional Resources Division/ ACER Institute

### 1. Purpose

To clarify and protect the rights and responsibilities of Staff Members and Students of ACER Higher Education Courses in relation to ownership, recognition and use of teaching, administration and scholarly material.

### 2. Scope

This policy applies to all Staff Members and Students.

### 3. Definitions

See [Glossary of Terms](#)

### 4. Legislation and related documents

[Australian Qualifications Framework \(AQF\) 2<sup>nd</sup> edn. \(Jan 2013\)](#)  
[Disability Standards for Education 2005](#)  
[Higher Education Standards Framework \(Threshold Standards\) 2015](#)  
[TEQSA Guidance Note: Course Design](#)  
[ACER Student Policies](#)  
Copyright Act 1968 (C'wealth)

### 5. Policy Principles

The prime objectives of this policy are to protect the ownership of Intellectual Property (IP) created by Staff Members and Students and are embedded in the following principles:

## 5.1 Ownership of IP created by Staff Members

- i. Administration and/or teaching materials developed by Staff Members in the course of their employment remain the property of ACER.
- ii. ACER may use any IP created by Staff Members in the course of their employment for the purposes of teaching and the promotion of the Institution and/or its Courses.
- iii. Where the Staff Member has drawn on pre-existing work in their area of professional expertise in the development of the material for ACER, this remains their IP. They should identify such work so that it is clearly and appropriately acknowledged.
- iv. Upon payment for the development of administration and/or teaching materials specifically for ACER, the Staff Member acknowledges that ACER or its agents may distribute, sell or in other ways commercialise the materials it has purchased.

## 5.2 Ownership of IP created by Students

- i. ACER recognises that Students of the Higher Education Courses offered by ACER own the copyright to any material they may develop or submit for assessment in the course of their studies.
- ii. For any other use of this material such as marketing, examples to support teaching materials, or for further research purposes, the permission of the Student must be obtained.

## 6. Roles and Responsibilities

Staff Members and Students are mutually responsible for protecting the rights to and ownership of materials developed by them during their employment and enrolment at ACER.

## 7. Dispute Resolution

Should a dispute arise in relation to the interpretation or application of this policy or its procedures a Grievance may be notified and managed in accordance with the ACER PP3111 Student Grievance Resolution Policy.

## 8. Awareness of Policy

The Director will take reasonable steps to disseminate and explain this policy to Staff Members and to Students who may be affected by it.

The policy will be available online at: <https://www.acer.org/professional-learning/postgraduate/students/policies>.

## 9. Version Control

Authorised by: ACER Academic Board  
Maintained by: Director, ACER Institute  
Written: March 2013  
Review: August 2019  
Version: 5

Version	Date effective	Amendments by	Amendment
1.	23/1/2013	E. Hartnell-Young	Logo, Page Numbers, Scope.
2.	13/3/2013	C. Kemp	Formatting
3.	12/11/2015	G. Appleby	Definitions, Purpose, Scope, Awareness of Policy, Version Control details, formatting
4.	17/8/2016	P. Taylor-Guy	Remove table of Definitions and add link. Update Legislation and Related Documents. Update Version Control
5.	1/8/2018	P. Taylor-Guy	5.1.ii added for clarification. Updated version control. Updated links.