There are two main issues to consider with regard to copyright and electronic theses:

- **Asserting your own copyright in your own work and publication**
- **Observing the copyright of others and taking all reasonable steps to ensure that you have dealt with third-party copyright in your work.**

The observation of copyright law is a necessity throughout academic publication and no one can regard themselves as exempt from complying with copyright legislation. Dealing with copyright issues as part of the process of producing the postgraduate thesis and acquiring the necessary skills to do this can be seen as a positive asset for any future academic career and is very good preparation for future academic publishing.

Preparation with regard to copyright is essential and we encourage you to seek advice at every stage of writing your thesis. You can seek advice from supervisors and experts within your schools, also from the Copyright Officer and the Library.

**Asserting your own copyright in your own work and publication**

The ownership of the copyright of the thesis is clearly stated in the University Regulations in the Assessment of postgraduate research students information, section 1.5: “The copyright of a thesis normally belongs to its author”. So there is no doubt that you have the copyright to your work and you can assert that copyright. When the electronic version of your thesis is deposited into St Andrews Research Repository, the University digital repository, there are a variety of ways in which copyright ownership is asserted and declared. The repository record which describes your work clearly date stamps the submission and identifies the submitter, thus providing an authoritative record of the electronic publication of your original work.

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**Observing the copyright of others and taking all reasonable steps to ensure that you have dealt with third-party copyright in your work**

**Background**

It is important to remember that the use of third-party copyright material is protected by the [Copyright, Designs and Patents Act 1988](https://www.legislation.gov.uk/ukpga/1988/6). If you want to include third-party copyright material in your thesis then there are some exceptions in the legislation that permit this under certain conditions. Where these exceptions do not apply, permission from copyright holders will need to be obtained.

**What is third-party copyright material?**

Examples of third-party material are: illustrations, photographs, diagrams, maps, graphs as well as extracts and quotations from publications of others, for example, books and journals.

In addition, you may want to use journal articles that you have already published and include them as part of your thesis submission. You will usually need permission to include the publisher’s version of your article because the publisher is usually the copyright holder of this version of your work.

**Your Print Thesis**

The print copy of a thesis has historically been viewed as an examination script. As such, third party copyright material can be included in this version of the thesis under the ‘Illustration for Instruction’ exception, provided it is accompanied by sufficient acknowledgment and its use is considered to be ‘Fair Dealing’, i.e. the amount of the work being copied is reasonable and proportionate for your purposes.

For example, you can use a short quotation, or an image, (photograph, diagram, graph, map), without seeking permission provided it:

- is necessary and relevant to your work
- accurately acknowledges the source, author, artist or creator of the work
- gives a title or other identifying description of the work being copied.

Note that the ‘Illustration for Instruction’ exception only applies to the print copy of your thesis that you submit for examination, not the electronic version.

**Your Electronic Thesis**

The rules for including third-party copyright material in published work are different to those for your print thesis. The electronic copy of your thesis will be made available online and is therefore deemed to be published.

You may still include third-party copyright material in your electronic thesis without permission under the ‘Criticism, review, quotation and news reporting’ exception, provided the material:

- is already publicly available
- is accompanied by sufficient acknowledgement
- is being used for the purpose of criticism or review
- your quotation, (or other extract), is no more than is required for your specific purpose
- the use is considered ‘Fair Dealing’
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- The print version will have all the illustrations, the publicly available electronic version might have to exclude some.
- The print version will have all the published articles you have chosen to include, but the

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Under the Copyright section of the MySaint task, students will be asked:

Does your thesis contain any third-party material that requires copyright clearance?

Depending on the yes/no answer given, the tool will display some relevant information.

How to seek permissions
If your use of third-party copyright material does not meet these criteria, you will need to seek the permission of the copyright holder to include it.

For example, if you want to include:
- a substantial quotation, e.g. a whole poem, a large amount of text
- a photograph, or other copyright image whose use is unlikely to be considered 'Fair Dealing'
you would have to request permission from the copyright holder.

We have a standard letter which you can use to request permissions from copyright holders to use material in your electronic thesis. There is also a permissions letter to use when requesting permission to include journal articles already published by you.

We would advise you to review material in your thesis as you go along and start the process to obtain permissions at the earliest stage possible.
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In the unlikely event of a copyright holder contacting and telling us that illegal material is present then the repository has a takedown policy and material can be removed immediately.

Please see the accompanying Library Factsheet “Electronic theses” for essential information about electronic theses submission processes, file formats and embargoes.