



University of
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Copyright and theses

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Purpose	This guide is intended to help you navigate copyright issues relating to writing and submitting your thesis

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1.1			Sean Rippington, Copyright Officer, University Library	09/06/2022

1. Introduction

This guide is intended to help you navigate copyright issues relating to writing and submitting the Final (Library) version of your thesis.

There are two main issues to consider regarding copyright and the Final (Library) version of your thesis:

- 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.

Preparation 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, and also from the [Copyright Officer](#) and the [Library E-Theses Team](#).

2. Asserting your own copyright in your own work and publication

You normally own the copyright in your thesis, as stated in the [University Regulations in the Assessment of postgraduate research students](#) section 1.6: “The copyright of a thesis normally belongs to its author...”.

When the Final (Library) version of your thesis is deposited into the St Andrews Research 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.

As part of the submission process the author grants a [deposit licence](#). The deposit licence is non exclusive and doesn't compromise your reuse of your thesis.

There is an additional option to apply an end user licence to your work.

These end user licences allow you to publish your thesis while retaining your rights, and offer a range of protections and freedoms for authors, artists and educators which enable the legal sharing and reuse of cultural, educational and scientific works.

The Repository offers the choice to add a Creative Commons licence and we would recommend the Creative Commons Attribution-Non Commercial-No Derivative works 4.0 International Licence if you opt for this. This particular licence states that anyone using your work is free to share your work i.e. copy, distribute or share under the following conditions:

- The work must be attributed as specified by you
- The work may not be used for commercial purposes
- The work cannot be altered, transformed or built upon in any way.

If you choose not to add a Creative Commons licence your work is still protected by copyright.

The St Andrews Research Repository pages emphasize copyright by referring to the copyright ownership of the works stored in the repository, for example, “This item is protected by original copyright”. A cover sheet is added to all theses and contains an additional statement about your copyright ownership and protection. We would also encourage you to state your copyright ownership

in an obvious position within your work, for example, on the front or back of title page and you can make use of the © symbol to do this.

3. Observing the copyright of others

Background

It is important to remember that the use of third-party copyright material is protected by the UK Copyright, Designs and Patents Act 1988.

If you want to include third-party copyright material in your thesis 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 include 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 – contact them or check your publishing agreement with them to see what is allowed.

Your Thesis Submitted for Examination

The copy of a thesis submitted for examination is 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 copy of your thesis that you submit for examination, not Final (Library) version submitted to the library

The Final (Library) version of your Thesis

The rules for including third-party copyright material in published work are different to those for your thesis submitted for examination. The Final (Library) version of your thesis will be made available online and is therefore deemed to be published, and the 'illustration for instruction' exception will no longer apply.

You may still include third-party copyright material in your the Final (Library) version of your thesis without the permission of the copyright holder 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' (i.e., it does not impinge upon the copyright holder's ability to commercially exploit their work).

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, or
- 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.

4. Submission

Students are expected to submit their theses using the 'Thesis preparation and examination (PGR)' tool which can be found on their MySaint web space in the My Courses workspace. A comprehensive guidance document, [Guidance for submission of theses](#), is available within the workspace and gives information about each stage of the process.

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.

You can find out more about the thesis submission process [here](#).

5. How to seek permissions

If your thesis contains any third-party material that requires copyright clearance then you will need to take reasonable steps to contact the copyright holder to request permission to use this material.

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.

For the material you seek to use from books and journals then the best place to start is the publisher. Many publishers provide information on copyright policies on their websites. They will also usually give contact addresses and emails.

We have a [standard letter](#) (Word, 25 KB) which you can use to request permissions from copyright holders to use material in Final (Library) version. There is also a [permissions letter](#) (Word, 26 KB) to use when requesting permission to include journal articles already published by you.

If you are unsure whether you need to seek permissions then seek advice from supervisors and from experts in your schools who will have had experience in requesting copyright permissions. You can also contact the Copyright Officer at copyright@st-andrews.ac.uk and the Library E-Theses Team at digirep@st-andrews.ac.uk

6. Once you have received permissions

You should always acknowledge and reference the material you use. Quote the copyright holder and then give a standard statement, for example, “Reproduced with permission of the rights holder”.

It is recommended that you keep copies of letters and emails you receive from rights holders as evidence that permissions have been granted.

7. Procedures if you cannot get permissions

If you have setbacks in getting permissions to include material in the Final (Library) version, you are still entitled to use the material in the version submitted for examination, subject to the conditions of fair dealing outlined above. So you can still make use of all the material you need to present your thesis for examination.

Setbacks could be refusals from rights holders, requests for costs which you can't meet, or rights holders who do not acknowledge your requests. In this situation you will need to have differences in the version submitted for examination and Final (Library) version of your thesis, and you need to plan in advance so that you can provide the relevant files when you are required to submit. The Final (Library) version. For example:

- The version submitted for examination will have all the illustrations, but Final (Library) version might have to exclude some.
- The version submitted for examination will have all the published articles you have chosen to include, but Final (Library) version of your thesis may have to exclude these.

If you need to create an edited Final (Library) version of your thesis to remove uncleared material, then there are some alternative options available to you:

- use reduced quality illustrations in the Final (Library) version of your thesis on the basis that these have no commercial value and therefore using them is ‘fair’;
- insert blank spaces to replace any illustrations and figures that cannot be made publicly available, with the explanation “This [description of material] is unavailable due to copyright restrictions”. It is helpful to retain the numbering of the figure/illustration so this matches your contents listing;
- organize the uncleared material into an appendix file. This appendix will then not be made available as part of the Final (Library) version of your thesis.

An accompanying document describing the omissions in the Final (Library) version of your thesis would be very helpful for the Library E-Theses Team when they process your deposit.

Please note that this procedure is independent of the University policy on restrictions/embargoes which can be applied to theses. Even if you have successfully applied for a restriction on access to the Final (Library) version of your thesis you should still follow the above policy regarding producing both a complete and publicly available Final (Library) version of your thesis. The public version will still be required to be released when the thesis restriction period expires.

Please contact digirep@st-andrews.ac.uk to discuss these issues and we can help you decide how to organize any uncleared material. If at some future date previously uncleared material can be cleared, then if you alert us we can make changes to the publicly available Final (Library) version of your thesis. Details of any omission in the electronic version will be described in the metadata for your thesis on St Andrews Research Repository.

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.

8. Related Documents

[Copyright overview](#)

[Copyright for students](#)

[Copyright for teaching](#)

[Copyright for researchers](#)

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1.0			Sean Rippington, Copyright Officer, University Library	02/10/2020
1.1			Sean Rippington, Copyright Officer, University Library	09/06/2022