

## Education Bureau Circular Memorandum No. 95/2021

From: Secretary for Education

Ref: L/M (5) in EDB(EID/ITE)/IT/IP/4/2 (19)

Date: 30 June 2021

To: Heads of All Government and Aided Primary and Secondary Schools (including Caput Schools and Grant Schools) and Special Schools

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### **Providing Information on Usage Volume in the Survey on Photocopying and Scanning of Printed Copyright Materials for the 2020/21 School Year**

#### **Summary**

This circular memorandum invites schools to provide information on volume of photocopying and scanning of printed copyright materials used for instructional purposes for the 2020/21 school year by completing a survey form and returning it on or before 31 August 2021. In the Education Bureau Circular Memorandum No. 160/2020 “Survey on Photocopying and Scanning of Printed Copyright Materials for the 2020/21 School Year”, schools were advised to make early preparation for collecting relevant data for completing the above survey.

#### **Background**

2. Five Schools Councils (i.e. Subsidized Primary Schools Council, Hong Kong Subsidized Secondary Schools Council, Grant Schools Council, Caput Schools Council and Hong Kong Special Schools Council), on behalf of their respective member schools, and the Education Bureau (EDB), on behalf of Government schools, have entered into Licence Agreements with the Hong Kong Reprographic Rights Licensing Society (HKRRLS) for making copies of printed works for instructional purposes, on a license fee which is paid by the EDB to the HKRRLS on a yearly basis.

#### **Purpose**

3. The existing Licence Agreements which took effect from 1 September 2018 will expire on 31 August 2023. The EDB is collecting the necessary data on the volume of photocopying and scanning of printed copyright materials used for instructional purposes through the above survey to facilitate the review of the current Licence Agreements and preparation for future agreements. The support of schools for this survey is essential in formulating appropriate future arrangements to meet the needs of schools.

#### **Details**

4. Schools are invited to complete the survey form at the *Appendix* and return it to the Information Technology in Education Section of the EDB by fax **on or before 31 August 2021** (Fax no.: 2382 4403 / 2382 6551). Information about the current Licence Agreements (e.g. the allowed copying coverage and items excluded) can be found at

<https://www.edb.gov.hk/ited/copyright-la>. **Photocopying and scanning of materials not covered by the Licence Agreements with HKRRLS or non-copyright materials should not be counted.**

5. Copyright protection is a Government policy. In order to respect the rights of copyright material owners, teachers should try their best to avoid photocopying or scanning of printed copyright materials if there are other means or resources available to achieve the same teaching effectiveness. If teachers do have genuine needs to make certain copies of printed copyright materials to achieve the teaching objectives, they should keep the number of copies to the minimum. For details of the guidelines on the use of copyright works in the course of learning and teaching, please refer to the Education Bureau Circular Memorandum No. 137/2010 and the EDB webpage at: <https://www.edb.gov.hk/ited/copyright>.

### **Enquiries**

6. For enquiries related to this circular memorandum, please contact Mr KWAN Hoi-ching at 3698 3610 or Ms YEUNG Yuen-ting at 3698 3601 of the Information Technology in Education Section of the EDB.

P W YAN

for Secretary for Education

c.c. Heads of Sections - for information

To: Information Technology in Education Section of the Education Bureau  
(Fax no.: 2382 4403 / 2382 6551)

### Survey on Photocopying and Scanning of Printed Copyright Materials for the 2020/21 School Year

Please complete the survey form and return it to the Information Technology in Education Section of the Education Bureau by fax **on or before 31 August 2021**. Relevant notes and frequently asked questions are provided on the next two pages for reference. For enquiries, please contact Mr KWAN Hoi-ching of the Information Technology in Education Section of the Education Bureau at 3698 3610.

School Name: \_\_\_\_\_

School Number (12-digit): \_\_\_\_\_

(If 12-digit School Number is not available, please fill in 6-digit School Number instead.)

School Type:  Primary School  Secondary School  Special School

Finance Type:  Government  Aided  Caput

Total no. of students (2020/21 school year): \_\_\_\_\_

Types of materials Questions	<u>A. Printed textbook</u> [See Note 2]	<u>B. Other printed learning and teaching materials</u> (e.g. reader/literature, dictionary, periodical)
(i) Number of pages copied [See Note 4]		
(ii) Number of pages scanned - <i>displayed in lessons / school activities only and <b>NOT</b> <b>uploaded</b> to the school intranet</i>		
(iii) Number of pages scanned - <b>uploaded</b> to the school intranet [See Note 5]		
(iv) Total number of pages used by students in respect of scanned pages in Question (iii) above [See Note 6]		

Name of Contact Person: \_\_\_\_\_

Post in school: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

School Head's Signature: \_\_\_\_\_

School Head's Name: \_\_\_\_\_

Date: \_\_\_\_\_

School Chop:

**Notes:**

1. Copies made by using schools' photocopiers, scanners, printers, duplicators, mimeograph printers should be counted. Schools are reminded that copies used for different extents of blended mode of learning and teaching, e.g. real-time online teaching, materials for students' learning at home, etc. under the new normal should be counted as well.
2. Photocopying and scanning of workbooks, workcards, exercise books, worksheets, assignment sheets, tests, examination papers and teachers' resources including instructors' manuals, solutions manuals, test bank and teachers' guides **are not covered** by the Licence Agreements with HKRRLS. If schools intend to make copies of such licensed materials, they must apply in writing to the relevant copyright owners beforehand. **Copying of such materials, if any, should not be counted.**
3. Schools should be reminded that when making copies by using a master copy made in previous school year, the copies made and used in the current school year should be counted.
4. For the "Number of pages copied", if for example a teacher made 3 pages of photocopy from a textbook and used the copy to make 25 copies by using a duplicator for distribution to 25 students for instructional purpose, the number of pages copied should be  $3 \times 25 = 75$  pages.
5. Scanned copies shall be deleted at the end of the academic year in which the scanned copies were made. If a school failed to delete the scanned copies made in the previous school year and reused them in the current school year, such scanned copies should be counted again in the current school year.
6. The following is an illustration on calculating the total number of scanned pages uploaded on the school intranet for students' use.
  - (a) Assuming in the 2020/21 school year, there are 20 S6 students in a secondary school taking Geography. Teachers scanned 6 pages of copyright materials and uploaded them onto school's intranet for download and use by these students. The volume of these scanned pages is  $20 \times 6 = 120$  pages.
  - (b) Assuming in the 2020/21 school year, there are four P1 classes in a primary school and each class has 30 students. Teachers have scanned 10 pages of copyright materials and uploaded them onto school's intranet for download and use by all P1 students. The volume of these scanned pages is  $4 \times 30 \times 10 = 1\ 200$  pages. If only one P1 class is instructed to download and use the scanned copyright materials uploaded onto the school's intranet, the volume of the scanned pages is  $1 \times 30 \times 10 = 300$  pages, instead of 1 200 pages.
7. The date of using the copies means the date in which a teacher uses/displays the copies in a lesson/school activity. For example, if a teacher made a copy of printed copyright material in August 2020 to be used for a lesson in January 2021, the expected date of using the copies is January 2021.

**Frequently Asked Questions:**

**Q1: If schools have already paid the licence fee to Hong Kong Examination and Assessment Authority (HKEAA), should photocopying and scanning of the past HKCEE/HKALE question papers and/or HKDSE question papers, sample papers and practice papers for instructional purposes be counted in the survey?**

A1: The above published works are not covered by the Licence Agreements with HKRRLS; therefore, photocopying and scanning of such materials should not be counted in the survey.

**Q2: Should photocopying and scanning of local newspapers and magazines for instructional purposes be counted in the survey?**

A2: Photocopying and scanning of local newspapers and magazines should not be counted in the survey. Please refer to EDB Circular Memorandum No. 165/2020 for details about photocopying of local newspapers and magazines.

**Q3: If teachers download newspapers, articles, pictures, etc. from the Internet and make copies to distribute among students for instructional purposes, should photocopying of such materials be counted in the survey?**

A3: Downloading and making copies of the above works from the Internet should not be counted in the survey. However, teachers should also be aware of whether the relevant copyright provisions allow schools to download and make copies of the relevant works for instructional purposes.

**Q4: If teachers extract content from the publisher's CD/DVD, make copies and distribute them among students for instructional purposes, should photocopying of such materials be counted in the survey?**

A4: Extracting and making copies of the above works from the publisher's CD/ DVD should not be counted in the survey. However, teachers should also be aware of whether the relevant copyright provisions allow schools to make copies of the relevant works for instructional purposes.

**Q5: If teachers scan the content of the printed copyright materials such as story books and show to the students in class/school activity, should scanning of such materials be counted in the survey?**

A5: If the printed copyright materials such as story books are scanned and shown in class/school activity, the number of pages scanned of such materials should be counted in Question (ii) of the survey. However, it is not necessary to multiply the number of pages scanned by the number of pupils participated in the activity.

**Q6: Can schools submit survey data based on the figures from the counter of photocopier?**

A6: Schools should ensure that the counter figures only include the usage of printed copyright materials within the scope of the Licence Agreements. School could consider setting up a specific account in the photocopier for photocopying/scanning of printed copyright materials. School could submit survey data based on the counter figures of the specific account. Please note that usage of photocopying school circular and document should not be counted in the survey.