

The University of Alberta Press Copyright and Permissions Policy

The UAP contract states that authors are required to obtain all necessary permissions for the use of materials other than their own. Canadian Copyright Law is still evolving and although Section 29 of the Act does allow for limited use of copyrighted material for, among other things, private study, criticism, and review, there is no clear guidance for determining what is permissible use and what is not. There is also no specific reference to “fair dealing” as is the case in the US. We therefore advise our authors to err on the side of caution when dealing with permissions.

In Canada, most published works enter the public domain 50 years after the death of the author. (In the US, it is 70 years after the death of the author.)

The UAP will not proceed to production unless authors can show that they have a complete record of permissions on file. In order to avoid delays, you should start your enquiries early.

The guidelines below will help you determine whether you need permission, or not. If you have any questions about permissions, please contact the acquisitions editor or the director for advice.

Prose and poetry, including works in translation

For prose excerpts, whether published or unpublished, you will require permission if

- You include a block quote of more than 150 words
- You quote more than 500 words from a single source. This is a cumulative total, regardless of the length of the quote.

These guidelines apply to all forms of prose, including e-mails, letters and transcripts of public talks, lectures, broadcasts, etc.

For poetry, you may not quote more than 5% of a poem.

Song lyrics and other commercial materials have particularly stringent copyright requirements, so if you plan on using any lyrics, please consult with the copyright holder and with your editor.

Interviews and work involving human subjects

If your work relies on interviews with people, you need to obtain their written consent to use their words. You also need to ensure that you have met the necessary ethics requirements set by your discipline and/or your institution.

Government documents

Federal government documents such as laws, statutes, acts of Parliament, court/tribunal decisions, etc. are not copyright protected and can be used freely without seeking permission. For any other type of Crown document, you must obtain permission from the relevant department or ministry.

The regulations regarding the use of provincial government documents differ widely from province to province, so it is best to assume that all materials are copyright protected and proceed as though you will require permission.

Your own work

Under certain circumstances, you may require permission to use your own previously published work. Enquire with the original publisher and consult your publication agreement to see what rights you have retained, and which were transferred to the publisher.

Illustrative material

You need permission to reproduce photographs. This is a particularly fraught area, so please consult with your editor as early as possible. However, in general:

- The owner of the negative is the copyright holder. This may or may not be the photographer.
- If a photograph is in the public domain, or if copyright has lapsed, you may still need to obtain a license from the archive in which the image is housed.
- If you have taken photographs of people to include in your book, you need their written consent to reproduce the images in your book.

If you have created a graph or a table, you only need to acknowledge the source of the data. If you reproduce a graph or data based on someone else's work, you will need permission.

If you are unable to determine or contact a copyright holder, inform your editor immediately. Make an honest attempt to obtain permission. Document all your efforts carefully and send all correspondence by registered mail. You will need to show proper documentation if your request has to go to the Copyright Board for clearance.