

The awareness of copyright laws at the University of Venda library: Student's perspectives.

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Abstract

This article is based on a Master's study, which investigated the awareness of copyright laws of law students at the University of Venda (UNIVEN) library. The study adopted a quantitative research approach with a few open-ended questions and used the inferential type of quantitative research method. A stratified random sampling method (also called proportional or quota sampling) was used to determine the number of students in the study, which provided a final sample size of 132 final-year and postgraduate law students. This study used questionnaires to collect data from law students. Results of the study show that law students are reasonably familiar with basic copyright matters such as policies, copyright protection, public domain, copyright limitation, and fair use. However, it can be concluded that further training is warranted to improve the copyright knowledge of law students.

Keywords: Copyright, copyright awareness, academic libraries, University of Venda, law students.

1. Introduction and background

Academic libraries are vital in facilitating campus research, teaching, and learning. They ensure that library users access systems of knowledge and information relevant to their studies and research to achieve academic excellence (Darkey and Akussah 2008). Most library collections, from print to

electronic resources, are copyrighted works, meaning that a good proportion of the everyday activity of these libraries encounters copyright law. If one copies, photocopies, scans, or digitises a work, the right of reproduction must be considered, as it does when something is downloaded from the Internet (Fernández-Molina, Moraes and Guimarães 2017). Since library users depend on library resources for their studies, they need to know the copyright rules they must follow. Fernández-Molina, Moraes and Guimarães (2017) argue that there are certain areas where library users (students) need not worry about infringing copyright laws when using library materials. These are when the work is not copyrighted or when permission has been obtained from the copyright holder or when the use of the work is included in one of the exceptions and limitations.

Libraries purchase printed materials as part of their collection. However, electronic information (such as databases, electronic journals, and ebooks) is not purchased. Instead, payment is made in exchange for their usage in agreement with the terms and conditions established in a license. (Fernández-Molina, Moraes and Guimarães 2017). Every license is different, and an ordinary person on the street does not readily understand their contents, and the contents of the license may not be easy to access. To be aware of these situations, library users must be familiar with copyright rules. Library users, particularly students, need to know what they can or cannot do with each piece of work they consult (Fernandez-Molina and Muriel-Torrado 2017). Thus, it becomes imperative for library users to be familiar with the South African Copyright Act and Copyright Amendment Bill (CAB) to obey copyright rules. The article will review some of the relevant literature, an overview of South African copyright legislation and also will touch on the basics of copyright law.

1.1. Area of study

The UNIVEN in Thohoyandou in the scenic Vhembe district of Limpopo province was established in 1982. The university produces graduates that are locally relevant and globally competitive. It is a university leading in engaged scholarship. There are four faculties on the main campus, including the Faculty of Science, Engineering and Agriculture, Faculty of Humanities, Social Sciences and Education, Faculty of Management, Commerce and Law and the

Faculty of Health Sciences. Like other historically disadvantaged universities in the country, UNIVEN was established to serve the black population, in its case, particularly Tshivenda speakers (Edwards 2015). Due to its location and historical background, UNIVEN is categorised as a rural university offering theory- and practice-oriented courses (Nkomo and Sehoole 2007).

Rural universities in the South African context can be described as universities established by the apartheid government to serve ethnic groups such as Sotho, Tswana, Venda, Xhosa, and Zulu (Edwards 2015). Under the new political dispensation in 1997, UNIVEN was mandated to be a comprehensive university that offers career, academic and vocationally focused programmes that address rural development and poverty alleviation (Nkomo and Sehoole 2007). The mission of UNIVEN library is to provide a comprehensive information service to its students, staff and the local communities. The university library seeks to accomplish this mission by providing advanced Information and Communication Technologies (ICT), well-trained staff and a comprehensive stock of information resources (Tlakula and Fombad 2017).

2. Problem statement

As is evident in the literature review below, there was limited research on students' awareness of copyright law in the country and the current research addresses this gap. Only a few studies conducted as discussed under literature review below, discovered that copyright knowledge of library users (students) is very poor. The reason could be a misconception that most information professionals have felt that legal or copyright issues are something foreign to them (only for lawyers) (Fernandez-Molina and Muriel-Torrado 2017). From the researcher's observations (as a former Librarian at the UNIVEN library), and as discovered by Olaka and Adkins' 2010 study, copyright infringement in the library's photocopying areas seems to persist despite the copyright notices attached to some sections. Also, most users are unaware of copyright protection regarding digital information. With the advent of technology, library users can access electronic information by clicking a computer mouse. Thus it becomes easy to infringe copyright in the digital environment (Morrison and

Secker 2015). Chou, Chan, and Wu (2007) discovered that students were not fully aware that most online information is copyrighted, and copyright infringement is a widespread problem among students. The students had some incorrect ideas about copyright and usage; they misunderstood the idea of fair use and did not know the proper ways of using information from websites. The research aimed to investigate the awareness of copyright laws of law students at UNIVEN.

3. Research objectives and questions

Therefore, considering the importance of copyright, the main objective of this study was to investigate the awareness of copyright laws of final year and postgraduate law students at the UNIVEN library. The article seeks to provide answers to the following two research questions:

1. What is the level of copyright awareness of law students?
2. Who is responsible for monitoring copyright violations in academic libraries?

3.1. Theoretical framework

This research study was anchored in the Social Responsibility theory to address research question two, which requires investigating an entity responsible for monitoring copyright violations in academic libraries. Vijesh and Mohanan (2018: 82) argue that Social responsibility: -

is an ethical framework that suggests that an entity, be it an organisation or individual, must act to benefit society at large. Social responsibility is a duty every individual has to perform so as to maintain a balance between the economy and the ecosystems. Social Responsibility provides a way for the information profession to concern itself with the social dimensions of service and be aware of the social impact of that service.

Racelis (2018) argues that social responsibility and inclusivity are becoming critical in public discourse and the economic realm, and libraries are no exception. Every organisation or institution, libraries included, must also focus on its obligation to contribute to the well-being of communities and society (Racelis 2018). Hines (2015: 2) argues that

librarianship has begun a transformation from a profession concerned primarily with providing access to, storage of and protection of information resources to a profession with an ultimate goal of promoting libraries as community centers connecting people with needed information.

In India, libraries were identified as institutions that play a critical role in the development and education of societies. Libraries educate communities by providing information and knowledge (Racelis 2018). Racelis (2018: 3) further argues that

Social responsibility can be looked at on a 4-stage continuum: responsibility for the library collection; responsibility for employees; responsibility to library users; and finally, responsibility yonder, by asserting that information professionals be responsible to users and non-users alike, that is, to society in general.

Libraries can organise workshops or training on modern issues affecting society in South Africa such as gender-based violence (GBV), child protection, human rights, lesbian, gay, bisexual, transgender, intersex, queer/questioning, asexual (LGBTIQA), healthy living, xenophobia, water and sanitation, women and youth development, entrepreneurship, intellectual property, literacy programmes and others (Vijesh and Mahonan 2018). These programmes should also include educating users about copyright within their information literacy programmes. Library staff will educate library users about copyright issues. At the same time, users are expected to take this mantle and educate each other about the importance of obeying library copyright laws.

Libraries also have the social responsibility of protecting the rights of the authors of the resources contained in the library. This can be done by library staff educating each other and their library users about copyright provisions on campus (in the case of an academic library) and in communities (in the case of a public library). Library staff must empower users by educating them on how to use library resources and how to respect copyright laws governing those resources in both hardcopy and electronic format. Library staff thus have an ethical concern (or responsibility) in terms of copyright that leads them to a particular social responsibility. Uzuegbunam (2013: 5) further states that the basic tenets guiding

the Social Responsibility theory, and which further drives home the ethical dimension of the social responsibility principle includes

accepting and carrying out certain societal duties; setting high professional standards of truth, accuracy, objectivity, balance and informativeness; regulating itself in accordance with the law; having media pluralism – multiplicity of voices – to represent divergent viewpoints; accountability to society, their medium and others; and that people have the right to expect them to perform creditably.

Teaching and educating library users about copyright provisions and monitoring them is part of this social responsibility. Since academic libraries are custodians of knowledge produced by various authors, they must guarantee that an author's work is protected by ensuring that users do not plagiarise or infringe copyright (Mzayiya 2016). By educating users on copyright and by monitoring their usage of library resources in terms of copyright, library users must obey copyright laws and educate each other about the dangers of copyright infringements. It is their social responsibility to do so.

4. Literature review

The literature review examines four critical themes pertaining to copyright law in South Africa: an overview of copyright law, South African Copyright Act, Copyright Amendment Bill and some relevant global students copyright awareness studies.

4.1. Overview of copyright law

UNESCO (2010:10) defined copyright as:

a branch of law that grants authors (writers, musicians, artists and other creators) protection over their works. Such protection consists in providing authors with ownership or property rights (or exploitation rights), which consider their material interests. Under copyright, authors are entitled to protection against unauthorised use of their works and a possible share in any earnings from its use by the public.

The public must use a work produced by the author, and the author must be rewarded for their labour. The users must use the work responsibly, and permission must be sought where necessary. Copyright protects the owner of the exclusive property rights against those who copy or otherwise take and use

the particular form in which the original work was expressed (WIPO, 2016). The legal protection of literary and artistic works under copyright prevents only unauthorised use of the expressions of ideas (WIPO 2016). The purpose of copyright law is to balance the rights of creators to earn a living from their works against the need for public access to their work (Polak 2009; Nicholson 2012; Fernández-Molina, Moraes and Guimarães 2017). Two main copyright exemptions are useful for copyright: fair use and library exemptions. Both allow institutions and users to perform otherwise infringing acts without the copyright owner's permission (Hirtle, Hudson and Kenyon 2009). Fair use refers to the reproduction of a reasonable portion of copyright material so that it does not infringe on the copyright of that material. In other words, the fair use privilege states that the material can legally be reproduced in limitation without the copyright owner's permission, especially for educational purposes and for the public good (Darkey and Akussah 2008; Polak 2009).

There is no consensus on the quantity of material that will qualify as fair dealing (Masango 2005). The South African copyright law does not specify how much one may copy within the bounds of fair dealing, but it must be for one's use. So, according to DALRO (2021) multiple copies are considered fair dealing. Section 13 of the Regulations in the Act permits limited exceptions for teaching in a classroom situation and for libraries and archive depots. The rule of territoriality states that Copyright law protects works in the country where the work was produced (Fernández-Molina, Moraes and Guimarães 2017).

It means that the work produced in South Africa is not protected in a foreign country, and foreign works do not have protection in South Africa. However, this rule of territoriality drastically changed from the mid-nineteenth century onwards when countries started to conclude bilateral treaties for reciprocal protection of author's rights (UNESCO 2010). Creations of the mind can be enjoyed anywhere at any time and are not confined to a country's boundaries (UNESCO 2010). These treaties, such as Berne Convention, Universal

Copyright Convention (UCC), World Intellectual Property Organisation (WIPO), offer more universal protection for all copyright works.

Polak (2009: 17) argues that copyright infringements occurs

when the work is copied; when copies of the work are issued to the public; when the work is performed, shown or played in public; when the work is broadcast and when an adaptation is made of the work.

Technology has brought interesting debates about copyright law; most library collection is electronic (library databases, eBooks, journal articles). There is always a confusion or misconception that the information available on the Internet is free for everyone. However, copyright still exists in the digital platform as it does in the hardcopy domain (Hannabuss 1998, Masango 2007). There are also debates about how long copyright lasts, whether the work is copyrighted or not, what formalities are required to obtain copyright, and how one determines who owns copyright. Continuous training for library staff and users (students) will play an essential role to educate community members about copyright and answer some of these questions (Charbonneau and Priehs 2014).

4.2. South African Copyright Act 98 of 1978

The South African Copyright Act 98 of 1978 governs all aspects of copyright in South Africa. It lays out the rules for what is protected, what it is protected from and how long it is protected for (DALRO 2021). Section 1 (1)(a) of the South African Copyright Act defines the author of a literary, musical or artistic work as the person who first makes or creates the work (Malan 2000). Section 2(1) of the Act lists works protected by copyright law such as literary works, musical works, sound recordings and others. Section 13 of the Regulations in the Act permits limited exceptions for teaching in a classroom situation and for libraries and archive depots. South African Copyright Act protects literary or musical works during the author's lifetime plus 50 years after their death (McCahe 2005).

Riby-Smith (2017) argues that the Act discriminates against disabled persons as it restricts access to specific works by rendering it illegal to create braille, text-to-speech or local language versions without obtaining the rights holder's consent. This results in visually and hearing-impaired South Africans and those not fluent in English having reduced access to a great deal of copyright work. The Act does not address digitisation, preservation and curation in the digital environment to enable libraries and archives to carry out their mandates in terms of other Acts of Parliament (Crowster, 2021). Libraries are currently unable to digitise any of their works without first having to get copyright permission, and to pay high copyright fees (Nicholson 2012).

Fair dealing is not defined, and it has left it in the user's hands or courts to justify copying, and this uncertainty restricts access to information (Riby-Smith, 2017). The Copyright Act also fails to address the implications of creating digital copies of copyrighted works in hardcopy to be used, for example, in distance learning. Nor does it explicitly address the use of technological protection measures (TPM). The South African copyright law became outdated because it received little attention from legislators (Riby-Smith 2017). The imbalances in the prevailing Copyright law in South Africa led to the development of the CAB, which considers the digital environment and is discussed below.

4.3. Copyright Amendment Bill (CAB) 2018

The South African Department of Trade and Industry (DTI) proposed amendments to the South African Copyright Act 98 of 1978. The purpose of these amendments was to modernise an increasingly outdated piece of legislation (Riby-Smith 2017). The CAB was established to overcome the challenges of the Copyright Act which innocently ignored most of the population to benefit a few (Fubbs, 2019). The Bill established several 'fair use exemptions to the standard copyright protection regime under which the use of copyright material without the rights holder's consent will not constitute copyright infringement (Riby-Smith 2017).

Section 12 A of CAB addresses fair use; Sections 12 B and C address exceptions relevant to scholarly communication publishing, teaching and learning, research and innovation and creativity. Section 12 C of CAB permits transient copies and adaptations inherent in digital processes (Nicholson 2021). Section 12 D of CAB addresses useful exceptions for education and research, which are long overdue. Nicholson (2021) argues that the circumstances in which educational institutions are permitted to make copies of whole or significant parts of copyright works are limited to specific, legitimate purposes and not for commercial purposes, which is fair and reasonable. With acknowledgement, the incorporation of the third-party works in assignments, thesis and dissertations under fair dealing will now extend to digital space.

One benefit of the Copyright Amendment Bill for South Africa is that the CAB is progressive and forward-looking and empowers libraries and archives to carry out their statutory mandates in the digital platform effectively. The CAB aligns South African copyright law with other progressive copyright regimes and international treaties. It introduces limitations and exceptions for libraries and archives, which many developed countries have enjoyed for years. The CAB also redressed omissions, restrictions and imbalances in the current copyright law and the CAB updates and 'future proofs' of South African copyright law for the 21 century and the Fourth Industrial Revolution (Crowster 2021). President Cyril Ramaphosa has referred the Copyright Amendment Bill to the National Assembly based on his reservations about the constitutionality of the legislation passed by Parliament.

4.4. Copyright awareness studies of students

There was limited research on students' awareness of copyright laws around the world. Chou, Chan, and Wu (2007) conducted a study in Taiwan which explored students' understanding of cyber copyright laws. The study discovered that students were not fully aware that most online information is copyrighted, and copyright infringement was a widespread problem among students. The students had some incorrect ideas about copyright and usage; they misunderstood the idea of fair use and did not know the proper ways of using information from websites.

These students copied information directly from the websites and pretended that it is their own work; the students carelessly downloaded copyrighted music or movies for their entertainment; some copied softwares from the Internet. Some of these students shared and forwarded online text, pictures, videos or animations to their friends and relatives. These students were unaware that most online information is copyrighted and infringement of copyright, whether consciously or not, was an offense (Chou, Chan, andWu 2007).

Sims (2011) conducted a study at the University of Minnesota Libraries' Copyright Program which surveyed librarians and student researchers to document their knowledge of critical areas of copyright law that intersect with common academic practices. All respondents were found to have considerable weaknesses and gaps in knowledge around many vital issues. Misinformation and misconceptions about copyright were visible among the student participants. The findings concluded that all campus populations need further education about the complicated issue of fair use (Sims 2011). In the United Kingdom (UK), the National Union of Students (NUS) in 2013 explored students' attitudes toward copyright. Over 2 000 students in institutions of higher learning were surveyed, and it was found that their understanding of copyright issues was limited (Morrison and Secker 2015).

Fernandez-Molina and Muriel-Torrado (2017) studied copyright literacy in the academic field: analysis of the differences between faculty, students and librarians at the University of Extremadura in Spain which surveyed 400 undergraduate students. The respondents were from different disciplines such as Natural Sciences, Engineering, Biomedicine and Social Sciences. The students' copyright knowledge was tested on four issues: copyright limitations and exceptions, duration of copyright, public domains, and formal requirements to acquire copyright. The study discovered that copyright knowledge of students was far below the minimal requirements (Fernandez-Molina and Muriel-Torrado 2017).

In the African continent, Kawooya (2007) study in Uganda found that copyright awareness was limited to general principles. Researchers and students were disregarding copyright rules when photocopying materials in the library. The possibility that the library or even student photocopying was within fair use for educational purposes was rarely cited as sufficient grounds to photocopy (Kawooya 2007). Masango's empirical survey in 2007 in South Africa appears to be the only study in the country on the awareness of copyright laws. The study population consisted of library staff and users (students), and discovered that there were some incorrect perceptions on the part of participants about the copyright of digital information.

When the respondents were questioned about copyright and licensing agreements, it was shown that most of them had a high level of ignorance about copyright law. The participants wrongly believed that different laws govern print and digital information. They believed that copyright law deals with print information while licensing agreements deal with digital information (Masango 2007). Masango (2007: 90) concluded that

Where librarians and users are educated and are abreast of what copyright protects, it may help to curb misconceptions and lead to improved access to digital content that will help in promoting scholarship.

5. Methodology

This study was anchored in the positivist research paradigm. The knowledge that is established through a positivist worldview is "based on careful observation and measurement of the objective reality that exists in the world" (Du Plooy, Davis and Bezuidenhout 2014). A survey design was used for this study which typically uses questionnaires to gather data from a selected group of people (Cresswell 2018). Babbie (2004) considers survey research as the most frequently used method in the social sciences and the best method for collecting data that describes an issue. The study adopted a quantitative research approach with a few open-ended questions (which are associated with a qualitative approach) and used the inferential type of quantitative research method. A stratified random sampling

method (also called proportional or quota sampling) was used to determine the number of students in the study, which provided a final sample size of 132 final-year and postgraduate law students (which is made up of 113 4th year students, eight Honours students, seven Masters students and four PhD students).

The sample size for the final year and postgraduate law student population was established by referring to the table for determining sample size created by Krejcie and Morgan (1970). The study did not involve academics, administrative staff, or students from other disciplines because the researcher believed that doing so would result in the scope of the study being too broad. Due to Covid 19 protocols at UNIVEN, online questionnaires using Google forms were used to collect data from the respondents. WhatsApp was used to circulate a link to Google forms to the students. WhatsApp is one of the world's most widely used social messaging platforms, with over one billion people now using the service (Coleman and O'Connor 2019). The researcher worked with two class representatives/leaders for the final year and postgraduate law students. The representatives facilitated the link to Google Forms being sent to the WhatsApp groups of students. Reminders to the students were also sent via the WhatsApp groups.

Respondents were given three weeks (from 13-31 December 2021) to complete the questionnaires. The researcher used a UNIVEN experienced researcher in the IP field to evaluate the questions in the instruments to find out how representative the questions in the instruments are and how comprehensively they cover the concept being researched. This process ensured the questions were valid and helped the researcher readjust the questions accordingly. The researcher pre-tested the instruments with law students from the University of KwaZulu-Natal to increase their validity and reliability. Of the 132 final year and postgraduate law students comprising the sample, 112 participated in the study by completing the questionnaire, thus providing a good response rate of 84.8%.

6. Research findings and discussions

The research findings provide summaries of basic occurrences of responses as well as the respondents' demographic profiles, including age, gender and educational level (Nsibirwa 2012). The data results are presented in quantitative form using descriptive statistics in the form of both text and tables and in qualitative form through descriptive text and quotes (Polak 2009). All the percentages presented were rounded off to one decimal point. The analysis is divided into four parts: background information of the student respondents, the level of copyright awareness of law students, the monitoring of copyright violations in academic libraries and the problems encountered with regard to enforcement of copyright laws.

6.1 Background information of student respondents.

The data in Table one shows that of the 111 responses, 65 (58%) of the law student respondents were female while 45 (40.2%) were male. Two (1.8%) of the respondents did not answer the question. This means that there are more females than male students at UNIVEN. All student respondents were under the age of 50 years, with the majority between the ages of 20-30 years (81; 72.3%), followed by the age group of 31-40 with 23 (20,5%) respondents. Most of the student respondents (48; 43%) were in their fourth year, followed by Honours students (33; 29%). There were 21 (19%) Master's students and four (4%) who were registered for PhD study.

Table one: demographic information.

Variables	Respondents	Frequency
UNIVEN students (N=112)		
Gender	Male	45 (40.2%)
	Female	65 (58%)
	Non-response	2 (1.8%)
Age group	20-30	81 (72.3%)
	31-40	23 (20.5%)
	41-50	4 (3.6%)
	Under 20	4 (3.6%)
Level of study	Fourth year	48 (43%)
	Honours	33 (29%)
	Masters	21 (19%)
	PhD	4 (4%)
	Non-response	6 (5%)

6.2 The level of awareness of South African Copyright Act and the CAB.

The researcher wanted to know if students were aware of the South African Copyright Act and the Copyright Amendment Bill and Figure one below displays the findings. a clear majority (85; 76%) of the law students indicated that they were familiar with the Act. One of the possible reasons for the high percentage is that the law students are being sensitised about copyright issues by their lecturers (Chou, Chan, and Wu 2007). Also, library staff cover the Copyright Act during library orientation, database training, and information literacy courses (such as Introduction to the Theory of Law, Foundation Information

Technology, Nutrition Orientation, and Entrepreneurship). Students attend library orientation in their first year of study, where they are given guidelines of some *do's and don'ts* regarding copyright.

Students may also have attended the IP workshops and seminars arranged by the Directorate of Research on campus. In addition, an elective module on IP is offered in the final year of LLB studies. It could be argued that the module needs to be made compulsory and extended to students in other degree programmes to benefit all students. Chou, Chan and Wu's (2007) study assessing college and high school students' general understanding of cyber copyright laws found that most answered their questions correctly.

When asked if they were familiar with the CAB, a small majority (64; 57%) of the UNIVEN law students said they were familiar with the Bill. While a fairly substantial minority (47; 42%) either said they were unfamiliar or did not know, as depicted in Figure two below. It is particularly encouraging that a majority (albeit small) of law students are aware of the Bill, which is still being approved before being enacted into law. Students have probably been watching and listening to news reports concerning the passage of the Bill. There are legal databases, such as Juta and LexisNexis, which make available Bills to their customers. Importantly, the South African government website is a powerful platform that makes information on various topics (including Acts and Bills) freely available to the country's citizens. While the law students were familiar with the Act, it is disappointing that a substantial minority were unfamiliar with the Bill.

The UNIVEN law students who were unfamiliar with the Bill need to be encouraged to familiarise themselves with it, primarily because law students and future lawyers are expected to know about it (and to follow it). Chou, Chan and Wu (2007) argued that students in their studies need instruction to help them construct new, correct conceptions of cyber copyright laws. The IP

lecturers and library staff at the UNIVEN need to engage with the students on both the Copyright Act and the CAB during library orientation, database training and information literacy courses. The information literacy courses, in particular, need to have a strong copyright focus. Mzaiya (2016) argues that these information literacy classes must be strengthened to offer adequate copyright knowledge to library users. This can be achieved by making the programmes compulsory, credit-bearing, recording students' attendance, and giving students assessments after the library sessions.

Copyright is a crucial area of the law and the researcher believes that all senior law students should be familiar with this and other laws of the country to advise community members as part of their social responsibility programmes. More copyright literacy programmes must be designed for university students (Fernandez-Molina and Muriel-Torrado 2017).

Awareness of South African copyright legislation

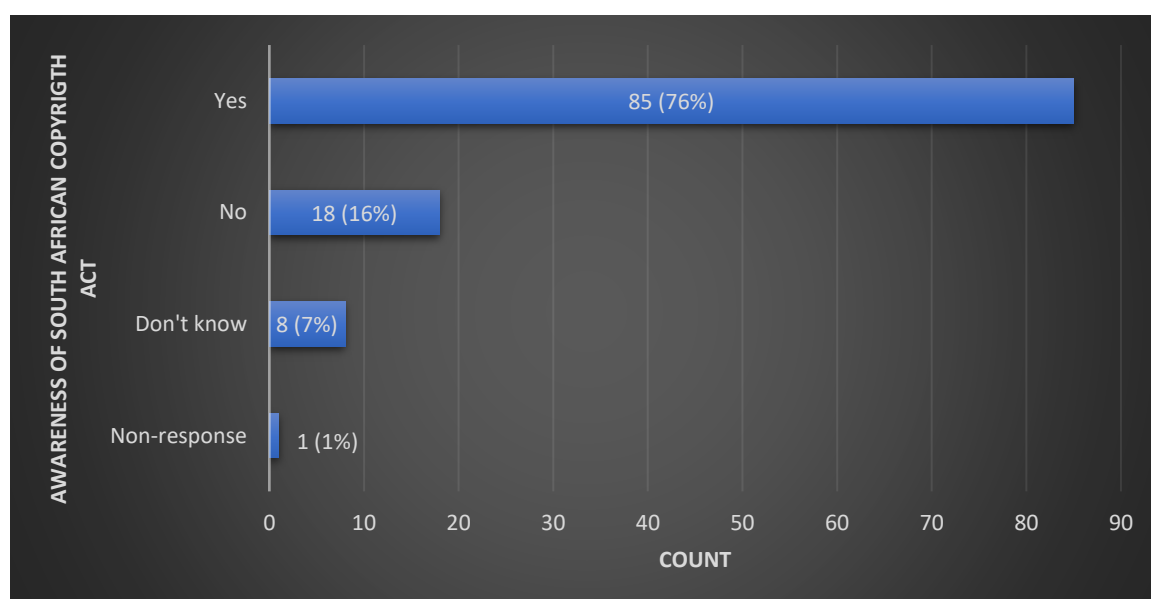


Figure One: Law students' familiarity with South African Copyright Act

N=112

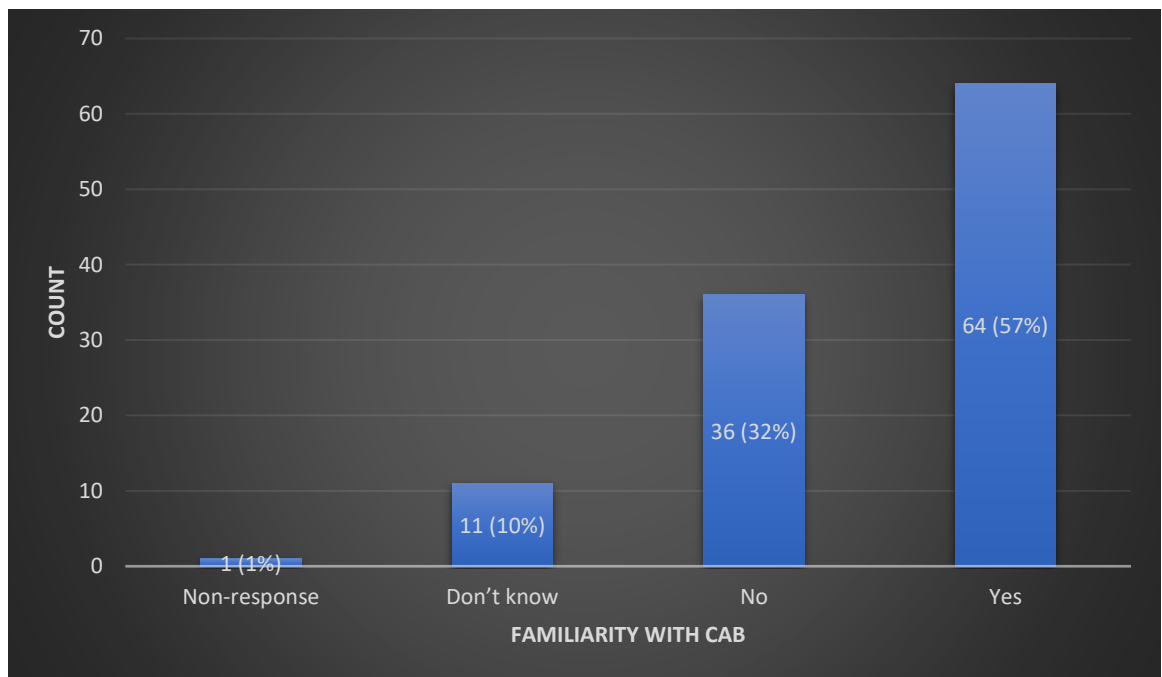


Figure Two: Law students' familiarity with the CAB

N=112

6.2.1 Awareness of general copyright issues

Table Two deals with awareness of general copyright issues such as protection of copyright law in South Africa, duration of copyright law and public domain, limitations of copyright law, fair use, familiarity with copyright licenses, copyright violation in the library and an organisation responsible for granting permission for one to use a copyrighted work.

Table Two: Awareness of general copyright issues**N=112**

Variables	Awareness
Protection of copyright law in South Africa	✓
Public domain	✓
Limitations and exceptions of copyright law	✓
Fair use	✓
Photocopy and fair use	✓
Copyright articles and eBooks	✓
Familiarity with copyright licensing on online materials (journals and eBooks)	✓
Copyright violations in the library	✓
Copyright monitoring in academic libraries	✓
Duration of copyright	X
Legislation covering copyright issues in the digital environment.	X
Availability of copyright policy	X
Copyright training / workshops for library staff	X
Copyright ownership	X

(Source: Field data)

The law students were asked if they knew of any legislation in the country that addresses copyright issues in the digital environment. As shown in Table Two above, most students (72; 64.3%) were unsure whether South Africa had implemented such legislation. When the 19 (17%) students who incorrectly said that legislation had been implemented, were asked to name the legislation, 10 (8.9%) said it was the Copyright Act while four (3.6%) said it was the CAB – both incorrect answers (as the Bill has yet to be passed into law). The researchers expected more students to be familiar with

the Bill and know that it would become the law that addresses copyright and digital materials when passed. These findings are of concern and the researcher concludes that students' level of copyright knowledge in this area is limited. When asked if their library or university has a copyright policy a majority (72; 64.3%) of the law students replied in the affirmative. The researchers believes that the students were uncertain of the answer and, rather than saying they were unsure, incorrectly guessed (the library does not have a copyright policy). Interestingly, only three respondents correctly said that the library or university does not have such a policy in place.

The researchers wanted to determine if the law students knew what is protected under copyright law. It was clear from the findings that the vast majority (93; 83%) of law students knew that copyright law protects ideas that have been expressed and recorded. As noted, copyright works must be fixed in a tangible form to be protected (UNESCO 2010; DALRO 2021). It was disappointing that just under half (50; 45%) of the UNIVEN law students correctly answered that the duration of copyright in South Africa is the author's lifetime plus 50 years after the author's death and majority of them were not sure. Slightly better results were seen when over half of the law students (60; 54%) correctly indicated that public domain means the work can be used freely without copyright restrictions.

The researchers wished to determine whether the law students were aware of the limitations included in the South African Copyright Act. Judging from the results, it can be concluded that UNIVEN law students understood the different copyright limitations available in section 12 of the Act such as private copying, criticising someone's work, teaching, research, and libraries. The study showed that law students knew the copyright limitations and exceptions applicable to libraries. The majority of law students (68; 60.7%) knew what fair dealing exemptions allow the public to make limited use of copyright material without the copyright owner's consent. Similarly, most of law students understood that fair use / dealing enables one to photocopy a book a chapter at a time.

The law students were asked if the library or university offered copyright training/ workshops to students. The highest number (51; 45.5%) of students were unsure while 25 (22.3%) indicated that they did not know. This finding is surprising because library

orientation runs for almost the entire semester and is compulsory for all first-entering students. Students, actually, are not allowed to enter the library if they have not attended library orientation which, as noted, covers copyright issues as does the database training and information literacy courses done continuously by librarians throughout the year. Directorate of Research and Innovation also arranges some Intellectual Property (IP) workshops for staff and students, which also covers copyright.

Majority of students (90; 80%) were aware that copyright protects journal articles and 79 (70%) that it protects eBooks. The above findings contrast with Chou et al's (2007) study that students in Taiwanese colleges were unaware that information from the Internet is copyrighted. Similar findings were discovered by Magara (2016) in Uganda, which found that students were engaged in Internet downloading on a large scale with no procedure followed, and their attitude was that downloading is free for everyone. Even though there is no copyright policy on campus, it was interesting that majority of students (85;76%) believed they would get into trouble for copyright violation. The researcher believes that the reasons for the finding could be that students have been attending copyright sessions and that there are copyright notices in the library and on campus. Most participants in Mzayiya's (2016) study at the University of Fort Hare, were aware of the consequences of copyright infringement.

The law student respondents were asked about copyright ownership for both print and online materials and a small majority (65; 58%) of law students indicated that copyright belongs to the author. Other options listed as possible answers were the publisher, the university, and the library and all were indicated by 31% or less of the students as copyright owners. The researcher is under the impression that the students were guessing. The library or university should play a role in clarifying these issues to library users during their sessions. Section 21 of the South African Copyright Act lists the different authors of different copyright works. The ownership of a work belongs to different people or bodies or institutions depending on the kind of work. Students need to know the copyright owner of print works, web content (text, graphics, music), and websites (Chou, Chan, and Wu 2007). Fernández-Molina and Muriel-Torrado (2017), in their research analysis, stated that it would be interesting to find out what students

and faculty think about the ownership of papers produced as classwork/homework. The researchers advise that the library or university must arrange regular IP or copyright workshops / trainings for all students and should also develop a copyright policy.

6.3 The monitoring of copyright violations in academic libraries.

Another vital area that this study sought to understand was an entity responsible for monitoring copyright violations in academic libraries. The researchers wanted to learn from participants about a person or entity responsible for copyright monitoring. The results show that just over half (56; 50.9%) of the law students indicated that library staff should perform this task. All the other options (author, publisher, library users, and unsure) were chosen by 12% or more of the law students. The researcher believes that it is the responsibility of everyone (academic departments, authors, libraries and library staff, copyright officers, publishers, and library users) to monitor for copyright infringement in academic libraries. It is the social responsibility of everyone to ensure that there is no copyright infringement in libraries. Also as noted, there is a copyright law in the country and one of its purposes, amongst others, is to deter people from copyright infringements, and the law binds everyone.

7 Conclusion and recommendations

The study was designed to examine the awareness of copyright laws of senior law students at the UNIVEN. The researchers believe that results from this study will assist in preparing the university community to be copyright reliant. Results of the study show that the UNIVEN law students are reasonably familiar with basic copyright matters. They are familiar with policies, copyright protection, public domain, copyright limitations and fair use, fair use and photocopying, copyright protection for journal articles and eBooks and copyright monitoring of copyright violations on in the library. However, the students were less familiar with copyright ownership, availability of copyright workshops on campus, copyright duration and the availability of copyoght policy on campus. Knowledge of further training on copyright is warranted for students. Knowledge of copyright law would also allow library users to take better advantage of

the limitations or exceptions offered in the law. It would also increase awareness and enable users to participate in copyright law amendment discussions.

Based on the research findings and gaps in knowledge, the researchers has recommended the following amongst others:

- The library or university must develop its copyright policy and guideline which will list the types of copyright infringements and sanctions available.
- The researchers recommend that the UNIVEN library partner with Intellectual Property law experts based at the School of Law and outside (such as DALRO) to arrange for training (webinars/workshops) on all copyright issues relevant to library staff and users.
- The researchers also suggests that the UNIVEN library must have adequate and convenient information and digital literacy programmes that are intended to assist users in issues related to copyright by educating as well as adequately assessing and examining them on their understanding of copyright. These programmes must be compulsory for all students and credit-bearing to encourage good attendance.
- The UNIVEN library has a staff whose duties, amongst others, is to deal with copyright issues. The researcher recommends that the library must have this person focus wholly on copyright issues. This office must be well marketed to staff and students, so they know the right office to take copyright queries.
- The researchers also recommend that the library must display copyright notices on all photocopying areas in the library and produce posters and flyers; Copyright Act and the Bill are available on the website and social media platforms for ease of referral.

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