



<b>DOCUMENT NUMBER</b>	IP001
<b>TYPE</b>	Policy
<b>SUBJECT</b>	Intellectual Property Policy
<b>AUTHORISED BY</b>	Diocesan Council
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## 1. Objective

The purpose of this Options Paper is to agree on and articulate a form of words by which intellectual property is retained by Authors engaged in teaching ministries in the Diocese, which will then be codified into a policy document.

## 2. Guiding Principles

The overarching value behind this is one of **integrity**, wherein it is not intended that Authors of intellectual property for teaching ministries be deprived of a future right to publish those works whilst retaining a right to use them in the form they were used while the said Author was engaged in teachings ministries in the Diocese.

## 3. Intellectual Property

For removal of doubt, the term “intellectual property” shall be defined in the broadest possible terms to include:

*“all intellectual property and industrial property rights existing anywhere in the world including without limitation know-how; trademarks, whether registered or unregistered; domain names; business names; confidential Information; copyright, including software; computer databases; moral Rights; inventions, patents, patent applications, designs; and any other intellectual property or industrial property right whether existing under statute, or at common law or in equity.”*

## 4. Policy

It is the policy of the Diocese that:

- a) the intellectual rights retained by the respective stipendiary cleric or lay minister over materials developed prior to the period of employment in this Diocese and which are also used during the course of employment in this Diocese are retained by the respective stipendiary cleric or lay minister; and
- b) the intellectual rights over materials developed during the period of employment in this Diocese are retained by the respective stipendiary cleric or lay minister.

However, stipendiary clergy or lay ministers shall allow those same resources, which have been used in their ministry in this Diocese, to be available for distribution by the Diocese in the

ordinary course of its operations, both during the period of their employment and after that period ceases, without being modified from their original format. Where such resources are used, the stipendiary cleric or lay minister shall be deemed to warrant that they are entitled to use the intellectual property in the manner so used.

## 5. Implementation

The form of words, which would be inserted into the Administration Circular shall include both the Policy wording at Item 3 as well as the following for effective implementation of the Policy as preamble:

*Ordinarily, copyright of materials produced in the course of an employment contract are, by default, intellectual property of the employer. However, it is acknowledged that, prior to employment in this Diocese, stipendiary clergy and lay ministers may have developed copyrighted materials which are used in the course of their ministry in this Diocese. Equally, during the period of employment in this Diocese, further copyrighted materials may be developed and used in the course of ministry.*

and as protocol:

*To enjoy this entitlement, the copyrighted materials must be distinguished by marking the retention of those rights on the said materials, by means of the copyright sign, the year in which the materials were created or modified and the name of the person who authored the said materials.*

The Registrar shall ensure that contracts of employment/engagement of stipendiary clerics and lay ministers duly incorporate the provisions of the Administration Circular.

*For completion when document supersedes and existing policy, procedure or protocol.*

VERSION NUMBER OF THIS DOCUMENT	DATE OF PREVIOUS DOCUMENT	SUMMARY OF CHANGE	REASON FOR CHANGE