

**CPD Office Copyright Guide**

Approval Authority: CPD Office Governance Committee

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**1.0 POLICY STATEMENT**

This CPD Office guide is an instructional resource for developing accredited CPD activities. It is intended to assist faculty, learners and staff involved in the development and delivery of accredited activities, to understand Canadian copyright law. This for general information purposes only and it is recommended that SPCs contact the NOSM U Library team for comprehensive guidance.

The following reflects interpretations and practices regarded as valid, based on available information. It does not intend to provide legal advice or opinion.

**SCOPE**

While the NOSM University Health Sciences Library provides comprehensive guidance to all NOSM U faculty, staff and learners, this guide provides an approach to managing issues related to copyright, including prevention, surveillance, monitoring, and evaluation.

**1.0 DEFINITIONS**

Taken from the National Standard for the Support of accredited CPD activities:

**Copyright:** “the right to copy.” In general, only the copyright owner, often the creator of the work, is allowed to produce or reproduce the work, or to permit anyone else to do so.

The rights of copyright owners and the exceptions granted to members of the public to use copyright material are governed by the Canadian Copyright Act.

**Independent Content Validation:** A peer review process completed by the SPC, and medical reviewers when requested, to review content or presentations as part of a bias mitigation strategy.

**2.0 POLICY TERMS OR PROCEDURES**

**2.1 When should copyright be considered:**

SPC's should consider copyright throughout the planning and delivery of an accredited activity. Planning committee's should provide guidance to speakers and are welcome to use the CPD Office Copyright guide, and the CPD Office Guide to Using Copyrighted Images in Presentations, located in the CPD Office Program Development Toolbox.

**2.2 What is covered by Copyright:**

Ideas and facts are not protected by copyright. Only works that are original and are fixed are protected by copyright. A work is "fixed" when it is produced onto any media, like paper or within a digital file. Ideas and facts are not copyrightable, but the form in which they have been fixed and the form of their communication usually are protected by copyright.

The Copyright Act covers all original, literary, artistic, and musical works in the literary, scientific or artistic domain whatever the mode of expression. Originality is the key element in determining whether a work is protected by copyright. Original works that are covered include:

- Literary works such as novels, academic textbooks, journal articles in print or electronic formats, newspapers, pamphlets and computer programs
- Dramatic works such as films, videos, DVDs, plays, screenplays and scripts
- Musical works and songs
- Artistic works such as paintings, drawings, cartoons, maps, photographs, sculptures and architectural works
- Broadcast communication signals, sound recordings and performances

**2.3 How long does copyright last:**

As a result of the Canada-United States-Mexico agreement, the term of copyright changed December 30, 2022 from life of the creator plus 50 years to life of the creator plus 70 years.

**2.4 What does copyright protect:**

Copyright protects works from being copied, performed or distributed without the permission of the copyright owner, often but not always the author or the creator of the work, and provides exceptions for special circumstances.

### **2.5 Who owns the copyright:**

In practice, most authors no longer hold copyright to the original works they have created. They have either created the work in the course of employment, or in seeking publication, they have assigned copyright to a publisher. Publishers of electronic journals license access to their content to subscribers. These licenses determine the rights subscribers have, such as the right to print or download or distribute articles.

### **2.6 Are items on the internet covered by copyright:**

Yes. Whether an item is available in print or in electronic format, it is protected by copyright. For example, the reports, articles, or other documents you may find on the internet fall under the category of “literary works” in the Copyright Act, just like their print counterparts.

Photographs, clipart, or comic strips, regardless of whether they are in a print book, a journal/magazine, or whether they are posted freely on a website - these types of items are considered “artistic works” within the Act and they too are copyright protected.

Photographs, cartoons, graphics, etc. (images) that you find on the internet through a Google search are, the vast majority of the time, protected by copyright. This means that if you want to make use of a particular image you’ll need to seek out permission from the copyright owner to use it in your document/website/ etc.

Exceptions to this rule are images in the public domain or images that have been created under a creative commons license. If an image is in the public domain then copyright has expired and you no longer need to seek permission to use that image. Creative commons licenses allow users to make use of a work, in this case an image, without seeking permission for said use from the copyright holder -- the caveat is that, depending on the type of creative commons licence, you may, for example, have to provide an attribution statement, or not be allowed to alter the image, not be able to use it for commercial

purposes, etc. In other words, creative commons licenses outline specific terms and conditions that govern the use of that image (or another work).

## 2.7 What is Public Domain:

When a work has entered the public domain, the copyright has expired on it. You won't be infringing on copyright if you use/reproduce the work, nor are you required to get permission to do so from the copyright holder (Harris, 2014, p. 133).

Reference:

Harris, L. E. (2014). Canadian Copyright Law. Hoboken, NJ: John Wiley & Sons, Inc. Call Number: KE 2799. H37 2014 NOSMW

## 2.8 Where can I get free images:

**Unsplash** - "All photos published on Unsplash can be used for free. You can use them for commercial and noncommercial purposes. You do not need to ask permission from or provide credit to the photographer or Unsplash, although it is appreciated when possible." (License, para. 1)

**Pixabay** - "Pixabay is a vibrant community of creatives, sharing copyright free images and videos. All contents are released under the Pixabay License, which makes them safe to use without asking for permission or giving credit to the artist - even for commercial purposes." (FAQ, para. 1)

**Wikimedia commons** - "The Wikimedia Foundation owns almost none of the content on Wikimedia sites — the content is owned, instead, by the individual creators of it. However, almost all content hosted on Wikimedia Commons may be subject to certain restrictions (in many cases). You do not need to obtain a specific statement of permission from the licensor(s) of the content unless you wish to use the work under different terms than the license states." (Commons: Reusing content outside Wikimedia, para. 1)

## **2.9 How do you get copyright permission:**

First, you need to determine who owns the copyright. Is it the creator/author, the employer, the publisher, or someone else? Sometimes simply determining who owns the copyright can be difficult.

After you have determined who holds the copyright, you need to request from them permission to use their work. You need to specify what part of their work you want to use, how you want to use it, and how many people are going to get it.

## **2.10 How do you copyright your work:**

Copyright is bestowed automatically when you create an original work. You do not have to do anything. You are automatically protected by law. It is also good practice to “mark” your work with the copyright symbol, e.g. © Jane Doe, 2024. Although marking is not necessary in Canada for a work to be protected, it serves notice that the work is protected and directs would-be users to the copyright owner.

As definitive proof of copyright ownership, you may choose to register your work by filing an application with the Canadian Intellectual Property Office (CIPO). The benefit of doing so is that you receive a certificate that states you are the copyright owner.

## **3.0 ROLES AND RESPONSIBILITIES**

3.1 CPD Office is responsible for providing guidance related to copyright as it relates to CPD activities.

3.2 Scientific Planning Committee (SPC) is responsible for ensuring there are no copyright violations in the planning or delivery of an educational activity, and for ensuring that speakers are also aware of copyright considerations. SPC should use the following resources to ensure that copyright is incorporated into planning and presentation development, and to ensure that copyright concerns can be managed prior to presentations being delivered:

3.2.1 CPD Office Program Development Toolbox (Content Development)

3.2.2 CPD Office Tips Sheet: Guide to Using Copyright Images in Presentations

3.2.3 NOSM U Library Tutorials on Copyright

3.2.4 Speaker Letter Template (With links to copyright resources)

3.2.5 Speaker Release Template (confirming no copyright issues)

3.2.6 Independent Content Validation Checklist: A presentation review guide for SPCs

3.3 NOSM U Health Sciences Library is responsible for comprehensive guidance related to copyright.

#### **4.0 INTERPRETATION**

Questions of interpretation or application of this policy or its procedures will be referred to the Director, Continuing Professional Development Office.

#### **5.0 RELATED DOCUMENTS**

Related policies; (ii) any applicable legal or regulatory information (from the Policy Statement section); or (iii) any FAQ documents, forms, or other information related to the policy.

##### University Documents and Information

- [CPD Office Program Development Toolbox](#)
- [NOSM U Health Sciences Library Copyright Guidance](#)
- [CPD Office Tips sheet: Guide to Using Copyright Images in your Presentations](#)
- [Speaker Letter Template](#) (With links to copyright resources)
- [Speaker Release Template](#) (confirming no copyright issues)
- [Independent Content Validation Checklist](#)

##### Legislation and Information

- [CACME Standards](#)
- [CFPC Mainpro+ Certification Standards](#)
- [RCPSC Accreditation Standards](#)
- [Canadian Copyright Act](#)

#### **AUTHORITIES AND OFFICERS**

The following is a list of authorities and officers for this policy:

a. Approving Authority: CPD Office Governance Committee

#### **Review and Revision History**

**Review Period:** Every Two years or as required

**Date for Next Review:** 2027 01

**Development History – this section will be deleted when the policy is finalized and ready for review/approval**

Date	Action
2025-01-10	Approved at CPD Office Governance Committee
2026-06-18	Updated to reflect CPD name change from CEPD