Guidance on declaration forms

Libraries and archives supplying a reasonable proportion of a published copyright work, or the whole or part of an unpublished work, for users need to ensure that a declaration in writing is received and acknowledged by the person to whom they are supplying a copy. This may be as a declaration form or by other means, including email.

Suggested wording for a declaration is below. Please note:

- Only publicly accessible libraries (including libraries in museums), or libraries of educational establishments, can supply copies on request from published works, provided that the library is not conducted for profit.
- Libraries and archives can supply copies on request from unpublished works.
- The declaration does not need to be signed.
- Copying for users applies to all types of copyright works.
- Charging for a copy is not obligatory but if charges are made, these need to be made based on a cost recovery calculation.
- The exception for the copying of published works cannot be overridden by contract terms. This means that any licence terms that prohibit copying a reasonable portion of a work for the purposes of private study or research for a non-commercial purpose do not have to be complied with.
- Licence terms do still govern what can be done with works accessed on a dedicated terminal.

How much can be copied for a user?
The amount you are able to copy of a published work is limited to a single copy of an article or a single copy of a “reasonable proportion” of a monograph or other work. A “reasonable proportion” generally means that only a limited part that is necessary for the research or study purpose may be copied.

You may only copy one article from an issue of a periodical for a user at one particular time.

A single copy of a whole or part of an unpublished work can be copied, provided the owner of that work has not prohibited the copying of that work.

Template forms
We have provided two template forms, which organisations may use or adapt for their purposes:

- **Form A** should be used for requests for copies from published works
- **Form B** should be used for requests for copies of or from unpublished works

Organisations should edit the forms in places indicated, for example by adding their organisation’s name and details of their privacy information.
FORM A

DECLARATION: COPY OF ARTICLE OR PART OF PUBLISHED WORK

To: The Librarian of ______________________ Library [Address of Library]

1. Please supply me with a copy of:*
   the article in the periodical, the particulars of which are __________________
   ________________________________________________________________
   the reasonable portion of the published work, the particulars of which are
   ________________________________________________________________
   required by me for the purposes of non-commercial research or private study.

2. I declare that:
   a. I have not previously been supplied with a copy of the same material by you or any other librarian;
   b. I will not use the copy except for research for a non-commercial purpose or private study and will not supply the copy to any other person; and
   c. to the best of my knowledge, no other person with whom I work or study has made or intends to make, at or about the same time as this request, a request for substantially the same material for substantially the same purpose.

3. I understand that if the declaration is false in a material particular, the copy supplied to me by you will be an infringing copy, and that I shall be liable for infringement of copyright as if I had made the copy myself.

Date___________________________

NAME________________________________________

ADDRESS__________________________________________________________

___________________________________________________________________

* Delete whichever is inappropriate

The personal information provided by you on this form will be used for the purposes of documenting this reproduction request and in accordance with [library name]'s obligations under the data protection legislation. More information can be found at [library’s privacy policy]
FORM B

DECLARATION: COPY OF WHOLE OR PART OF UNPUBLISHED WORK

To: The Librarian/Archivist* of __________________________ Library/Archive*
[Address of Library/Archive]

1. Please supply me with a copy of
The whole/following part* [particulars of part] of the [particulars of the unpublished work] required by me for the purposes of non-commercial research or private study.

2. I declare that:
   a. I have not previously been supplied with a copy of the same material by you or any other librarian or archivist;
   b. I will not use the copy except for research for a non-commercial purpose or private study and will not supply the copy to any other person; and
   c. to the best of my knowledge the work had not been published before the document was deposited in your library/archive* and the copyright owner has not prohibited copying of the work.

3. I understand that if the declaration is false in a material particular, the copy supplied to me by you will be an infringing copy, and that I shall be liable for infringement of copyright as if I had made the copy myself.

Date_____________________________________

NAME______________________________________________

ADDRESS_____________________________________________________________________________________

______________________________________________________________________________________________

* Delete whichever is inappropriate

The personal information provided by you on this form will be used for the purposes of documenting this reproduction request and in accordance with [library or archive name]’s obligations under the data protection legislation. More information can be found at [library’s or archive’s privacy policy]