



## Copyright in the Workplace

On 1 September 2011 the Copyright (Infringing File Sharing) Amendment Act 2011 and its regulations will introduce a new internet copyright infringement regime.

### **So what does this mean for you as an Employer?**

All Employers will be required to ensure that Employees are not illegally file sharing or downloading material using their Employer's internet connection. If an Employee engages in illegal file sharing or downloading while using their Employer's internet connection, the Employer could be issued with a copyright infringement notice from its internet service provider. After receiving three infringement notices the Employer could be ordered to pay up to a whopping \$15,000 and face suspension of its internet access for up to 6 months.

### **In light of the impending changes it is timely for all Employers to review their IT and disciplinary policies and procedures.**

You should have clear policies and procedures for all Employees on internet use, file sharing and downloading. Illegal file sharing and downloading should be expressly prohibited and this should be monitored by reserving the right to monitor Employee internet and email use.

Disciplinary policies should be amended to expressly include illegal file sharing and downloading as conduct which may constitute serious misconduct.

Employers may also want to consider including policy provisions which allow an employer to recover from Employees any losses or damages sustained from illegal use of the Employer's internet, email or computer systems.