



STANDARD OPERATING PROCEDURE

SOP CODE ZRC-007-01	SOP TITLE COPYRIGHT CLEARNACE FOR PUBLICATIONS IN OAR@UM
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PART 1

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PART 2

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PART 3

Authoriser	Date of issue: 13/10 2021
MR SIMON SAMMUT	Date of next revision: 13/10/2025
UNIVERSITY SECRETARY	

PART 4 (To be filled in by OOTS, QSU or RSSD)

<input type="checkbox"/> This procedure has been revised and is no longer valid as from: (Write date)	<input type="checkbox"/> Date of NEXT REVISION is extended until: (Max. 4 years)	<input type="checkbox"/> SOP rendered obsolete on: (Write date)
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1. Reason for revision

1.1 New SOP

2. Purpose and scope

2.1 This procedure aims to portray the workflow process of obtaining the necessary copyright clearance for publications that are to be deposited in the UM's Institutional Repository, OAR@UM.

2.2 Furthermore, the procedure outlines strategies undertaken by the Open Science Department (OSD) in order to identify the type of access rights for publications that are to be deposited in OAR@UM.

3. Definitions

3.1 Access right

The ability to permit or deny the use of content in OAR@UM. OAR@UM offers various types of access that can be selected for the full text of the document accordingly. Currently, the following access types are being used for OAR@UM:

- **Open Access** - makes both the metadata of the document as well as its full text available worldwide. This type of access is recommended by the UM.
- **Restricted Access** - makes the metadata of the document visible worldwide, however, the full text of the publication is restricted to users that are in possession of a UM IT account (UM staff and students).
- **Embargoed Access** - makes the metadata of the document visible worldwide, however, the full text of the publication is initially restricted to OAR@UM Administrators only. Once the publisher's embargo period lapses, the full text is automatically released into Open Access (usually it is between 6-12 months, depending on the publisher).
- **Closed Access** - makes the metadata of the document visible worldwide, however, the full text of the publication is restricted to OAR@UM Administrators only. This type of access is not recommended by the UM and it is offered only in extreme cases.

3.2 Article Processing Charge

Is a fee that the author has to pay to the publisher of an Open Access Journal in order for his/her work to be made available in Open Access.

3.3 Copyright

Refers to the rights that creators have over their literary and artistic works. In case of published works, journal articles, books and

conference proceedings, copyright is very often transferred to the publisher.

- 3.4 Creative Commons** Is a non-profit organisation that enables the sharing and use of creativity and knowledge through free legal tools. Their copyright licenses provide a simple, standardised way to give the public permission to share and use creative work - on conditions of the creator's choice. For more information – see <http://creativecommons.org/licenses/>.
- 3.5 Gold Open Access/
Open Access
Publishing** Refers to the publishing of a peer-reviewed article in an academic journal which makes the article openly available on the publisher's platform. A growing number of journals charge Article Processing Charges (APC) for Open Access but there are many Open Access journals which do not charge any APC.
- 3.6 Green Open Access
/Self Archiving** Refers to the depositing or self-archiving of a copy of the final version (or post-print) of a peer-reviewed article, regardless of the journal (Open Access or non-Open Access) where it is published. If the article is published in Open Access, the copy to be deposited can be the Accepted Author Manuscript (AAM) or Publisher Version/Version of Record (PV/VOR). For articles published in non-Open Access journals where no Article Processing Charges (APCs) are paid, there will usually be an embargo period to Open Access set by the publisher.
- 3.7 Institutional
Repository** Is an online archive which collects, preserves and disseminates the intellectual output of an institution.
- 3.8 OAR@UM** Is the institutional repository of the UM. It serves as an online platform for the submission and dissemination of Open Access research produced under the auspices of the UM. OAR@UM is managed by the Library.
- 3.9 OAR@UM
Mediated deposit** The UM Library also offers a Mediated Deposit Service. Additionally, Support Officers working within a particular UM Department can upload content on behalf of academics. To facilitate this, a special form has to be filled and signed so as to ensure that the uploader has the academic's permission to deposit his/her publication/s. Relevant forms can be downloaded from the [UM Library website](#).
- 3.10 OAR@UM
Self-deposit** The UM Library encourages UM academics to upload research papers themselves as a self-deposit since no one can better describe the publication than the author himself. Deposit of materials must be accompanied by sufficient metadata describing its content, provenance and formats.

- 3.11 Open Access** Refers to the practice of providing online access to scientific/academic information which is free of charge to the end user and is also reusable. 'Scientific' refers to all academic disciplines.
- 3.12 OSD** Open Science Department, University of Malta Library
- 3.13 UM** University of Malta

4. Responsibilities

4.1 Roles and responsibilities of the Head of the OSD

- 4.1.1 The Head of the OSD is to approve all self-deposits made by academics in OAR@UM and therefore, approves the access rights selected by the academic.
- 4.1.2 If the access rights selected by the academic are not in line with the publishing terms imposed by the publisher, the Head of the OSD is to contact the academic, inform him/her that the access rights he/she selected are not in line with the publisher's policies seeks clarifications and the necessary adjustments are effected.
- 4.1.3 For mediated deposit, the Head of the OSD is to consult with the academic on what kind of access rights are to be selected in order to honour the agreement between the academic and the publisher.
- 4.1.4 If the academic entrusts the OSD with investigating the publishers' policies and selecting the access rights accordingly, the Head of the OSD is to consult the Sherpa/ROMEO database or the publisher's website.
- 4.1.5 Furthermore, the Head of the OSD is to appoint a Library Assistant/Assistant Librarian responsible for uploading a particular batch of publications and selecting access rights as advised by the academic or according to the publisher's policies.

4.2 Roles and responsibilities of the Library Assistants/Assistant Librarians

- 4.2.1 Library Assistants/Assistant Librarians are to upload content on behalf of the academic as part of the mediated deposit service.
- 4.2.2 Additionally, Library Assistants/Assistant Librarians are to select the appropriate access rights as advised by the academic or according to the publisher's policies.
- 4.2.3 If the academic entrusts the OSD with investigating the publishers' policies and selecting the access rights accordingly, the Library Assistants/Assistant Librarians are to consult the Sherpa/ROMEO database or the publishers' website.

4.3 Roles and responsibilities of the Academic

- 4.3.1 The academic is to be aware of the agreement he/she signs with the publisher with regards to the Open Access policies so as to be able to provide the necessary information to the OSD specifying what kind of access rights are to be used for his/her items deposited in OAR@UM.

4.3.2 Additionally, the academic is to retain the print/electronic copy of the publisher's agreement.

4.3.3 For newly signed agreements, the academic is to be aware of restrictions being imposed by publishers in order to ensure that the Open Access policy is clearly stipulated on the agreement, and when possible, should retain the copyright. When possible, measures are to be taken to ensure that the academic is allowed to deposit a copy in OAR@UM.

4.4 Roles and responsibilities of the UM Legal Office

4.4.1 The UM Legal Office is to provide advice and support to academics and the OSD with regards to issues that exceed the competency of the OSD staff.

5. Health and Safety requirements

5.1 N/A

6. Procedure

6.1 Copyright clearance

6.1.1 Self deposit in OAR@UM is made directly by the academic. The access rights are selected by the academic. Access rights are to be in line with the publisher's agreements. If the publisher gives permission for the item to be made available in OA, this is the preferred option. However, in certain cases, OA is allowed only after a specified embargo period (in which case, the embargo access is to be selected), or OA is not allowed at all (in which case, restricted or closed access is to be selected, based on the academic's preference). Each item submitted in OAR@UM by the academic is reviewed and approved by the Head of the OSD, while the publisher's policy is double checked. If it is revealed that the access type selected by the academic is not in line with the publisher's OA policy, the respective academic is to be contacted and informed about this matter and the necessary clarifications are sought. If the academic is in a position to provide a proof justifying his/her choice, the access rights selected are to be retained. If not, this is to be amended accordingly.

6.1.2 If the academic selects the option of mediated deposit, he/she is asked to provide the preferred access type for each publication and the corresponding access rights are to be selected by the OSD member according to the information provided by the academic. If the academic leaves it at the discretion of the OSD to identify the access type, the academic is to be asked to provide the necessary consent in writing, in the form of an email. In such a case, the OSD staff will select the access rights himself/herself, upon investigating the publishers' policies prior to the deposit. For this purpose, the Sherpa/ROMEO database is to be consulted as well as the publishers' websites. If the necessary information cannot be found in any of these sources, the OSD is to contact the publisher directly to obtain the copyright clearance.

6.1.3 Articles published in OA journals are published under the CC-licences. In this case, no further investigation is to be done by the OSD and such publications are to be placed in OAR@UM in Open Access immediately.

6.2 Copyright clearance vs. Academic's preferences

6.2.1 Publisher's Open Access policies are the decisive factor for selecting access rights in OAR@UM. OSD will not consider placing such items in Restricted Access if the publication can be made available in OA according to the publisher's policy, unless a justification from the academic is provided – in which instance this is to be reviewed on a case-by-case basis by a Committee composed of a Rector's delegate, the Director Library Services or his delegate, and an UMASA representative.

6.3 Incorrectly assigned access rights

6.3.1 In case that the UM Library is informed by a publisher that an incorrect access right is assigned for a specific item uploaded in OAR@UM, immediate action is taken to amend or withdraw the item from OAR@UM.

7. References

- 7.1 Creative Commons, 2021, Available at <http://creativecommons.org/licenses/> [Accessed 12th October 2021].
- 7.2 UM Library Website, 2021, Available at [UM Library website](#) [Accessed 12th October 2021].

8. List of appendices/worksheets

- 8.1 N/A