# Copyright Safe Harbour Flowchart for Hosting Institutions

Do you host other people's materials on your servers (eg as part of a user generated content project, or e-legal deposit)?

**Yes**

Do you allow clients or users to upload material directly to this service, without your approval or selection?

**No**

**Yes**

Is this service free?

**No**

**No**

**Yes**

The copyright safe harbours cover your hosting service. You should follow the takedown process below in relation to any potentially infringing content uploaded by third parties.

The copyright safe harbours do not cover your hosting service. You can determine your own takedown process.

**Next**

Have you received a takedown notice from a copyright owner/licensee alleging that material on your hosting service infringes copyright?

**OR**

Have you found material on your hosting service you believe infringes copyright?

**Yes**

Is the notice credible? eg Is the material correctly identified? Does the person sending it appear to be the copyright owner/licensee or their agent?

**Yes**

**Yes**

## Takedown Process

1. Remove the material from your service as soon as practicable, usually within 3 working days.

**Next**

2. Notify the person who uploaded the material that it has been removed, and inform them that they have 3 months to issue a counter-notice challenging the claim that the material is infringing. Include a copy of any takedown notice you received from the copyright owner/licensee for information.

**Next**

3. If you receive a counternotice, send it to the copyright owner/licensee and inform them they have 10 days to commence legal action.

**Next**

4. If the copyright owner/licensee does not inform you they have commenced legal action in 10 days, or if the action is unsuccessful, restore the material.