


GILF LEGAL STATUS REVIEW

The purpose of this review is to assist you to license a work under the Government Information Licensing Framework.

The review is divided into three steps:

1. Identifying the work you wish to license
2. Answering questions about the contents of the work; and
3. Determining the type of licence to apply to your work

The process will take a few minutes to complete, depending upon your answers to the questions. Help is available throughout the process by clicking the help icons . Defined terms are in *italics*.

Overview

Start

Step 1

Please provide the following details about the *work* you wish to licence:

Title	PSI Report
Custodian organisation	X Department
Description of the <i>work</i>	A work containing public information
Contact information	P. Servant

Work means the book, map, publication, etc that you intend to licence through this process.

Next

Step 1 Continued

Has the work been produced entirely from activities undertaken within your organisation. It must not include material taken from another author or agency.

If the *work* has been produced entirely from material created or sourced from within your agency [click here](#) ?

If the *work* has been produced using *inputs* sourced from inside and or outside your agency [click here](#) ?

If you select this option, you acknowledge that the work is a mix of inputs from different authors or publishers including your own agency.

Step 2

1. Does your agency have the mandate, authority or accountability established to create the work? If not, you will need to find out what arrangements are in place.
2. Ensure that your agency has not given away any licence rights to another organisation

Does your agency have the mandate, authority or accountability established to publish the work? If not, you

Does the work include content that is protected by secrecy or privacy laws or obligations, governmental administrative requirements?

The work is free of other *legal restrictions*?
(eg. privacy, secrecy or confidentiality, etc)

Is the work non-commercial in nature?

Has the work been created for the purpose of commercialisation or does it have the potential to be commercially exploited by a commercialisation partner?

If you answer No to this question, you may still be able to continue to licence the work, but may be preferable to select a Restrictive Licence. You may also wish to obtain legal advice.

Yes No



If you have answered 'No', the user will be unable to proceed to the next step. If you have answered 'No' to any of the questions, you may wish to select a GILF Restrictive Licence, or you may wish to speak to a lawyer or legal advisor.

Step 2

PSI Report

Please answer the following questions:

Yes No

Your agency has the *authority* to create the *work* ?



Your agency has the *authority* to *publish* the *work* ?



The *work* is free of other *legal restrictions* ?
(eg. privacy, secrecy or confidentiality, etc)



Is the work non-commercial in nature ?



If the user responds 'Yes' to all of the questions, they can progress to the licence selection stage

Next

Step 2

You have indicated that the *work* contains *inputs* from another source or sources. You need to determine whether you have the *authority* to licence the *work* incorporating this material. You will be asked to repeat these questions for each input in your *work*. This includes *inputs* that your agency may have made to the *work*.

Author/Publisher: X Department

Description: Statistics 2007 to 2008

Input 1

Which option describes the type of licence for this material input?

Creative Commons Licence

A non-Creative Commons Licence or other Permission

Step 2

You have indicated that the *work* contains *inputs* from another source or sources. You need to determine whether you have the *authority* to licence the *work* incorporating this material. You will be asked to repeat these questions for each input in your *work*. This includes *inputs* that your agency may have made to the *work*.

Author/Publisher: Y Pty Ltd

Description: Data from Industry Report 2007 - 2008

Input 2

Which option describes the type of licence for this material input?

Creative Commons Licence

A non-Creative Commons Licence or other Permission

Step 2 Input 1 - X Department: Statistics 2007-2008

Make sure that the work contains the appropriate attribution for the input and that it otherwise meets the requirements of the relevant CC licence. Please select the *input's* CC licence from the list below:



Attribution



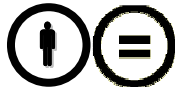
Attribution | Non-Commercial



Attribution | Non-Commercial | No-Derivatives



Attribution | Non-Commercial | Share Alike



Attribution | No-Derivatives



Attribution | Share Alike

Your selection has been recorded, please click next to check another input, or click finished if you are ready to go to step 3

Next

Finished

Step 2 Input 2 - Y Pty Ltd: Data from Industry Report 2007 - 2008

With respect to this input, have you obtained the licence or permission, and can you confirm that: Yes No

The Publisher has obtained the rights from all other parties necessary for you to include the input in the *work* ?

Your agency has the *authority* to *publish* the material input as a component of the work ?

The material input is free of other *legal restrictions* ?
(eg. privacy, secrecy or confidentiality, etc)

The user doesn't have full permission to licence the work with this input. It may be that they can do so with a restrictive licence. They may be directed to contact the input author/publisher for further permissions, or will need to reconsider the inclusion of the input in the work, and perhaps obtain legal advice.

Step 2 Input 2 - Y Pty Ltd: Data from Industry Report 2007 - 2008

With respect to this input, have you obtained the licence or permission, and can you confirm that:

Yes No

The Publisher has obtained the rights from all other parties necessary for you to include the *input* in the *work* ?

Your agency has the *authority* to *publish* the material input as a component of the work ?

The material input is free of other *legal restrictions* ?
(eg. privacy, secrecy or confidentiality, commercial in confidence, etc)

The user has confirmed that the material input may be made available as part of the work. Their response will be registered.

Next

Finished

Summary

Date: 24 December 2009
Title: PSI Report
Description: A work containing Public Information
Contact Name: P. Servant
Organisation: X Department

Inputs

<u>Input</u>	<u>Publisher/Author</u>	<u>Description</u>	<u>Licence Status</u>
1	X Department	Statistics 2007 - 2008	CC – BY NC
2	Y PTY LTD	Industry Report Data 07 - 08	Unique - OK

Back

Next

Summary

Date: 24 December 2009
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Description: A work containing Public Information
Contact Name: P. Servant
Organisation: X Department

Inputs

<u>Input</u>	<u>Publisher/Author</u>	<u>Description</u>	<u>Licence Status</u>
1	X Department	PSI Report	Unlicensed - OK

Back

Next

Step 3

Licence Selection

From the answers you have provided, you may licence the work under any of the following Creative Commons licences or the Restrictive Licence. Please select the licence you wish to apply to the work.



Attribution



Attribution | Non-Commercial



Attribution | Non-Commercial | No-Derivatives



Attribution | Non-Commercial | Share Alike



Attribution | No-Derivatives



Attribution | Share Alike



Restrictive Licence

Step 3

Licence Selection

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Attribution | Non-Commercial



Attribution | Non-Commercial | No-Derivatives



Attribution | Non-Commercial | Share Alike



Restrictive Licence

Licensing Report

You may wish to keep a record of this report

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Contact Name: P. Servant
Organisation: X Department

Inputs

<u>Input</u>	<u>Publisher/Author</u>	<u>Description</u>	<u>Licence Status</u>
1	X Department	PSI Report	Unlicensed - OK

Selected Licence



Attribution

Next

Licence Incorporation

You are now ready to insert the licence into the Work

This slide depicts 2 methods. Either insertion of the licence in Microsoft Word, or incorporation of the licence into a webpage

Insert the Licence using Microsoft WORD

Jurisdiction of your license 		 Attribution	
	<input type="text" value="Australia"/>		
Tell us the format of your work:	<input type="text" value="Text"/>		
Title of work	<input type="text" value="PSI Report"/>		
Attribute work to name	<input type="text" value="X Department"/>		
Attribute work to URL	<input type="text" value="http://www.gov.world"/>		
Source work URL	<input type="text"/>		
More permissions URL	<input type="text"/>		

Next

Licensing Report

You may wish to keep a record of this report

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Description: A work containing Public Information
Contact Name: P. Servant
Organisation: X Department

Inputs

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1	X Department	Statistics 2007 - 2008	CC – BY NC
2	Y PTY LTD	Industry Report Data 07 - 08	Unique - OK

Selected Licence

  Attribution | Non-Commercial






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Tell us the format of your work:	<input type="text" value="Text"/>	
Title of work	<input type="text" value="PSI Report"/> 	
Attribute work to name	<input type="text" value="X Department"/> 	
Attribute work to URL	<input type="text" value="http://www.gov.world"/> 	
Source work URL	<input type="text"/>	
More permissions URL	<input type="text"/>	

Next

The End

GILF Concept

It has been recognised that many benefits can come to communities where government makes its information available and accessible. In order to realise those benefits it is necessary for government to be able to identify and appropriately license information that it makes available.

The Creative Commons licensing scheme is one way to effectively manage government intellectual property, and it is the preferred method of licensing under the GILF Framework. Its estimated that 85% of government information may be licensed under Creative Commons licences but in certain circumstances the toolkit will recommend that you obtain legal advice, or use the GILF Restrictive Licence included within the GILF Framework.

Creative Commons is a method of licensing that employs 6 standard licenses. Each licence conveys slightly different rights, from open, to quite restrictive. The licences are compatible with international copyright law.

This GILF Toolkit guides you through an examination of the intellectual property rights in a work that you wish to make available. It's a process that seeks to manage legal risk as far as possible, but it does not take into account e-Commerce issues associated with your work.

Use of this site is subject to the rules or policies of your particular department/jurisdiction.

Creative Commons

GILF Restrictive Licence

Next

Frequently Used Terms

There may be terms used on this website that you are not familiar with, or that have a particular meaning for the purposes of using this toolkit. Defined terms are in *italics*, however it may be helpful to read what some of them mean before you begin.

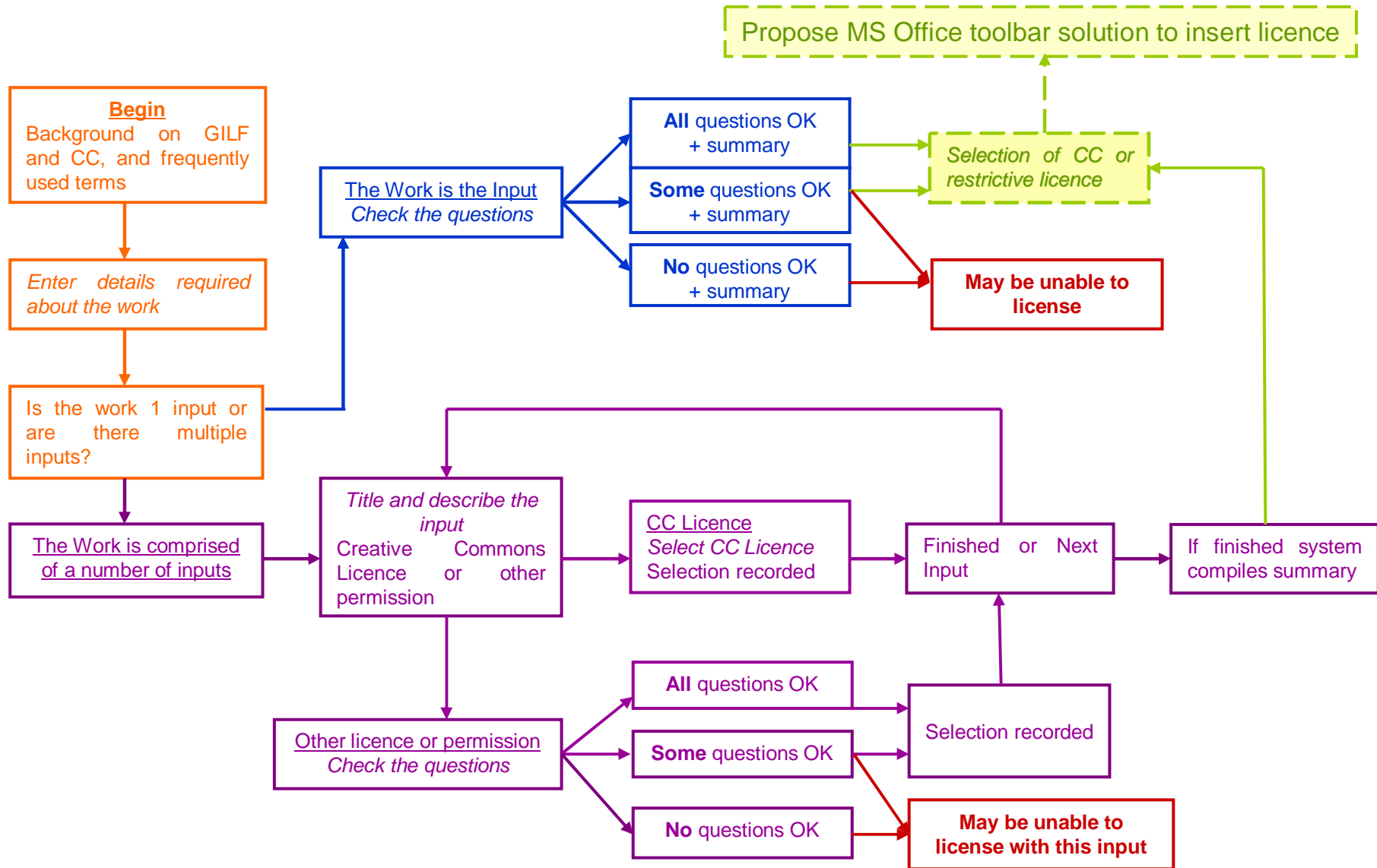
Work: any publication, recording, etc that you wish to license under this process

Authority: you and/or your agency have the permission to license the work

Input: In some cases a work may contain content from other authors or publishers. This is referred to as an input. In such cases the input itself will need to be examined to confirm that appropriate permissions have been given to include it in the work

Next

HIGH LEVEL OVERVIEW OF THE GILF TOOLKIT DECISION TREE



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