

## **SUBMISSION TO THE PRODUCTIVITY COMMISSION COST RECOVERY INQUIRY**

### **INTRODUCTION**

#### ***Purpose of this submission***

1. The purpose of this submission is to inform the inquiry on:
  - a. National and international policy on pricing of fundamental spatial data produced by government; and
  - b. The policy and practice of pricing the fundamental spatial data produced by the Australian Surveying and Land Information Group (AUSLIG).

#### ***Definition of spatial data***

2. Spatial data is information that can be related to a position on, above or below the surface of the earth, at a particular point in time. Examples of spatial data are atlases, tourist maps and postcodes.
3. Fundamental spatial data is the framework on which all spatial data is referenced. Examples of fundamental spatial data are the horizontal and vertical datum or coordinate system; national state and territory borders; and major roads, rivers and populated places.

### **NATIONAL POLICY ON PRICING OF SPATIAL DATA**

#### ***Australia New Zealand Land Information Council***

4. There has been an increasing demand by the community, and an acknowledgment by most governments, that data about the Earth should be readily available to all, to enable rational debate and better decision-making.
5. Principal 10 of the United Nations Declaration on Environment and Development (Rio de Janeiro, June 1992), stated "*each individual shall have appropriate access to information concerning the environment that is held by public authorities ... and the opportunity to participate in the decision making process. States shall facilitate and encourage public awareness and participation by making information widely available.*"
6. Consistent with that declaration the Commonwealth, States and Territories signed an Inter-governmental Agreement on the Environment in May 1992. That agreement required Australia's peak forum on spatial information matters, the Australia New Zealand Land Information Council (ANZLIC), to "*facilitate the coordination of inter-governmental arrangements (including appropriate financial arrangements) and provide mechanisms to make the data more accessible across all levels of government and the private sector*".
7. In response, ANZLIC developed a draft national agreement for the transfer of land related data in 1995. Although ANZLIC was unable to achieve unanimous endorsement of the draft agreement, the principles it contained provided the framework for a national approach to the distribution and pricing of government

spatial data. Subsequently, most jurisdictions, including the Commonwealth, implemented those principles.

8. In April 1999, ANZLIC published a Policy Statement on Spatial Data Management that extended and strengthened the principles on data transfer, and all jurisdictions undertook to strive to implement them.

### ***Commonwealth Spatial Data Committee***

9. The Commonwealth Spatial Data Committee (CSDC), the peak forum for Commonwealth portfolios with interests in the collection and use of spatial data, prepared the Commonwealth Public Interest Spatial Data Transfer Policy within the framework of ANZLIC's 1995 draft national data transfer agreement. The policy (Attachment B) permits nominated public interest spatial datasets (which have already been collected and funded by the Government), to be made available at a nominal price, equal to the average cost of transfer.
10. As CSDC has no legislative powers, interpretation of pricing guidelines in the Spatial Data Transfer Policy was left to the discretion of individual agencies with the result that some Commonwealth agencies make some data available freely from the Internet while others provide data under quasi-commercial arrangements.
11. An Interdepartmental Committee (IDC) on Spatial Data Access and Pricing has been formed to review CSDC's 1995 policy and develop a whole-of-government policy for submission to Cabinet by June 2001. The IDC submission will take account of the draft report of the Productivity Commission Review of Cost Recovery. AUSLIG is represented on the IDC.

## **AUSTRALIAN SURVEYING AND LAND INFORMATION GROUP**

### ***Role and operations***

12. AUSLIG is Australia's national mapping agency. Most countries have a government national mapping agency or its equivalent. Some well-known examples are the National Mapping Division of the United States Geological Survey, the Ordnance Survey of the United Kingdom and the Geographical Survey Institute of Japan.
13. AUSLIG is an information agency in the context of the Productivity Commission inquiry.
14. AUSLIG is a business unit within the Commonwealth Department of Industry, Science and Resources. Its purpose is to ensure that Australia derives economic and social benefits from access to fundamental geographic information through partnerships with industry and government.
15. AUSLIG's authority derives originally from a 1988 Government decision to bring together the National Mapping Division and the Australian Survey Office into a single agency. AUSLIG's role was redefined in the 1996 Federal Budget as being:
  - a. Coordination of land information programs and advice to Government on land information issues;
  - b. Policy, coordination and standards for the Australian Spatial Data Infrastructure (ASDI); and

- c. Management of the national mapping, maritime boundary, remote sensing and geodesy programs.
16. A review by the Department of Finance confirmed these activities as Community Service Obligations (CSOs) to be funded by Government appropriation supplemented by revenue from product sales. AUSLIG receives around \$27 million each year from Budget appropriation, and around \$5 million each year from sale of products.
  17. AUSLIG employs around 115 Australian Public Service (APS) staff in professional, technical and administrative roles. All APS staff are located in the head office in Bruce, ACT.
  18. Most of the production associated with AUSLIG's CSO activities is undertaken under contract to the private sector.
  19. AUSLIG products are distributed through a national network of wholesalers and retailers. AUSLIG also distributes a growing number of its products through the Internet. AUSLIG operates a small shop-front for its products in its head office. These distribution arrangements ensure that there is broad community access to products.
  20. AUSLIG has value-added reseller agreements with over 70 private sector businesses. These agreements encourage the development of innovative commercial products and services through the use of the fundamental spatial data produced by AUSLIG. This is an important catalyst for business growth in the private sector.

### ***Products and customers***

21. AUSLIG produces fundamental spatial data in the form of topographic maps and mapping data, territorial sea baseline and derived maritime boundary maps and data, satellite imagery and geodetic positions. This fundamental spatial data provides the definitive national picture. The maps and data products produced by AUSLIG are essential for activities such as renewable and non-renewable resource management, natural disaster and environmental management, national security and infrastructure planning and development.
22. AUSLIG's customers are in both the public and private sectors and include:
  - a. Minerals exploration companies and primary producers;
  - b. Environmental protection and telecommunications agencies;
  - c. Planners and resource managers;
  - d. Indigenous communities;
  - e. Emergency services, law enforcement agencies, and the Australian defence force;
  - f. Participants in a range of recreational activities including bushwalkers, 4 wheel drivers, fossickers, canoeists; and
  - g. Federal, state and local government agencies.
23. Customers, distributors and value-added resellers regularly provide feedback to AUSLIG on the product range. This feedback is used to ensure products meet community need.

### ***Pricing of products***

24. At the macro level products are priced in accordance with Commonwealth Public Interest Spatial Data Transfer Policy (see para 9 and Attachment B). Revenue from the sale of all products equals the average cost of all distribution of all products. This policy facilitates public access to AUSLIG's spatial information products. The aim to facilitate access provides an effective brake on any tendency by AUSLIG to exploit its position as a monopoly provider of fundamental national spatial information products.
25. At the micro level individual products are priced as shown in the following table. All members of the community have free access to information about products and programs and framework data. Customers requiring packaged products can do so at attractive market prices. Customers requiring customised products pay a market price that includes the cost of customisation.

Table 1

<b>Type of product</b>	<b>Example</b>	<b>Price</b>	<b>Primary Distribution Method</b>
General and reference information	Product catalogues and geodetic control	Free	Online
Packaged	Maps and map data	Market price	Online and distributor
Customised	Satellite imagery	Market price (including cost of customisation)	Distributor

26. This hybrid approach ensures that the customer generally pays market prices and Commonwealth policy is followed.
27. AUSLIG's distribution costs are determined through the application of activity or task based costing (TBC). AUSLIG has had a robust TBC system in place for more than ten years as an integral part of its financial management system. All staff time is accounted for and apportioned to specific tasks to allow determination of costs of those tasks.
28. Prices are reviewed periodically and adjusted as appropriate. For example in early 1999 AUSLIG reduced the price of selected data by 66% reflecting lower distribution costs through use of Internet technology. Later that year, AUSLIG cut its prices for Landsat satellite imagery products reflecting lower costs of access to the satellite and production efficiencies flowing from the use of a new processing system.
29. Prices for AUSLIG products are listed on its web site and in a published product catalogues. Prices as listed are recommended retail prices and apply to all customers other than:
- Distributors who buy at wholesale prices and may sell at RRP;
  - Those with whom AUSLIG has formal agreements for data sharing (generally State/Territory government mapping agencies); and

- c. Users eligible for educational/research licences.
- 30. AUSLIG also distributes topographic maps produced by Defence and retains part of the revenue from sales of these products to fund distribution costs. This arrangement is part of a formal agreement on cooperation between civilian and defence mapping agencies.
- 31. AUSLIG relies on the income stream from product sales. Increased Budget funding would be required to compensate for any shortfalls in revenue caused by a significant reduction in price.

### ***Copyright, licences and royalties***

- 32. AUSLIG is the custodian of the copyright of the maps and data products it produces on behalf of the Commonwealth. AUSLIG grants a right, or a licence, to use its digital data products rather than selling the data itself. In the case of satellite image products, the satellite operator holds the copyright but AUSLIG is authorised to license the data on behalf of the operator.
- 33. A Standard Licence grants the licensee use of the data for non-commercial purposes within their organisation only. This is a corporate licence and gives the right to use the data at any site within the corporation. An Extended Licence entitles the licensee to use the data for non-commercial purposes in conjunction with other authorised third party users of the data. Commercial use of the data requires a special licence. Licences at reduced rates (based on direct costs only) are available for bona fide research projects.
- 34. AUSLIG collects royalties when others use AUSLIG copyright material for publication in either hard copy or digital format.
- 35. For hard copy publications (books, reports etc), AUSLIG's approach is based on UK Ordnance Survey practice. The royalty is determined according to the percentage of AUSLIG content in the publication, the paper size and the print run volume. (see Attachment A Example 1).
- 36. Where AUSLIG digital data is used by others on their Internet sites, the royalty fee depends on whether the site is public domain, or charges a fee to access it (see Attachment A Example 2). Where AUSLIG data is used as part of a value-added-reseller's product and encrypted so it cannot be accessed or downloaded separately, a percentage of the AUSLIG data price is charged for each copy sold but may be varied subject to expected sales volume. If very low sales are expected, a once only fee may be payable or an annual fee negotiated (see Attachment A Example 3).

## **STATE AND TERRITORY AGENCIES**

### ***Introduction***

- 37. Australian States/Territories practise various levels of interpretation of cost recovery for distribution. With the exception of New South Wales, all have significantly reduced charges for spatial data in line with a general policy shift towards maximising access to spatial information, and partly because distribution costs have reduced with use of Internet technology. New South Wales is moving towards a similar approach.

38. The consensus amongst agencies providing spatial information in Australia has moved or is moving to the view that full cost recovery for publicly funded spatial information is not in the national interest. The emphasis is on maximising economic and social benefit through wide access. This is being achieved, in some cases, through reducing prices and/or increasing availability through the Internet. Some specific examples follow.

### ***Victoria***

39. Victoria's spatial data pricing policy aims to encourage use of spatial information by minimising licence and delivery costs and to provide a revenue base sufficient to maintain the data to the required standard. The principles underlying the policy include:
- a. Government geographic information is provided at cost price for all uses and supplied under an access licence;
  - b. All direct and indirect costs associated with a particular geospatial dataset must be fully recorded and included when determining a price for geographic information;
  - c. Aside from costs arising from government policy directives, licence fees are based on a user's share of maintenance and on-going or future development costs;
  - d. Use and re-distribution of geospatial data are governed by documented licence and commercial use royalty arrangements;
  - e. Capital costs already incurred in collecting and/or maintaining geographic information are to be deemed sunk and are not to be directly included in calculating a licence fee;
  - f. Community benefit subsidies may be applied against a licence fee in accordance with government policies or directives; and
  - g. Charges will be levied for the costs associated with the data transfer to purchasers, but they are to be separately calculated and disclosed.

### ***Western Australia***

40. The Western Australian Government approved a revised Pricing and Transfer Policy on 17 April 2000. Whilst much of the previous policy is retained there are a number of differences:
- a. All WA State Government agencies and local authorities are treated alike;
  - b. The definition of extraction and distribution costs has been expanded to include the costs of providing offices, facilities, equipment and consumables necessary for staff to perform their functions of delivering data to customers;
  - c. Pricing for non-commercial use within government and local authorities now depends on whether the dataset being transferred could have been produced in a contestable market;
  - d. If the dataset is produced in a contestable market then the price of the data must include an appropriate proportion of the costs of production and maintenance plus the cost of extraction and distribution; and

- e. If the dataset is not produced in a contestable market then the price of the data is the cost of extraction and distribution.

### ***Tasmania***

- 41. Tasmania has recently developed a new access and pricing policy. Under the policy, unless statutory charges apply, State agencies use a marginal cost pricing model when determining the price of land information being supplied to another user, with additional royalty payments where applicable. In other words for internal use, supply is at the 'cost of transfer' only. The policy:
  - a. Recognises that data is part of the State's infrastructure;
  - b. Is consistent with the policy adopted for hard copy maps;
  - c. Recognises that 'cost of transfer' pricing is being adopted by several other jurisdictions; and
  - d. Is consistent with Tasmania Treasury guidelines.

## **OVERSEAS AGENCIES**

### ***Introduction***

- 42. Details of policies adopted by a number of overseas spatial information agencies are provided below. Of these, the policies of the US Federal Government stand in contrast to those generally adopted in Australia and Europe.

### ***United States of America***

- 43. In the USA the Federal Government generally makes its data available for the cost of the media. The Copyright Act explicitly prohibits it from exercising copyright over its data. Its policies are "... *based on the premise that government information is a valuable national resource, and that the economic benefits to society are maximised when government information is available in a timely and equitable manner to all.*" Circular A-130 of the Office of Management and Budget observes that "*Other nations do not necessarily share these values. Although an increasing number are embracing the concept of equitable and unrestricted access to public information -- particularly scientific, environmental, and geographic information of great public benefit -- other nations are treating their information as a commodity to be 'commercialised' ". It notes that some nations "... take advantage of their domestic copyright laws that do permit government copyright and assert a monopoly on certain categories of information in order to maximise revenues. Such arrangements tend to preclude other entities from developing markets for the information or otherwise disseminating the information in the public interest.*"

### ***United Kingdom***

- 44. The United Kingdom generally adopts a commercial approach to the provision of spatial information services to the community and to other government agencies. The national mapping agency, Ordnance Survey, has engaged in a vigorous commercial approach to the distribution of its data in recent years and it now operates as a self-funding Trading Fund. This means that it must raise all its

income from sales, services and licensing and make a small financial return to the Treasury on the capital it employs. Nevertheless, in reviewing its pricing structure, Ordnance Survey has concluded that it is unsustainable to focus upon maximising profit and that it should concentrate on maximising the utilisation of its data and mapping, whilst still making a small profit to cover its obligations as a Trading Fund.

45. Recognising that there are some data needs that can not be met under a commercial model, Ordnance Survey recently entered into a *National Interest Mapping Service Agreement* which seeks to address the way in which those uncommercial mapping needs are to be met. It acknowledges the importance of national consistency in content, currency and style of spatial information, and that there are some essential components (such as the geodetic framework) where charging for use is either inappropriate or impractical. The agreement has received funding of £42 million for the first three years.

### ***Europe***

46. The European Commission operates a policy whereby it reserves the right to charge for information that is being used in a commercial context. Its guidelines apply to all material published by the institutions of the European Communities irrespective of the use to which it is put.
47. Denmark, Germany, Greece, Italy, Luxembourg, The Netherlands, Portugal, Spain and Sweden have all excluded legal texts from copyright protection. However, the position regarding copyright in non-legislative official material varies from state to state. In The Netherlands, Denmark and Sweden there are provisions in their national laws that allow publishers the right to exercise copyright in the official material they publish on behalf of the state. A report submitted to the European Commission concluded "It appears that, by one route or another, the possibility exists in the member states for public authorities to exercise whatever copyright may exist in official material." The European information industry argues that a common approach is required if it is to benefit from the single market and grasp the economies of scale necessary in a global market. To meet that global challenge, the draft EU Green Paper supports a framework of clear common rules and a positive climate of cooperation with public sector bodies across Europe.

### ***New Zealand***

48. New Zealand has changed its pricing regime to the extent that the entire 1:50,000 topographic map base can be bought for the cost of dissemination, that is around \$1500. It was previously sold for about \$2 million. All copyright fees for the reproduction of digital data, topographic maps (including street maps derived from Crown mapping), and aerial photographs have been abolished.
49. Under current NZ policies, government-held information is disseminated free of charge when it is desirable for a public policy purpose or it is impractical to recover the costs. Otherwise, the costs of dissemination are recovered. When there is an avoidable cost involved in transforming the information from the form in which it is held into a form preferred by the recipient, then those costs are recovered, if possible.



## SUMMARY

50. In accordance with Department of Finance and Administration requirements, AUSLIG recovers the costs of distributing products derived from its public interest programs. The major costs associated with collecting and processing spatial information are funded through appropriation.
51. AUSLIG's pricing policy is consistent with the 1995 Commonwealth Public Interest Spatial Data Transfer Policy. Individual products are priced in accordance with Table 1.
52. The current Commonwealth policy is being reviewed by an IDC that is to report to Cabinet by June 2001. AUSLIG is a member of the IDC. AUSLIG intends to present its current approach to pricing (Table 1) to the IDC as a model for consideration with the underlying principle that pricing levels be set to maximise economic and social benefit through wide access.
53. AUSLIG does not believe the USA approach of no/very low charging is necessarily the right model for Australia. This approach leads to greater demand but without adequate funding, can result in lower quality products. Fundamental spatial data by definition requires adequate levels of quality in order to ensure the widest possible take-up.



**COMMONWEALTH PUBLIC INTEREST  
SPATIAL DATA TRANSFER POLICY**

**Developed by the  
Commonwealth Spatial Data Committee (CSDC)  
with Ministerial Endorsement  
October 1995**

**Attachment: Data Schedule**

Lists of datasets currently available under this Policy,  
and the agencies supplying those datasets.

**Definitions:** Terms underlined and marked \* in this document are defined at Section 10.

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## COMMONWEALTH SPATIAL DATA TRANSFER POLICY

### 1. BACKGROUND

- 1.1 The Australia New Zealand Land Information Council (ANZLIC) has developed a National Policy for the Transfer of Land Related Data, in fulfilment of responsibilities assigned to the Council under Schedule 1 to the Intergovernmental Agreement on the Environment of May 1992. Clause 3 of that Schedule charged ANZLIC with the responsibility to "...*facilitate the coordination of intergovernmental arrangements (including appropriate financial arrangements) and provide mechanisms to make the data more accessible across all levels of government and the private sector.*"
- 1.2 With the approval of First Ministers, each jurisdiction<sup>\*</sup> will be required to implement a data transfer<sup>\*</sup> policy, within the framework of the National Policy, and to document operational procedures.
- 1.3 The Commonwealth has endorsed the draft National Policy through the Commonwealth Spatial Data Committee (CSDC). CSDC is the peak Commonwealth coordination forum for portfolios with interests in spatial data<sup>\*</sup> (i.e. land related data<sup>\*</sup> that can be referenced by geographic location). It does not, however, seek to override the legislative provisions under which various custodians of spatial data operate. The Chairman of the CSDC is the Commonwealth representative on ANZLIC.

### 2. PURPOSE

- 2.1 This Commonwealth policy has been developed by the CSDC to provide guidelines for Commonwealth custodians<sup>\*</sup> of spatial data required to supply data<sup>\*</sup> to the community in the spirit of the Intergovernmental Agreement on the Environment and as a consequence of the endorsed National Policy for the Transfer of Land Related Data.

### 3. PRINCIPLES

- 3.1 The basic principle behind the policy is to maximise cost-effective use of Commonwealth spatial data, produced and funded as a public interest activity<sup>\*</sup>, by maximising access to it.
- 3.2 This recognises firstly that the Commonwealth Government has a function in providing certain spatial data in the public interest, for the benefit of the community. Secondly, it is the responsibility of Government to make full and effective use of that data, funded by the community through taxation.
- 3.3 The policy shall be reviewed by CSDC after a period of two years from the effective date of the policy.

### 4. SCOPE - Schedule of Data and Agencies Supplying the Data

- 4.1 This transfer policy applies only to the nominated public interest spatial data<sup>\*</sup>, available from Commonwealth agencies. A data collection program can only be considered a public interest activity with the approval of the portfolio Minister, or legislative basis.

4.2 Special Conditions and Exemptions are listed at section 8.

## **5. INCLUDED DATA**

- 5.1 The Schedule attached to the policy lists Commonwealth public-interest spatial datasets which can be transferred under the conditions of this policy. Before inclusion in the Schedule datasets must have ministerial approval and funding available for collection and data management activities. The Schedule is intended to be a dynamic list; updates will be made by CSDC as required, after approval of the responsible portfolio Minister.
- 5.2 The policy applies to the transfer of data that already exists at the time of transfer and in the form held by the data custodian to meets its own public interest responsibilities. Any editing, interpretation or transformation other than that required to convey the data in an appropriate standard data transfer format may attract extra charges.

## **6. PARTICIPATING SUPPLIER AGENCIES**

- 6.1 The Commonwealth agencies supplying data under this policy are listed against the data in the Schedule. Exclusion from the list does not imply that an agency is necessarily excluded from implementing the policy.
- 6.2 The policy relies heavily on the principle of custodianship<sup>\*</sup>. CSDC will be responsible for identifying a system of lead agencies<sup>\*</sup> and data custodians for all Commonwealth spatial datasets<sup>\*</sup>. Lead agencies will coordinate the development of data categories of a common theme, government-wide. This will include development of data collection and transfer standards, and the coordination of data acquisition<sup>\*</sup> so as to minimise duplication.
- 6.3 Separate Custodianship Guidelines, setting out the rights and responsibilities of data custodians and lead agencies are being developed by CSDC.

## **7. DATA RECEIVERS**

- 7.1 The Policy covers transfers to all receivers, whether they are government or non-government. This includes other Commonwealth agencies, State Governments, Territory Governments, local government, academia, the commercial sector, and the general public.

## **8. SPECIAL ARRANGEMENTS**

### **8.1 Data not collected in the Public Interest**

Spatial data which are collected or processed for purposes other than public interest are not subject to this policy. Such data would normally be provided by Commonwealth agencies at rates in accordance with Commonwealth Government directives on charging.

### **8.2 Collaborative arrangements**

Collaborative and cooperative arrangements negotiated between parties can take precedence over this policy. These arrangements are often characterised by an exchange of goods or services of comparable value. When valuing their goods or services, parties should take into account

potential royalties.  
This exemption to the policy applies to both existing and future  
arrangements.

### **8.3 International agreements**

International agreements, treaties and conventions for the transfer of spatial data take precedence over this policy. Such arrangements are the responsibility of the Commonwealth agency and its international partner(s).

### **8.4 Research/Education use**

Special arrangements may be made for the transfer of spatial data for educational or research purposes. These arrangements are to be negotiated between the data custodian and the user. Some research data may be restricted for a nominated embargo period to protect the work of the investigator.

### **8.5 Third Party Contracts**

If the Commonwealth funds a third party to collect or maintain data on its behalf, then the custodianship responsibility usually remains with the Commonwealth and this policy may apply.

### **8.6 Privacy, Confidentiality, Security**

Datasets which are restricted because of privacy, confidentiality or security provisions, may not be made available under this policy.

### **8.7 Legislation or Statutory Obligations**

This policy does not absolve any responsibility for complying with relevant legislation. It does not override any statutory obligations.

### **8.8 Reporting Special Arrangements**

Commonwealth agencies should document exemptions and special arrangements involved under this policy in order to provide a basis for comprehensive analysis of all user-groups and to contribute effectively to the coordination role of CSDC. Agencies will report these to CSDC at the end of each financial year for inclusion in the CSDC Annual Report.

## **9. TRANSFERS OF PUBLIC INTEREST SPATIAL DATA**

### **Pricing**

- 9.1 Generally, at least the average cost of transfer\* incurred by the supplier in providing a copy of, or access to, a dataset listed in the Schedule should be charged. In other words the cost of transferring the data spread over an estimated number of transactions. The average cost of transfer will include direct costs (eg. media consumables, computer processing and freight) as well as an estimated pro rata share of all overhead costs in providing the distribution service (eg. labour, capital equipment and promotional facilities).
- 9.2 Where applicable royalties payable by the custodian agency to the data owner are to be included in the cost of transfer.
- 9.3 The costs of collecting, maintaining\* or upgrading\*, or archiving the original data are **not** components of cost of transfer.



- 9.4 A discussion paper prepared by the Department of Finance, setting out the principles of user charging and their application to the setting of charges for access to Commonwealth spatial data collected in the public interest is available upon request from the CSDC .

### **Licence**

- 9.5 Transfers of spatial data by Commonwealth agencies, be they government or non-government, will generally be under the conditions of a licence\* #.
- A licence is intended to:
- protect copyright\* ,
  - prevent the unauthorised onward transfer, or sale of the data, and
  - provide for payment of royalties to the data owner if the data is used in the production of a further product for commercial gain.
- 9.6 The licence should not seek to restrict the use to which the data is put, other than those restrictions above.
- 9.7 Developments in technology are facilitating data transfer, including remote access to databases. Labelling which clearly states copyright, transfer restrictions and any acknowledgment requirements may be used to ensure that the licence provisions are met.
- 9.8 Where a licence is not appropriate, such as dealings between Commonwealth agencies, transfers will be subject to a memorandum of understanding\* which fulfils the same functions as the licence.

# Note: Guidelines for preparing a licence agreement will be developed by ANZLIC.

### **Data Quality and Liability**

- 9.9 CSDC encourages data suppliers to provide full and frank quality statements regarding the source and accuracy of the spatial data.
- 9.10 CSDC encourages data users to take full account of any limitations of the data when applying it to their particular purpose. Data should not be used for purposes beyond its originally intended use.
- 9.11 An appropriately worded disclaimer in the licence agreement will assist in limiting the Commonwealth's potential liability for releasing incorrect data.

## **10. DEFINITIONS FOR THE PURPOSE OF THIS DOCUMENT**

**Average cost:** The full value of all the resources used or consumed in providing a particular product or activity, averaged over the estimated total units of output.

**Copyright:** The exclusive right to reproduce, publish, broadcast and adapt a work.

**Custodian:** An agency assigned responsibility for custodianship of a specific spatial dataset.

**Custodianship:** Responsibility for the day-to-day operational management of datasets. This may include responsibilities such as determining priorities for data capture, managing and operating the data acquisition, complying with standards, storing the data and ensuring data security, maintaining and revising the data, providing metadata and promoting data use, facilitating data access, and administering data distribution.

**Data:** In this document, the term "data" refers to "spatial data". See Spatial Data.

**Data transfer:** In this document, the term "transfer" refers to the supply of data to a user by providing a copy of, or access to, the original data held by a custodian.

**Dataset:** A named collection of logically related features.

**Data acquisition:** Initial acquisition (collection) of data or subsequent addition of data to the same specification, including data quality assurance processes.

**Jurisdiction:** A Federal, State or Territory Government of Australia.

**Land related data:** see Spatial data

**Lead agency:** An agency identified as having Commonwealth-wide responsibility for coordinating the development of a category of spatial data.

**Licence:** A binding legal agreement between the custodian of data and another party, setting out the conditions under which that other party may use the data.

**Maintenance:** A process that ensures that data continues to conform to a specification.

**Memorandum of Understanding:** A non-binding arrangement between the data custodian and another party, setting out the conditions under which that other party may use the data. A memorandum of understanding is generally reached between two parties (e.g. Commonwealth agencies which do not have a separate legal personality from the Commonwealth) in cases where a licence is not appropriate.

**Public interest activity:** A public interest activity arises where an agency or entity is directed by the Government to carry out activities that would not be provided on commercial grounds, or which would only be provided commercially at a higher price. The obligation might be a particular service to a section of the community, or a higher level or quality of service. A public interest activity needs to arise from a specific Government direction. The terms 'public interest activity' and 'Community Service Obligations' (CSOs) are often used interchangeably.

**Public interest spatial data:** Spatial data collected or acquired by the Commonwealth with the intention of dissemination or application under an approved public interest program, in the format required for that program.

**Royalties:** The monetary consideration received by the owner of copyright in a "work" from a person for a licence to make copies of that "work".

**Spatial data** (or land-related data): Data representing geographically referenced features that are described by geographic position and attributes.

Note: This definition applies to data about the land surface, sub-surface, aquatic, marine and lower atmospheric regions. Typically it includes data about natural resources, the environment, land ownership, land use, transport, communications, demography and socio-economic factors, which comply with the definition above. Spatial data can exist in many formats including digital data on floppy disk, magnetic tape or compact disk, imagery such as aerial photos and satellite images, and hardcopy such as maps or plans.

**Upgrade:** Revision of data to a new specification.

## **11. DATA SCHEDULE**

The Data Schedule lists datasets available under this policy, and the custodians of those datasets

The Schedule is a dynamic document. Its contents will be updated as required and reviewed at least annually by the Commonwealth Spatial Data Committee.

<p style="text-align: center;"><b>DATA SCHEDULE</b> to the Commonwealth Public Interest Spatial Data Transfer Policy.</p>
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- Note 1:** This is the current list of data that is available under this Policy. Additional datasets held by Commonwealth custodians may be added in time, with the approval of the responsible Minister. The Schedule will be regularly reviewed by the Commonwealth Spatial Data Committee.
- Note 2:** The data listed in the Schedule are available in the form held by the data custodian to meet its own public interest responsibilities. Any editing, interpretation or transformation, other than that required to convey the data in an appropriate data transfer format, may attract extra charges.
- Note 3:** Some Commonwealth-held datasets have not been included because they are restricted under the Special Arrangements clause of this Policy - the data custodian will provide details.
- Note 4:** Other processed datasets may be available from the custodians at a charge levied in accordance with Government directives on charging.
- Note 5:** More detailed information (metadata) about available data, may be available from the nominated contacts. Many agencies have published catalogues or electronic data directories available.

<b>Agency:</b>	<b>Australian Surveying and Land Information Group (AUSLIG)</b>
<b>Portfolio:</b>	<b>Department of Administrative Services</b>
<b>Datasets:</b>	<ul style="list-style-type: none"> <li>• Digital mapping vector data</li> <li>• Topographic and thematic maps</li> <li>• Geodetic data</li> <li>• Aerial photography</li> <li>• Remote sensing imagery</li> </ul>
Spatial data produced under AUSLIG's public interest mandate	
<b>Central point of contact:</b>	AUSLIG Data Centre, Phone 1800 800 173 or (06) 201 4340
<b>AUSLIG WWW Home Page:</b>	<a href="http://www.auslig.gov.au/">http://www.auslig.gov.au/</a>
<b>Agency:</b>	<b>Ionospheric Prediction Service (IPS)</b>
<b>Portfolio:</b>	<b>Department of Administrative Services</b>
<b>Datasets:</b>	<ul style="list-style-type: none"> <li>• Ionospheric data and indices that affect communications and indicate major constituency changes in the upper atmosphere</li> <li>• Solar activity data that affect geomagnetic fields, the atmospheric electrical fields from surface upwards, and heating of the upper atmosphere in the auroral zones.</li> </ul>
<b>Data distribution:</b>	IPS Radio and Space Services (Attn: Data Services) Phone: (02) 414 8334; Fax (02) 414 8340; E-mail: <a href="mailto:rwg@ips.oz.au">rwg@ips.oz.au</a>
<b>IPS WWW Home Page:</b>	<a href="http://www.ips.gov.au">http://www.ips.gov.au</a>
<b>Agency:</b>	<b>Australian Bureau of Statistics (ABS)</b>
<b>Datasets:</b>	The statistics in standard publications from ABS collections classified in accordance with the Australian Standard Geographical Classification (ASGC).

**Data distribution:**

Central Information Service, ABS: Tel. (06) 252 6007 or 008 020 608  
Internet E-mail: [stat.info@abs.telememo.au](mailto:stat.info@abs.telememo.au)

**ABS WWW Home Page:**

<http://www.statistics.gov.au>

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<b>Portfolio:</b>	<b>Environment Australia, Dept of the Environment, Sport and Territories</b>
<b>Datasets:</b> <i>Revised 8/97</i>  Note: This is an indicative list. A full directory of data holdings is available at <a href="http://www.environment.gov.au/net/edd.html">http://www.environment.gov.au/net/edd.html</a>	<ul style="list-style-type: none"> <li>• Biodiversity <ul style="list-style-type: none"> <li>- Point and area based species data</li> </ul> </li> <li>• Human Settlements <ul style="list-style-type: none"> <li>- National Pollutant Inventory</li> </ul> </li> <li>• Land Resources <ul style="list-style-type: none"> <li>- Protected Areas</li> <li>- Interim Biogeographic Regionalisation of Australia (IBRA)</li> </ul> </li> <li>• National and Cultural Heritage <ul style="list-style-type: none"> <li>- Register of the National Estate Database</li> <li>- National Wilderness Inventory</li> <li>- Australian World Heritage Areas</li> </ul> </li> </ul>
<b>Data distribution:</b>	ERIN Tel. (06) 274 1262, Fax. (06) 274 1333 Email: <a href="mailto:info@erin.gov.au">info@erin.gov.au</a>
<b>Agency:</b>	<b>Bureau of Meteorology</b>
<b>Portfolio:</b>	<b>Department of the Environment, Sport and Territories</b>
<b>Datasets:</b>  Climate data is available for Australia, some offshore islands and the Australian Antarctic bases.	<u>Climate data including:</u> <ul style="list-style-type: none"> <li>• Site Locations</li> <li>• Surface Climate Data (temperature, wind, visibility, weather, rainfall)</li> <li>• Marine meteorological observations</li> <li>• Upper Air Data (wind, pressure, geopotential height, temperature, etc)</li> <li>• Daily, monthly and yearly statistics for various climate parameters</li> <li>• Southern Oscillation Index</li> <li>• Other climate data, e.g. <ul style="list-style-type: none"> <li>global and diffuse radiation at selected sites,</li> <li>ozone (total column and profile),</li> <li>pluviograph records,</li> <li>tropical cyclones (tracks, intensity etc),</li> <li>severe thunderstorms (location, intensity, impact etc).</li> </ul> </li> <li>• Numerical analyses and prognoses from National Meteorological Centre</li> </ul>
<b>Data distribution:</b>	Data Services, National Climate Centre - Melbourne Tel. (03) 669 4082, Fax. (03) 669 4515
<b>Agency</b>	<b>RAN Hydrographic Service, Department of Defence</b>
<b>Datasets:</b>  Spatial data held is in two categories, published products and unpublished source data. Published products generally contain a source diagram. Resolution of source data is significantly better than resolution of product data. Availability of digital data is limited but improving.	National Chart Database - printed published charts National Chart Database - digital form (limited availability) National Bathymetric Database - printed 1:250,000 maps National Bathymetric Database - printed 1:250,000 source data National Bathymetric Database - 1:250,000 digital datasets National Hydrographic Survey Database - RAN sourced manuscript "fair sheet" form, scales typically 1:50,000 or 1:25,000 National Hydrographic Database - limited digital datasets National Tide Tables - printed and electronic

**Data Distribution:**

Manager, Information Services - Phone (042) 21 8500, Fax (042) 21 8599

<b>Agency:</b>	<b>Royal Australian Survey Corps, Department of Defence</b>
<b>Datasets:</b>	1:250000 printed Topographic Line Map series 1:100000 printed Topographic Line Map series
<b>Data distribution:</b>	Directorate of Survey - Army, SO1 Operations Support Ph (06) 266 2063, Fax (06) 266 3111

<b>Agency:</b>	<b>Australian Geological Survey Organisation (AGSO)</b>
<b>Portfolio:</b>	<b>Dept of Primary Industries and Energy</b>
<p><b>Datasets:</b></p> <p>AGSO has an extensive range of geoscience databases, and supporting spatial data held in many media formats such as digital, hardcopy maps, text, airphotos, film, slides.</p> <p>Not all datasets can be exclusively categorised as public interest. Some datasets are jointly funded, and subject to confidentiality periods.</p> <p>Therefore, a top level list is all that can be given at this stage.</p> <p>This list is indicative only of available dataset categories under which AGSO holds custodianship and which may have some public interest component. AGSO would need to examine requests on a case by case basis.</p>	<ul style="list-style-type: none"> <li>• Geological <ul style="list-style-type: none"> <li>- standard national geological maps (1:250K), GIS layers, thematic (soils)</li> <li>- selected attribute datasets (eg rock properties, lithology, regolith, geochronology)</li> </ul> </li> <li>• Geophysical <ul style="list-style-type: none"> <li>- marine seismic, gravity, magnetic &amp; bathymetric data</li> <li>- airborne geophysics maps (1:10M, 1:25M, magnetic, gravity, elevation)</li> <li>- survey metadata, indexes, standards &amp; base station data (gravity, magnetic)</li> <li>- earthquake hazard maps and nuclear explosions seismological datasets</li> </ul> </li> <li>• Resources <ul style="list-style-type: none"> <li>- offshore resources (1:1M map)</li> <li>- petroleum wells data (joint custodianship with BRS)</li> </ul> </li> <li>• Environmental <ul style="list-style-type: none"> <li>- quaternary</li> <li>- coastal zone / marine sediments &amp; geochemistry</li> </ul> </li> <li>• Hydrogeology <ul style="list-style-type: none"> <li>- groundwater quality &amp; GIS coverages</li> <li>- MDBC map series (1:250K)</li> <li>- wire-line log datasets</li> <li>- basin &amp; regional hydraulic models</li> </ul> </li> <li>• Cartographic <ul style="list-style-type: none"> <li>- plans, maps, text illustrations, airphotos, 35mm slides</li> </ul> </li> <li>• Reference <ul style="list-style-type: none"> <li>- catalogues (fossils, museum specimens, rock store, map &amp; library holdings)</li> <li>- standards databases (time, provinces, stratigraphic names)</li> </ul> </li> </ul>
<b>Data distribution:</b>	AGSO Sales Centre: Tel. (06) 249 9519; Fax. (06) 249 9982
<b>AGSO WWW Home Page:</b>	<a href="http://www.agso.gov.au/">http://www.agso.gov.au/</a>

<b>Agency:</b>	<b>Bureau of Resource Sciences (BRS)</b>
<b>Portfolio:</b>	<b>Dept of Primary Industries and Energy</b>
<p><b>Datasets:</b></p> <p>BRS accesses databases for integrative studies to support government decision making.</p> <p>.</p>	<ul style="list-style-type: none"> <li>• Basic petroleum well data</li> <li>• National forests and woodlands</li> <li>• National forest inventory (continental, 1991)</li> </ul> <p>Other datasets (concerning mineral locations and resources) are likely to be included once some issues of confidentiality and custodianship are resolved.</p>

**Data distribution:**

National Resource Information Centre: Ph (06) 272 5790, Fax (06) 272 4687

**Agency:  
Portfolio:**

**Earth Observation Centre, CSIRO  
Dept of Industry, Science & Technology**

**Datasets:**

(Further datasets may be nominated at a later date).

- NOAA satellite images (1/4/92 to the present)

**Data distribution:**

CSIRO Earth Observation Centre  
Fax: (06) 216 7222, E-mail: [info@eoc.csiro.au](mailto:info@eoc.csiro.au)

***Note to managers of Commonwealth agencies holding public interest spatial data:***

*The Commonwealth Spatial Data Committee is seeking to expand the list of data available under the Commonwealth Public Interest Spatial Data Transfer Policy.*

*If your organisation has public interest spatial data that you believe should be included in this Schedule to the Policy please contact the CSDC Secretariat:*

*Ph: (06) 201 4321  
Fax (06) 2014366, or  
E-mail [csdc@auslig.gov.au](mailto:csdc@auslig.gov.au).*