

# Queensland Government Enterprise Architecture

## Guideline



**Shaping government ICT to  
support business outcomes**

## Government Information Licensing Framework

Final

March 2010

v1.0.0

**PUBLIC**

## Document details

<b>Security classification</b>	Public		
<b>Date of review of security classification</b>	February 2010		
<b>Authority</b>	QGCIO		
<b>Author</b>	Queensland Government Chief Information Office (Enterprise Architecture & Strategy)		
<b>Documentation status</b>	Working draft	Revised Consultation draft	<input checked="" type="checkbox"/> Final version

## Contact for enquiries and proposed changes

All enquiries regarding this document should be directed in the first instance to:

Director, Enterprise Architecture and Strategy  
 Queensland Government Chief Information Office  
[ggcio@qld.gov.au](mailto:ggcio@qld.gov.au)

## Acknowledgements

This version of the GILF Guideline was developed and updated by the Enterprise Architecture and Strategy Unit, Queensland Government Chief Information Office and with input from a number of staff from various agencies, which was greatly appreciated.

## Copyright

*Government Information Licensing Framework*

Copyright © The State of Queensland (Department of Public Works) 2008–2010

## Licence



*Government Information Licensing Framework* by the Queensland Government Chief Information Office is licensed under a [Creative Commons Attribution \(BY\) 2.5 Australia License](https://creativecommons.org/licenses/by/2.5/au/). Permissions may be available beyond the scope of this licence. See [www.ggcio.qld.gov.au](http://www.ggcio.qld.gov.au).

## Information security

This document has been security classified using the Queensland Government Information Security Classification Framework (QGISCF) as PUBLIC and will be managed according to the requirements of the QGISCF.

# Contents

<b>1</b>	<b>Introduction.....</b>	<b>4</b>
1.1	Purpose .....	4
1.2	Audience .....	4
1.3	Scope .....	4
1.4	Responsibilities .....	4
<b>2</b>	<b>Background.....</b>	<b>5</b>
2.1	What is GILF? .....	5
2.2	Why was GILF developed? .....	5
<b>3</b>	<b>About GILF licences.....</b>	<b>5</b>
3.1	Business considerations regarding the release of government information .....	6
3.2	Licensing review.....	7
3.3	When are the GILF licences applied? .....	7
3.4	How to apply a GILF licence .....	7
<b>Appendix A</b>	<b>Overview of licences available within Government Information Licensing Framework .....</b>	<b>9</b>
<b>Appendix B</b>	<b>Relationship between ex ante decision-making and GILF .....</b>	<b>12</b>
<b>Appendix C</b>	<b>Relationship between GILF and the Queensland Government Information Security Classification Framework.....</b>	<b>14</b>

# 1 Introduction

## 1.1 Purpose

This guideline has been developed to assist departments to implement the Queensland Government Enterprise Architecture (QGEA) Government Information Licensing Framework (GILF). It provides information about the GILF licences and their use and should be read in conjunction with the GILF Policy and Position papers.

The guideline complements the [GILF website](#) which is a web-based tool designed to assist departmental employees to make appropriate licensing decisions that enable the use and re-use of government information by the wider community.

## 1.2 Audience

This guideline is primarily intended for:

- creators of information
- custodians of information assets
- information release specialists/decision makers
- information champions
- information governance bodies
- information managers
- information marketers and publishers.

## 1.3 Scope

This guideline applies to all Queensland Government departments.

There is no category of government information that is out of scope for this guideline. However, departments need to be mindful of [ex ante decision making rules](#) which are the considerations to be applied to the release of information under administrative discretion under the Right to Information (RTI) environment and information security classification which may influence the type of licence applied to the information.

## 1.4 Responsibilities

The Queensland Government Chief Information Office (QGCIO) is responsible for ensuring that QGEA policies, positions, and guidelines are reviewed annually. QGCIO will liaise with the national GILF coordinator responsible for managing GILF across the jurisdictions to ensure that:

- new versions of Creative Commons (Australia) licences remain suitable for use by Queensland Government
- the Restrictive Licence template maintained and updated if required
- the GILF website is updated and maintained.

## 2 Background

### 2.1 What is GILF?

The Government Information Licensing Framework is a flexible copyright management tool for Queensland Government departments to manage the use of government information in an online environment. GILF is based on the [Creative Commons \(Australia\)](#)<sup>1</sup> (CC) philosophy and contains six Creative Commons licences plus a restrictive licence template. It offers a range of copyright licences that departments can use to licence government information before it is released by the Department or shared within government communities. (See [Section 3](#) for more detail on the licences).

Government information is defined in the QGEA glossary as

*Government information includes all reports, documents, data sets and information that Queensland Government departments collect or produce for statutory purposes or business needs. Government information may be stored in a number of information formats. This includes presentation in electronic (digital), print, audio, video, image, graphics, cartographic, physical sample, textual or numerical form.*

### 2.2 Why was GILF developed?

The new Right to Information environment seeks to achieve open, accountable and participatory government by shifting to a 'push' model for the release of government information. Departments are required to 'maximise the public's access to information' to enable the use and re-use of this information.

One way to protect the copyright and ensure maximum exposure to government information is to release the information using copyright licences. GILF was developed to handle licensing arrangements used within the Queensland Government and to provide a standard licensing regime to manage the release of government information.

## 3 About GILF licences

GILF consists of seven licences - six [CC](#) licences as listed below and a Restrictive Licence template. Each of the licences has specific rights or conditions of use associated with them. Appendix A provides detailed information for each licence. The licences are:

- 1 [Attribution \(BY\)](#)
- 2 [Attribution – Non Commercial \(BY-NC\)](#)
- 3 [Attribution – Share Alike \(NY-SA\)](#)
- 4 [Attribution – No Derivatives \(BY-ND\)](#)
- 5 [Attribution – Non Commercial – Share Alike \(BY-NC-SA\)](#)
- 6 [Attribution – Non Commercial – No Derivatives \(BY-NC-ND\)](#)
- 7 Restrictive Licence (RL) template <http://www.gilf.gov.au/about-gilf-restrictive-licence>

---

<sup>1</sup> Creative Commons Australia is a derivative project of the International Creative Commons project. It is an innovative way to share and protect information. Available at <http://creativecommons.org.au/about> accessed 23 November 2009.

The six [CC](#) licences are intended to cover the majority of licensing requirements within the Queensland Government environment. These licences are suited for the online dissemination of government information but can also be applied to hardcopy information, for example government reports, annual reports, photographs and community information.

The Restrictive Licence template is suited for transactions of government information that contain personal or other confidential information or where the information is for commercial use. Examples where this licence may be used include:

- exchanging information between the Government and another party where contractual arrangements apply
- granting access to systems providing government information
- assigning rights to a party to authorise distribution of government information.

GILF licences are available in different formats as outlined in **Appendix A**:

- Plain English summary
- Legal code
- Machine readable code ([Creative Commons \(CC\) \(Australia\)](#) licences only).

The Plain English summary is linked to each [CC](#) licence. It is easily understood and covers the conditions of use and re-use of the licensed information.

The Legal Code is also linked to each [CC](#) licence and is compliant with Australian copyright law.

The Machine Readable Code enables the application of appropriate metadata to enable search and discovery of the information.

Although the six [CC](#) licences do not contain indemnity provisions, they do contain strong disclaimers (comprehensive exclusions for liabilities and limitation of warranty provisions). Where an indemnity is required, the Restrictive Licence template provides for this provision.

The Restrictive Licence template was developed with the assistance of Crown Law and is compliant with Australian copyright law.

### 3.1 Business considerations regarding the release of government information

The [QGEA Information Position](#)<sup>2</sup> requires departments to establish an authorising and accountability environment for the routine and proactive disclosure of information. QGEA GILF is only one policy to consider. Departments should also be familiar with the requirements of the *Right to Information Act 2009*; Information Standard 33: Information access and use including the Ex-ante Decision Making Rules guideline: Queensland Public Sector Intellectual Property Principles and Guidelines; and the Queensland Government Information Security Classification Framework.

**Appendix B** summarises the relationship between GILF and ex ante decision making rules as well as GILF and the Information Security Classification Framework.

---

<sup>2</sup> QGEA Information position available at: <http://www.qgcio.qld.gov.au/SiteCollectionDocuments/Architecture%20and%20Standards/QGEA%202.0/Information%20Management/Information%20position%20paper.doc>, accessed on 9 December 2009

## 3.2 Licensing review

The licensing review assists users to clarify certain intellectual property issues about the information they intend to release. Users should have regard for any departmental policies concerning the need to obtain legal advice when releasing information. The licensing review has been designed to promote good information management practices that are consistent with the GILF policy. However, it is acknowledged that certain complex circumstances may be outside the intended scope to the licensing review, and legal advice will be need to be obtained before releasing information.

In addition to copyright and intellectual property issues, there are also confidentiality and privacy issues to consider when licensing information. The Office of the Information Commissioner Guideline: Administrative release of information is a useful guide for determining whether information should be released and licences applied.

The [GILF website](#) provides support for departments when considering the legal and business issues associated with the licensing and subsequent release of government information. The licensing review tool available on the [GILF website](#) provides support for departments when licensing information for release. Undertaking a licensing review is one way to reduce the department's risk of legal liability. This tool poses a series of questions to assist departments in identifying these legal issues and involves the following steps:

- identification of the material to be licensed
- identification and review of restrictions applicable to the publishing of the original content
- identification of any third party copyright used in the creation of the material
- identification and review of publishing restrictions that may apply to third party copyright
- identification of private or confidential information
- selection of an appropriate GILF licence based on the outcome of the review.

Once the steps have been completed a [workflow](#) tool is available to determine a suitable licence.

It is important to note that the licensing review tool on the [GILF website](#) requires departments to input certain information about the individual entering information and the material to be licensed.

**This information is for the purposes of producing a departmental report and the information is not stored in the system.**

## 3.3 When are the GILF licences applied?

GILF licenses are applied to government information before it is released outside the responsible department. There are many instances that may trigger the release of information, for example:

- a request for information
- publishing information on a departmental website
- sharing information with other government jurisdictions
- sharing information between government departments
- sending information out for consultation or including information as part of an agreement.

## 3.4 How to apply a GILF licence

Determining which copyright licence to apply may vary depending on the content type or format of the information. (See the QGEA Definition Paper: Information Architecture). Publications, websites or data sets are some of the major ways in which government information is disseminated.

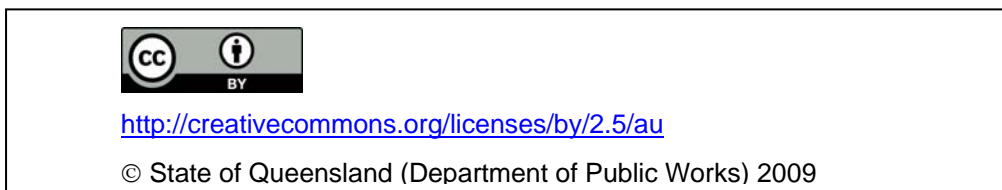
### 3.4.1 Publications

GILF licences should be determined using the legal review and other sources mentioned above and applied to each publication before it is released. Publications include unstructured content such as policy documents, annual reports or fact sheets.

To apply a GILF licence to a publication, it is necessary to do the following:

- include a standard licence badge
- include a URL link containing the plain English summary version of the licence and the legal code
- include a suitable attribution notice.

The figure below provides an example of the simplest form of application.



Other information could be included, but this is at the discretion of the individual department and should be relevant to the government information being released. For example, departments may wish to include contact details, recommended citation or attribution of multiple contributors.

The ideal location and size of the GILF markings is set out on the [GILF website](http://www.gilf.gov.au/licence-markings-in-document-templates) at <http://www.gilf.gov.au/licence-markings-in-document-templates>.

If this material is being downloaded from a departmental website the terms included in the licence are intended to supersede the general terms provided on the website.

### 3.4.2 Websites

It is important that departments review copyright statements on websites offering licensed material and amend the copyright statement to reflect this. The [GILF website](http://www.gilf.gov.au) provides an example of what could be included on a copyright page on a departmental webpage. The Australian Bureau of Statistics and Flickr websites are other examples where CC licences are used to license information for re-use.




The [GILF Website](http://www.gilf.gov.au) also provides details on how to include licence marking on a website.




### 3.4.3 Data sets


Information stored in a data set which is available for exchange or re-use should be licensed with a GILF licence. The following are examples of ways to include the licensed information for the benefit of the user.

- 1 Information on rights can be included in the metadata file which is provided with the data. Depending upon the metadata schema, this information will be included in different metadata fields. For example, in the case of spatial information, details will be included in the Use constraints and Access constraints.
- 2 A copy of the licence or a link to the licence can be included as a separate file provided to the user with the data.
- 3 For certain file types (eg. image files, text files) the rights information can be inserted in the header of the file.

# Appendix A Overview of licences available within GILF

GILF Licences	Standard terms (plain English summary version)
<p>Attribution (BY)</p> 	<p>You are free:</p> <ul style="list-style-type: none"> <li>• <b>to Share</b> — to copy, distribute and transmit the work</li> <li>• <b>to Remix</b> — to adapt the work.</li> </ul> <p>Under the following conditions:</p> <p><b>Attribution.</b> You must attribute the work in the manner specified by the author or licensor (but not in any way that suggests that they endorse you or your use of the work).</p> <ul style="list-style-type: none"> <li>• For any reuse or distribution, you must make clear to others the license terms of this work</li> <li>• Any of the above conditions can be waived if you get permission from the copyright holder</li> <li>• Nothing in this license impairs or restricts the author's moral rights.</li> </ul> <p><b>Legal code:</b> <a href="http://creativecommons.org/licenses/by/2.5/au/legalcode">http://creativecommons.org/licenses/by/2.5/au/legalcode</a></p>
<p>Attribution – Non-Commercial (BY-NC)</p> 	<p>You are free:</p> <ul style="list-style-type: none"> <li>• <b>to Share</b> — to copy, distribute and transmit the work</li> <li>• <b>to Remix</b> — to adapt the work</li> </ul> <p>Under the following conditions:</p> <p><b>Attribution.</b> You must attribute the work in the manner specified by the author or licensor (but not in any way that suggests that they endorse you or your use of the work).</p> <p><b>Non-Commercial.</b> You may not use this work for commercial purposes.</p> <ul style="list-style-type: none"> <li>• For any reuse or distribution, you must make clear to others the license terms of this work</li> <li>• Any of the above conditions can be waived if you get permission from the copyright holder</li> <li>• Nothing in this license impairs or restricts the author's moral rights</li> </ul> <p><b>Legal code:</b> <a href="http://creativecommons.org/licenses/by-nc/2.5/au/legalcode">http://creativecommons.org/licenses/by-nc/2.5/au/legalcode</a></p>
<p>Attribution – Share Alike (BY-SA)</p> 	<p>You are free:</p> <ul style="list-style-type: none"> <li>• <b>to Share</b> — to copy, distribute and transmit the work</li> <li>• <b>to Remix</b> — to adapt the work</li> </ul> <p>Under the following conditions:</p> <p><b>Attribution.</b> You must attribute the work in the manner specified by the author or licensor (but not in any way that suggests that they endorse you or your use of the work).</p> <p><b>Share Alike.</b> If you alter, transform, or build upon this work, you may distribute the resulting work only under the same or similar license to this one.</p> <ul style="list-style-type: none"> <li>• For any reuse or distribution, you must make clear to others the license terms of this work</li> <li>• Any of the above conditions can be waived if you get permission from the copyright holder</li> <li>• Nothing in this license impairs or restricts the author's moral rights</li> </ul> <p><b>Legal code:</b> <a href="http://creativecommons.org/licenses/by-sa/2.5/au/legalcode">http://creativecommons.org/licenses/by-sa/2.5/au/legalcode</a></p>

GILF Licences	Standard terms (plain English summary version)
<p>Attribution – No Derivatives (BY-ND)</p> 	<p>You are free:</p> <ul style="list-style-type: none"> <li>• <b>to Share</b> — to copy, distribute and transmit the work</li> </ul> <p>Under the following conditions:</p> <p><b>Attribution.</b> You must attribute the work in the manner specified by the author or licensor (but not in any way that suggests that they endorse you or your use of the work).</p> <p><b>No Derivative Works.</b> You may not alter, transform, or build upon this work.</p> <ul style="list-style-type: none"> <li>• For any reuse or distribution, you must make clear to others the license terms of this work</li> <li>• Any of the above conditions can be waived if you get permission from the copyright holder</li> <li>• Nothing in this license impairs or restricts the author's moral rights</li> </ul> <p><b>Legal code:</b> <a href="http://creativecommons.org/licenses/by-nd/2.5/au/legalcode">http://creativecommons.org/licenses/by-nd/2.5/au/legalcode</a></p>
<p>Attribution – Non-Commercial – Share Alike (BY-NC-SA)</p> 	<p>You are free:</p> <ul style="list-style-type: none"> <li>• <b>to Share</b> — to copy, distribute and transmit the work</li> <li>• <b>to Remix</b> — to adapt the work</li> </ul> <p>Under the following conditions:</p> <p><b>Attribution.</b> You must attribute the work in the manner specified by the author or licensor (but not in any way that suggests that they endorse you or your use of the work).</p> <p><b>Non-Commercial.</b> You may not use this work for commercial purposes</p> <p><b>Share Alike.</b> If you alter, transform, or build upon this work, you may distribute the resulting work only under the same or similar license to this one</p> <ul style="list-style-type: none"> <li>• For any reuse or distribution, you must make clear to others the license terms of this work</li> <li>• Any of the above conditions can be waived if you get permission from the copyright holder</li> <li>• Nothing in this license impairs or restricts the author's moral rights</li> </ul> <p><b>Legal code:</b> <a href="http://creativecommons.org/licenses/by-nc-sa/2.5/au/legalcode">http://creativecommons.org/licenses/by-nc-sa/2.5/au/legalcode</a></p>
<p>Attribution – Non-Commercial – No Derivatives (BY-NC-ND)</p> 	<p>You are free:</p> <ul style="list-style-type: none"> <li>• <b>to Share</b> — to copy, distribute and transmit the work</li> </ul> <p>Under the following conditions:</p> <p><b>Attribution.</b> You must attribute the work in the manner specified by the author or licensor (but not in any way that suggests that they endorse you or your use of the work).</p> <p><b>Non-Commercial.</b> You may not use this work for commercial purposes.</p> <p><b>No Derivative Works.</b> You may not alter, transform, or build upon this work.</p> <ul style="list-style-type: none"> <li>• For any reuse or distribution, you must make clear to others the license terms of this work. Any of the above conditions can be waived if you get permission from the copyright holder</li> <li>• Nothing in this license impairs or restricts the author's moral rights</li> </ul> <p><b>Legal code:</b> <a href="http://creativecommons.org/licenses/by-nc-nd/2.5/au/legalcode">http://creativecommons.org/licenses/by-nc-nd/2.5/au/legalcode</a></p>

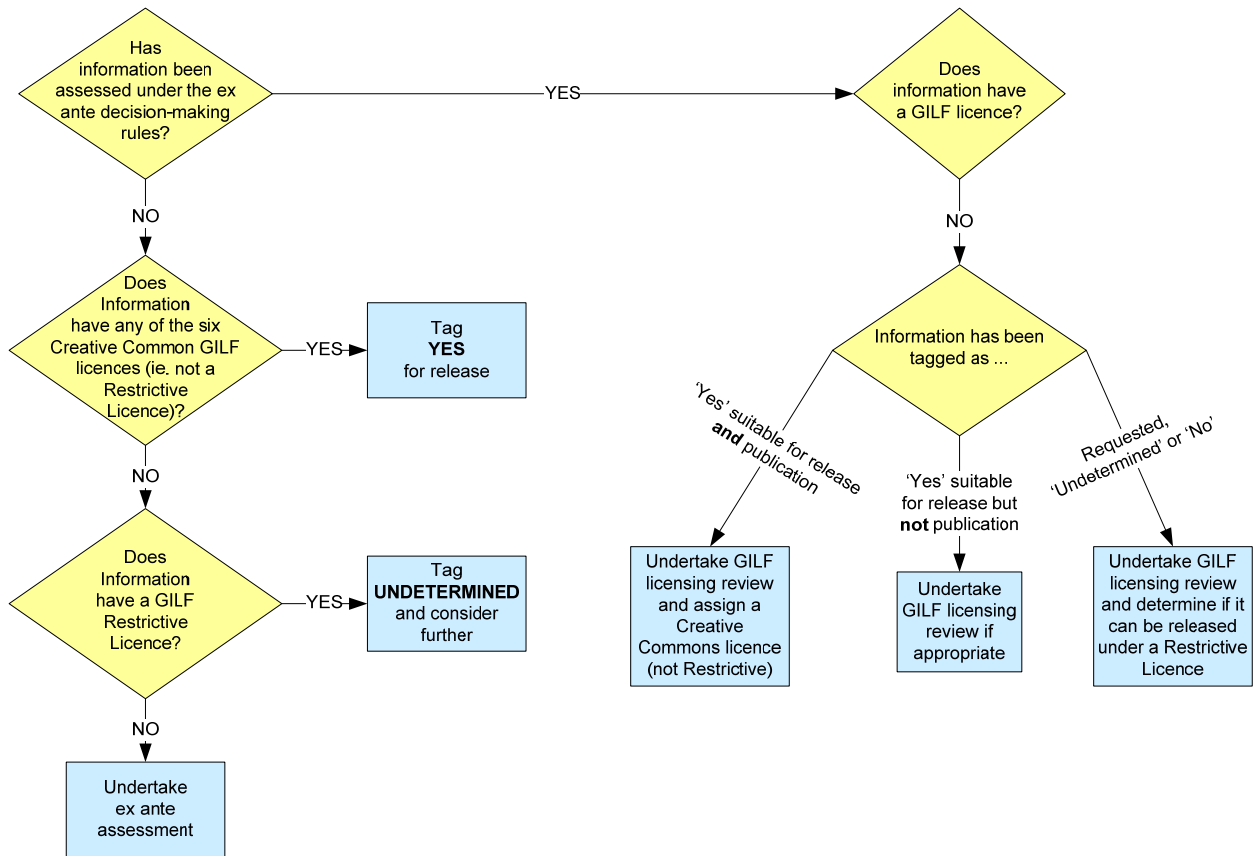
GILF Licences	Standard terms (plain English summary version)
<p>Restrictive Licence (RL)</p> 	<p>You are free:</p> <ul style="list-style-type: none"> <li>• <b>to acquire</b> the material according to the terms you have agreed to with the supplier</li> <li>• <b>to use and modify</b> the material according to the terms you have agreed to with the supplier</li> <li>• <b>to do other things</b> with the material according to the terms you have agreed to with the supplier.</li> </ul> <p>You are required:</p> <ul style="list-style-type: none"> <li>• <b>to pay any fees</b> that you have agreed to with the supplier</li> <li>• <b>to protect confidential information</b> according to the use constraints and protective terms you have agreed to with the supplier;</li> <li>• <b>to protect personal information</b> according to the use constraints and protective terms you have agreed to with the supplier</li> <li>• <b>to comply with additional conditions</b> that you have agreed to with the supplier.</li> </ul> <p>You are not permitted:</p> <ul style="list-style-type: none"> <li>• <b>to share to copy, distribute and transmit</b> this material unless the supplier has expressly agreed that you can do this</li> <li>• <b>to commercialise</b> you may not use this material for commercial purposes unless the supplier has agreed that you can do this</li> <li>• <b>to infringe</b> the copyright owner's moral rights.</li> </ul> <p><b>Restrictive licence template:</b> <a href="http://www.gilf.gov.au/about-gilf-restrictive-licence">http://www.gilf.gov.au/about-gilf-restrictive-licence</a></p>

## Appendix B Relationship between ex ante decision-making and GILF

The following table summarises the relationship between ex ante decision-making and GILF in certain scenarios. The information is also presented in the flow chart following the table.

Scenario	Potential outcomes
Information has: <ul style="list-style-type: none"> <li>• a GILF licence</li> <li>• not been assessed under the <i>ex ante</i> decision-making rules.</li> </ul>	Information with any of the six CC GILF licences (ie. not a Restrictive Licence) should be tagged 'Yes' for release.  Information with a GILF Restrictive Licence would require further consideration and should be tagged 'Undetermined.'
Information has: <ul style="list-style-type: none"> <li>• no GILF licence.</li> </ul>	If the information has not been assessed under the ex ante decision making rules, it should now go through this process.  Information identified as 'Yes' suitable for release and publication must go through the GILF licensing review process to assign one of the six CC licences (ie. not a Restrictive Licence).  Information identified as 'Yes' suitable for release but not publication should go through the GILF licensing review process only if deemed appropriate.  If the information has been requested, information tagged 'Undetermined' or 'No' should go through the GILF licensing review process to consider whether it may be released under a Restrictive Licence.

## GILF and ex ante decision-making

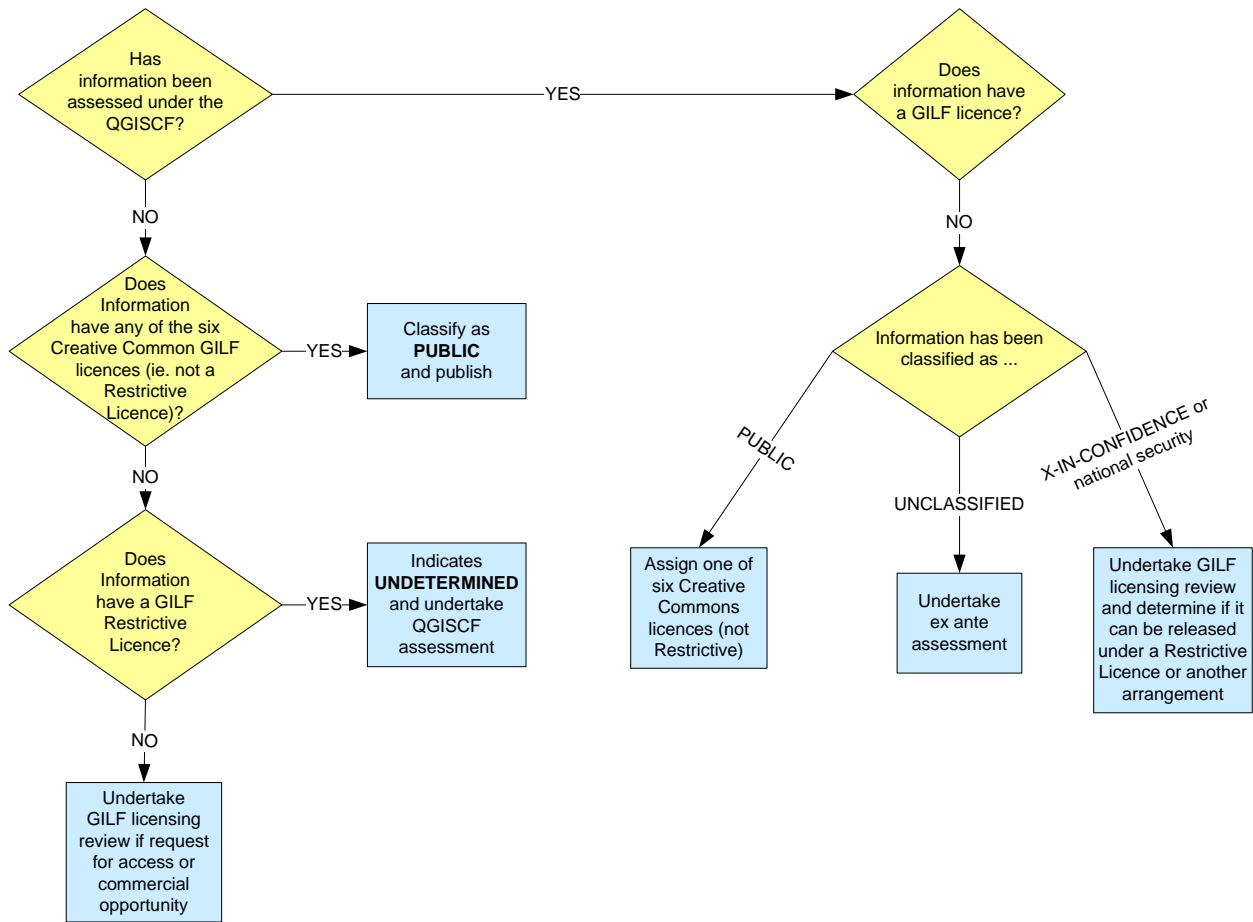


## Appendix C Relationship between GILF and the Queensland Government Information Security Classification Framework

The following table summaries the relationship between GILF and the Queensland Government Information Security Classification Framework (QGISCF) in certain scenarios. It includes references to ex ante decision making rules. The information is also presented in the flowchart following this table.

Scenario	Potential outcomes
<p>Information has:</p> <ul style="list-style-type: none"> <li>• not been assessed under the QGISCF</li> <li>• contains a GILF licence.</li> </ul>	<p>Information with any of the six CC GILF licences (ie not a Restrictive licence) and is intended to be published should be tagged PUBLIC.</p> <p>Information with a GILF Restrictive Licence requires further consideration and should be tagged UNDETERMINED until assessment under QGISCF determines the correct status.</p>
<p>Information has:</p> <ul style="list-style-type: none"> <li>• been assessed under the QGISCF</li> <li>• no GILF licence.</li> </ul>	<p>Information that does not contain a GILF licence should now go through the GILF licensing review.</p> <p>Information classified as PUBLIC should be licensed using one of the six CC licences. (ie. not a Restrictive Licence)</p> <p>Information classified as UNCLASSIFIED requires consideration under ex ante decision-making rules to determine release status (ie. could be tagged 'Yes', 'No' or 'Undetermined'). Use previous table to determine GILF licence.</p> <p>Information classified as X-IN-CONFIDENCE or is national security information should not be released or should go through the GILF licensing review to determine if the information could be released under a Restrictive Licence or another appropriate arrangement.</p>

# GILF and the QG Information Security Classification Framework



The following diagram is to be used as a guide only. It shows the relationship between GILF, Information Security and ex ante. It is to be used as a guide only as it is not possible to represent all possible relationships in a single diagram.

# GILF, Information Security Classification and ex ante decision-making

