

# Re-using existing information and data

NRM Climate Change Adaptation Information Management Support Project



**This document addresses issues surrounding the incorporation of third party materials into Element 2 project outputs.**

## Background

All researchers have the right to be acknowledged and rewarded for their work. Good intellectual property management encourages a culture of collaboration and sharing within the research sector, while making sure copyright owners are correctly attributed and have control over how their original work can be re-used.

Australian law grants copyright owners exclusive permission to reproduce, communicate and publish their work. Rights holders may apply licences or other terms of use that grant more extensive re-use than copyright allows, but these may still limit the re-use of their work. In some cases rights holders may need to be approached directly for permission to re-use their material.

**The following steps and corresponding flowchart overleaf will help you identify the steps required to responsibly reproduce or re-use information or data from a third party in your Element 2 project outputs.**

## Steps to responsible re-use

### 1. I want to re-use information or data created by someone else

The Griffith Information Management Needs Survey found that most Element 2 projects plan to source and re-use content from third party providers such as CSIRO, the Atlas of Living Australia and the Bureau of Meteorology.

### 2. Is the material subject to copyright?

Most third party material you use will be subject to Australian copyright law. See Section 3: Intellectual Property in the *Managing Climate Change Information Data and Information Reference Guide* for more detailed information on copyright.

### 3. Does the Copyright Act cover how you want to use the content?

The Copyright Act only allows for use of an insubstantial part of the copyright material, or use

under “fair dealing” exemptions (i.e. use for private research, study, criticism or review purposes).

The Griffith Information Management Needs Survey found that Element 2 projects plan to re-use information and data in ways that are outside what the Copyright Act permits, e.g. re-packaging and distributing content, deriving new products from sub-sets of existing information and integrating multiple sources into new products.

### 4. Has the rights holder granted express permission for use?

“Express permission” refers to standard terms of use applied by the copyright owner. This can take the form of a ‘Terms and Conditions’ document, a licence, a data re-use agreement or other written statement. If there is no express permission given then you will need to seek written permission directly from the rights holder/s.

### 5. Does the express permission cover how you want to use the content?

The express permission given by the copyright owner may not allow you to use the material or to share your derivative work in the way you would like. If this is the case you would need to seek written permission from the rights holders.

For example, some licences allow a work to be redistributed in its entirety but prohibit modifications or derivatives. If you need to modify work you will need to seek additional permissions.

### 6. Seeking written permission from a rights holder/s to re-use their content

When applying for written permission, make sure you specify how you intend to use and share the copyright material (including details of any open licence you wish to apply).

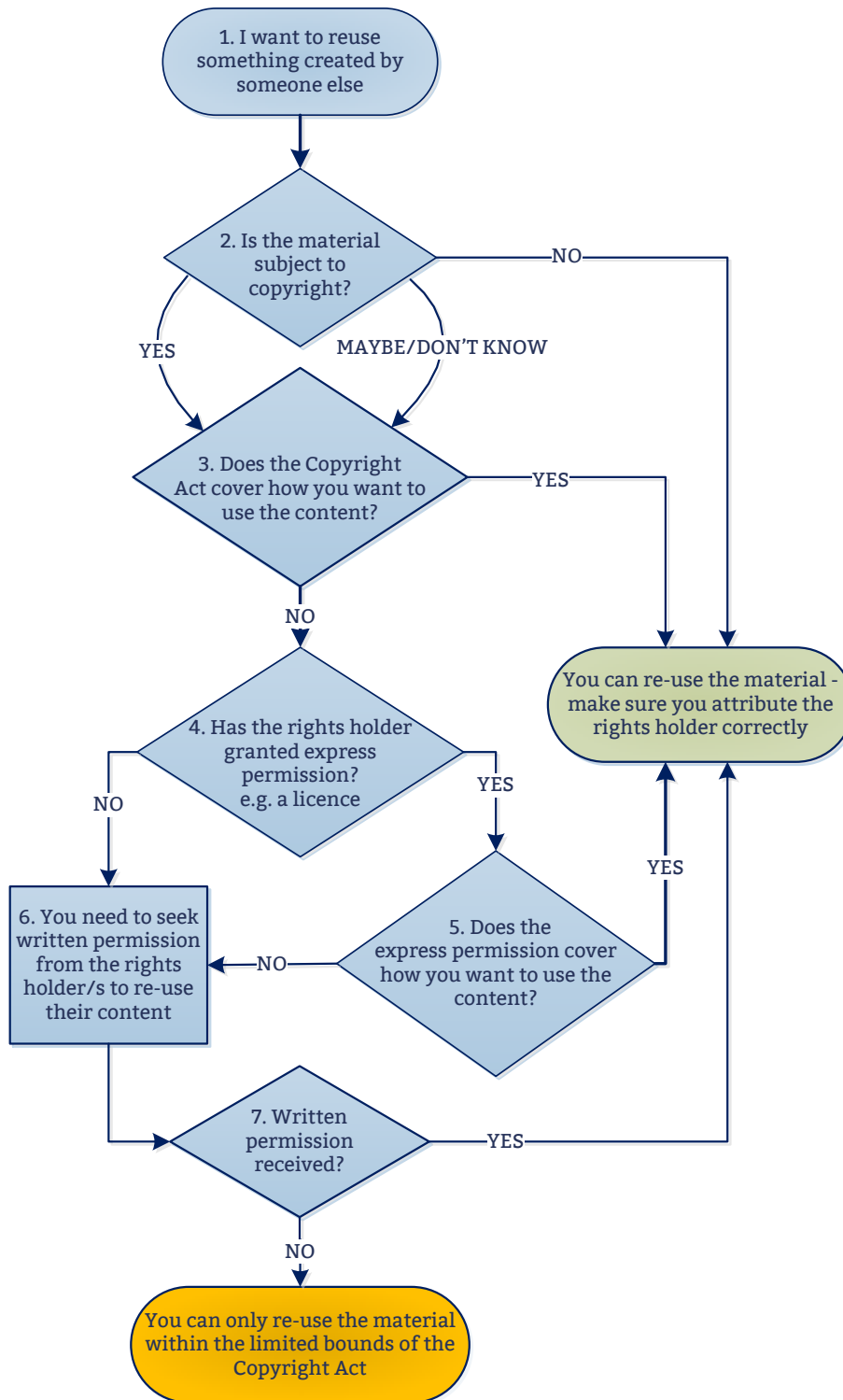
Suggestions for what to include in your request can be found in Section 3.1: Re-using Information and Data from Other Sources in the *Managing Climate Change Information Data and Information Reference Guide*.

### 7. Written permission received?

If you can't get permission from the rights holder, you will be limited to using the material within the bounds of the Copyright Act.

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