

# ALIA Forum on Purchasing Agreements and Licensing

2 February 2004

On 2 February 2004, 85 delegates made their way to the magnificent meeting rooms of Blake Dawson Waldron's Melbourne office for the ALIA Forum on Purchasing Agreements and Licensing.

Through a program designed to encourage participation and interaction, the forum brought together purchasers and suppliers to discuss current developments in licensing and service and business models and to develop new understandings of arrangements that provide value to both libraries and suppliers.

The forum was presented by the ALIA Purchasing and Consortia Reference Group and was chaired by the convenor of the Reference Group, Moyra McAllister. Delegates, presenters and facilitators from a range of library sectors (academic, special, national/state, public, parliamentary) and suppliers attended.

The interactive and cross-sectoral nature of the forum, the wide variety of perspectives and participants and the involvement of vendors allowed for an extensive exchange of ideas and different points of view.

The forum was opened by Christine Mackenzie, ALIA president, who welcomed delegates and outlined the initiatives that ALIA is taking to address purchasing, consortia and licensing issues.

Eve Woodberry, university librarian, University of New England, gave the keynote address on national information infrastructure issues for research and higher education. She described the CAUL (Council of Australian University Librarians) consortia model that operates for Australian university libraries and developments relating to national site licenses in Australia and overseas.

The first of two panel sessions addressed key issues for libraries and users. Cathie Jilovsky, information services manager, CAVAL, provided an academic and research libraries perspective. Cathy Pilgrim, convenor of the Council of Australian State Libraries (CASL) Consortium discussed the principles guiding licence negotiating developed by the CASL Consortium. Julie Rae, chief executive of the Central Highlands Regional Library Corporation and manager of the Gulliver Consortium covered issues for the public library sector and Richard Sayers, manager of library services at the Queensland Environmental Protection Agency provided a case study of the Queensland Government Libraries Consortium.

The second panel session focused on

issues for vendors and issues relating to copyright and licensing agreements. Lisa Di Marco, senior associate, Blake Dawson Waldron, spoke on copyright and contract and the recommendation of the Copyright Law Review Committee that the *Copyright Act* be amended to ensure that the fair dealing and library exceptions over-ride contract terms that are contrary to these exceptions. Julie Stevens, regional manager of ProQuest Information and Learning, spoke about the growth in consortia sales in Australia and the business considerations and the industry environment for dealing with library consortia. Janette Wright, director, RMIT Publishing, discussed the business model for providing Australian content and the relationships between online database suppliers and publishers and authors.

Following the panel sessions, delegates divided into discussion groups with the task of identifying key issues relating to licensing for electronic resources, developing possible solutions and strategies for addressing these issues and suggesting key principles and elements for a model licence.

## Critical issues

Forum delegates found that there is a need for more standardisation of statistical reporting and of the terminology and definitions, for example of pricing models, users and library sites, in licences.

There is also a need to develop greater understanding between libraries and vendors of usage and service needs and for greater flexibility in licence terms, for example about remote access and the definitions of users and sites. Usage requirements can differ markedly among the different library sectors and standard licences developed for one sector may not be readily applicable to other libraries. Librarians would also like to see more transparency in pricing models.

Dealing with changing content and ensuring access to archival material must be covered in licences.

Legal liability for compliance must be covered in licences and there is a role for both libraries and vendors in user education about compliance.

It was acknowledged that Australia is a small player in the international marketplace. Strong local representation with good technical knowledge and understanding of local market is important for overseas suppliers.

## Actions and outcomes

The forum proposed that communication and networking across library sectors and between libraries and vendors could be

facilitated by further forums following a similar format and by use of electronic discussion forums.

Critical areas for skills development for librarians are in negotiating licences and in the analysis and understanding of licences. These should be covered both in CPD and in initial professional education. Workplace placements in vendor and library environments were also seen as contributing to greater knowledge and understanding of business and service environments.

Libraries would like access to support and expertise, for example through the use of brokers and third parties and through web-based information resources giving links to experts and sources such as checklists, guidelines, model licences, information on consortia and evaluation tools

## ALIA's response

ALIA's Continuing Professional Development program and the Purchasing and Consortia Reference Group propose to work in collaboration with interested ALIA groups so that the successful format of the forum can be repeated from the second half of 2004. Planning for a forum in Adelaide in July 2004 to be hosted by the ALIA SA group in collaboration with the Acquisitions Group and the Australian Law Librarians Group (SA) has begun.

ALIA will also investigate offering a web-based course on virtual collection development and developing a course on negotiating licence agreements for ALIA members.

The forum has provided the foundation for an information resource web page on licensing and consortia on the ALIA website.

ALIA CIPS (Co-operative Information Purchasing Service for ALIA institutional members), launched in August 2003, is designed to provide favourable purchasing agreements, consulting and support services for ALIA institutional members <http://alia.org.au/members-only/cips.html>.

ALIA actively represents the interests of the library and information services sector and copyright users and provides extensive information resources and advice to members on copyright matters <http://alia.org.au/advocacy/copyright/>.

A more detailed report in the forum is available at <http://alia.org.au/governance/committees/purchasing/2004.02.report.html>.

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