

Looking at licences

Andrew Wells, University Librarian, University of New South Wales

Australian university libraries are spending more of their information budgets on electronic resources. It is common now to hear the percentage spent on online information to be over 65 per cent. The big difference between acquiring print resources and getting access to online databases is the ownership issue: libraries lease access to online databases, instead of acquiring them. Over the last ten years, librarians have become adept at closely examining the long list of clauses in licences for access to databases. In Australia and New Zealand, the Electronic Information Resources Committee of CAUL, the Council of Australian University Librarians (commonly known as CEIRC) has played particular attention to licensing issues.

By way of background, CEIRC is an advisory committee providing recommendations and advice to CAUL on a wide range of issues related to electronic information resources, including pricing models, archival access and licenses. Formed in 1998, CEIRC membership is available to university libraries and research organisations in Australia and New Zealand. CEIRC negotiates terms and conditions for access to online databases on behalf of its membership. Given that CEIRC now handles over 140 products from nearly 100 vendors, there's a lot of work involved in determining suitable access terms, including pricing and licensing.

Over the years, CEIRC (along with datasets experts in Australian university libraries) has developed expertise in spotting likely problems and difficulties in specific clauses in database licences. For example, the database vendor may not understand the education market and place restrictions on walk-in users or use

of articles in course-packs. It is important to spell out precisely who can have access to the database and from which sites of the university, which may have campuses in several countries. The database vendor may present a radically different view of the university in its licence. Other issues to watch out for are indemnity clauses and compensation for removal of content.

Renegotiating these clauses each time they are presented in database licences can be very time consuming. In order to save time and share expertise, CEIRC has developed a set of suggested alternate clauses for vendor licences which are not acceptable. These 'model' clauses can be used in negotiations: the more we all use them, the more familiar vendors will become with them. These model clauses, and more useful information, are available to everyone at the CEIRC web-site (<http://www.caul.edu.au/datasets/>). Some information is restricted to CEIRC members only.

Is it possible to imagine a time when libraries and vendors will not spend so much time negotiating licence agreements? In the United States, such a possibility is the subject of the National Information Standards Organization's Shared E-Resource Understanding (SERU) Working Group. CEIRC is watching this development with great interest. SERU is developing a framework for libraries and vendors to bypass negotiation of licences and move to a 'buyer-seller' model, if both parties are satisfied that risks can be managed within current legal frameworks and conduct of users. For more information on this initiative, see http://www.niso.org/committees/SERU/SERU_announce.html.



Looking for Australasian
full content resources?

Informit e-Library, Australia's e-press provides access to over 250 resources including cover to cover journals & monographs from a range of subject areas. Visit www.informit.com.au/elibrary to find out more.

