



Note from your Editor

Welcome to the new electronic GLINT.

You've had to wait for this latest issue, folks! The fact is, we government librarians, as most of our readers will know, are very busy people. While we are full of good intentions to put pen to paper, something always seems to get in the way. However your editor has lately managed to induce some literary effort from a number of our government librarians, and I am sure you will find something of interest in this latest issue. Rest assured there will not be the same delay before the next issue hits the street, as we already have more than enough material to fill it.

I am delighted to be able to tell you that the Government Libraries Section is thriving, with lots of new appointments to various government libraries. They are not only numerous, but also very enthusiastic, a welcome change from the days when you could count the number of libraries in government Departments on less than one hand. Nevertheless those few librarians founded a group which has flourished over the years. We founders like to think that it is due to our influence that so many government departments now have libraries, many run by qualified librarians.

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Coming in the next issue...

Developments in some government legal libraries

Libraries—Designing and moving

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- *Judges' Library (Joe Donnelly)*

Open source software for Libraries (Ailish Farragher)

New GLS Web Address

www.libraryassociation.ie/sections/govtlibs/

Notes from the Committee

2002—2003

Orla Gillen, Secretary

Committee 2002—2003

Chair	Michael O’Gorman, State Laboratory
Minutes Secretary	Orla Gillen, Dept of Foreign Affairs
Correspondence Secretary	Valerie Ingram, OPW
Treasurer	Ruth O’Flaherty, Attorney General’s Office
Committee members:	
Joe Donnelly (Judges Library), Mary Doyle (Dept of Agriculture & Food), Andrea Lydon, (National Gallery), Donal McSweeney (Dept of Agriculture & Food), Niamh O’Sullivan (National Blood Transfusion Board)	
Glint Editor	Mary Doyle, Dept of Agriculture and Food
Webmaster	Donal McSweeney, Dept of Agriculture and Food

We, at the Committee of the GLS thought those of you who don’t get to see us that often – or perhaps at all! – would be interested in hearing what we have been up to on your behalf in since the beginning of 2002.

‘Comings’ and ‘Goings’

Since our last mailing, we have seen quite a few comings and goings at the Committee meetings. In particular, we have welcomed Vera Keating from the Department of Justice, Orla Fitzpatrick from the Department of the Taoiseach, Ailish Farragher from the Department of

Finance, Frances Keaney from the Judges’ Library and Emma Costello from the Oireachtas. We have also been sad to see Cora O’Sullivan from the Department of Justice and Maria McGreal from the

Department of Foreign Affairs leave the group as well as our former Chairperson, Carol Flynn of the Department of Trade, Enterprise and Employment. Michael O’Gorman of the State Laboratory, however, stepped into the breach as our new

Chairperson, as did Orla Gillen for the post of Minutes Secretary following Nicola’s



Carol Flynn (Chair) moving on

Maheer's departure on a career break. Finally, we also bade farewell to Lisa Shields who did trojan work for us on the website.

Technology a go go

Last year also saw us set up a specialised mailing list for those LAI GLS members working in Government libraries. This seems to be proving quite popular as a forum to allow easy access to a – hopefully growing! – number of members with similar concerns and issues.

You will also notice that committee member Donal McSweeney has done quite a lot of work on updating the GLS section of the LAI site; the HEA hosted version of same is no longer in existence. We are going to try and ensure that this site remains as up to date as possible from now on and hope that you will revisit early and often.

Finally, we have recently set up a dedicated email address for those of you who wish to contact us by email. For those of you who may not have noticed it already [it's with our contact details on the site], it is a hotmail account under the name of glslai@hotmail.com.

Training

Issues surrounding training for both government librarians and their non/professional staff have also been ones exercising the group over the past while. There is growing interest in pooling our training efforts in order to save on both money and other general resources. We hope to develop this further over the next while and will keep you posted.

In addition to the foregoing, we have also engaged in broadening our training remit. In particular, many of you will have attended our Copyright Seminar held in February of last year at the Coach House in

Dublin Castle which was a great success.

All for one and one for all

Information resource sharing has also been continuing with visits conducted to member libraries, new resources highlighted by members to the group either via the meetings themselves or – more recently - the mailing list, and even presentations on new resources – the Department of Agriculture's 'Library eZone' being a case in point.

Copyright/ Copywrong

Apart from the Copyright Seminar as mentioned above, the group have been keeping their beady eyes on continuing developments in this area and particular thanks should go to both Mary Doyle and Joe Donnelly in this regard.

Other issues that kept our minds occupied

Cataloguing and archiving of electronic publications, membership issues, metadata, VAT charges, status of government librarians, customs clearance issues, government publications, liaison group with the law librarians etc.

Things to keep your eye out for

Among our plans we hope to organise a joint meeting with our Northern Ireland colleagues very soon as well as some more training. The details of both have yet to be fleshed out but any suggestions you might have would be very much appreciated at this stage and, don't forget to join us for our Annual General Meeting on 26th May in the Department of Foreign Affairs.

Keep an eye on the GLS website for details.

If anyone would like a copy of the above photo and the full set of photos from the visit to Farmleigh please send a blank CD-R to Mary Doyle.

The Office of Public Works Library changes, losses, gains

by

Valerie Ingram

When I joined the OPW at the beginning of 1993 I amalgamated five OPW library collections, the original Board's Library dating back to 1831 when the Board of Commissioners for Public Works was established, the Architectural Technical Library, the National Monuments Library and the Waterways and the Wildlife Service collections. As the Engineers were based in Hatch Street they were initially loath to let their collection go to St. Stephen's Green but bit by bit most of it has been transferred here.

People working in the forty OPW offices around the country need to have publications to hand but these are recorded at the headquarters library and all staff can have full access to the library service. The National Botanic Gardens Library was also my responsibility.

Obviously electronic resources as well as paper ones have grown tremendously over the past ten years. Perhaps the most useful electronic subscription is to Technical Indexes which provides us with access via the internet to the full text of over sixteen thousand documents, including standards, in relation to British and Irish construction, and also to product literature in that area. Bibliographic databases which are particularly helpful are APId (Architectural Publications Index of the Royal Institute of British Architects) and CBA (Construction and Building Abstracts).

In 1995 the heritage functions of the OPW were transferred to the then Department of Arts Culture and the Gaeltacht but this did not have any immediate effects for us.

National Botanic Gardens Library

It was not until 1997 that I ceased to visit the National Botanic Gardens Library. Sarah

Ball had been appointed Assistant Librarian at the Gardens while they were still under the management of the OPW so I was glad she was there to continue the care of the Library when my connection with it had to come to an end. I was also pleased to have been able to provide a brief to the Architect and see the library section of the much-needed new Herbarium and Library Building through to completion.

National Monuments and Architectural Protection Division Library

The National Monuments and Architectural Protection Division of Dúchas, the Heritage



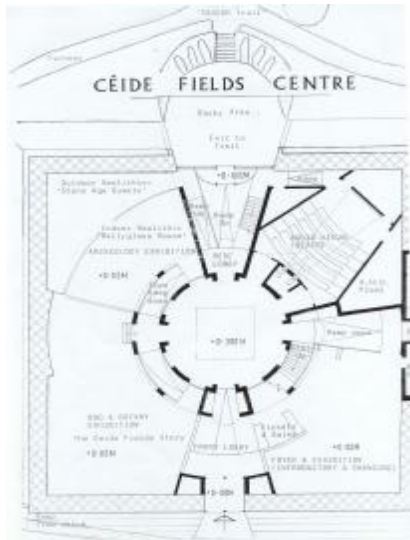
Ceide Fields Centre

Service moved into their own building, Dún Scéine, in Harcourt Lane in 2001 and asked for their library to be transferred to them. This turned out to be between 6 and 7% of the total collection in the OPW Library but it took a lot of work to identify the items from the catalogue and extract them from the shelves. They were transferred into the care of Aoife O'Shea, the NMAPD Librarian, at the beginning of 2002.

OPW Architectural Plans and Drawings Collection

Our first new area of responsibility was the OPW architectural plans and drawings collection. The older drawings had been in

storage for a number of years when our Chairman decided in 1998 that they should be brought back and placed under my care. (Many nineteenth century drawings had



already been transferred to the National Archives so these were mainly twentieth century ones). Drawings from completed projects which were still in the hands of the Architects were also to be transferred to the Library.

First an area had to be made available to house them and it was decided to use a former strong room beside the Library. It was very high so when the floor had been slightly lowered, it was possible to put in a ceiling half way up and make two rooms with entrance doors from the ground and mezzanine levels of the Library. I specified that temperature and humidity control should be put in place and horizontal storage units provided. The drawings had previously been held in large folders in plan chests. There is a greater potential for damage in vertical storage and difficulty of retrieval as items can slip down to the bottom of a folder and become crushed.

I had to decide how to approach cataloguing the drawings. The guidelines provided in Chapter 8 'Graphic materials' of the *Anglo-American cataloguing rules* were totally inadequate. The two most useful guides I found were produced by the Getty Art History Information Program and the Royal

Institute of British Architects Architectural Library. I also looked at the catalogues of such places as the Irish Architectural Archive and the National Archives. I felt we needed a bit more information than they provided but the published guides, particularly the American one, required a huge amount of detail. I was able to discuss the relative importance of the various descriptors with an Architect, which was very useful. I decided to base our cataloguing on the RIBA *Cataloguing guide* and set up a database in Cardbox (which we use for our library catalogues) but with a few less fields than RIBA have. We use their *Architectural keywords* for subject headings with some modifications, such as using 'Garda stations' instead of 'police stations'. Emma Poynton has catalogued over 33,000 drawings since 2000, but there are still at least twice that number to be brought in from Architects' offices. As she works her way through them, she is replacing all the old folders enclosing groups of drawings by acid free ones for better conservation.

OPW staff very much appreciate having access to the drawings. It can save an Architect a huge amount of time and even having to obtain the services of a surveyor if s/he can look at an earlier plan of the building in question. Occupiers of the buildings and members of the public generally can also have access to the plans by appointment, subject to security provisions.

Farmleigh Library

In May 2001 I was asked to take responsibility for Farmleigh Library. The State had purchased Farmleigh house to use as a guest house where visiting dignitaries could stay and for high level meetings. Furniture belonging to the former owners, the Guinness family, and their very fine collection of rare books and manuscripts were given on loan to the State. Our Chairman asked me to have the Guinness books, which had been in storage while the house was being refurbished, reshelfed, and also to purchase a collection of books related to Ireland for the enjoyment of guests staying at the house. Because of their value, the Guinness books were to be shelved on the mezzanine and in closed

bookcases, while those I bought were to be on open shelves on the lower level. I selected not quite half of these from second hand booksellers' catalogues and the remainder from local bookshops. It was an interesting exercise, as I tried to find titles related to Ireland which would fit into all the Dewey divisions. In the shops it was physically quite hard work choosing the books from the shelves. They gave me a trolley in one of them which I kept filling and bringing to the office and then coming back for more. Several members of the public decided I must be a member of staff and asked for help in finding items!

Shelving the books at Farmleigh was even more exhausting. The three of us, Emma Poynton, Nicola Maher and I had just two weeks to complete the task between the time the builders who had been refurbishing the house moved out and the grand opening. The books purchased had to be sorted into their subject order before they were shelved. The items in the Guinness collection had been individually wrapped for storage. We had an inventory which showed their original sequence so as each one was unwrapped, it had to be placed on the shelves in precisely that order. It is essential to retain the integrity of an historic collection like this as it can help to reveal many aspects of its development. Julia Cummins has written about the content of the Guinness collection for this issue of *Glint*.

Staff

Julia Cummins, who had previously worked with rare books in the Printed Books Department of the National Library and in its Manuscripts Department, joined us in November 2001 to work in Farmleigh Library. Much of her time is spent creating a detailed electronic catalogue of the Guinness collection but she also assists scholars who come to consult material from it and welcomes visiting groups (by appointment).

Nicola Maher, who had come to the OPW as an Assistant Librarian in 1998, left on an extended career break in January 2002.

Jerome Tierney came on a temporary basis to fill the gap and remained with us for a

year until Nuala Canny, who had previously been Librarian in Portobello College, was appointed to take Nicola's place.

Emma Poynton, who has had connections with the OPW Library since 1998 when she came to us for a short time to gain some work experience while waiting for her MLIS to be conferred, is also now a permanent Assistant Librarian.

Future Developments?

It has been stated that the OPW may become responsible for the operational management of the built heritage nationwide. This is one section of the heritage functions which were transferred out of the OPW in 1995. If it were returned, this would obviously have implications for the Library.



OPW Library, St Stephen's Green

OPW Web Site

Information about the OPW Library can be found on the OPW web site at www.opw.ie.

16.2.2003

Farmleigh Library

by

Julia Cummins

The Office of Public Works Librarian was given responsibility for the library at Farmleigh in the summer of 2001. The library houses two collections, a selection of books of Irish interest which were purchased for the enjoyment of guests staying at Farmleigh and the very fine Guinness collection which is on loan to the State. The Guinness Collection is widely considered to be one of the finest in private hands in Ireland.



Farmleigh is situated on 78 acres northwest of the Phoenix Park. The Government purchased it from the Guinness family in 1999 to act as a guesthouse for visiting dignitaries and as a venue for high-level meetings. Edward Cecil Guinness, great grandson of Arthur Guinness who was the founder of the eponymous brewery, bought the house in 1873.

Edward Cecil Guinness was responsible for the creation of the beautiful oak panelled room that houses the Guinness Collection. Over the years the existing collection was added to by members of the Guinness family. Benjamin Guinness the third Earl of Iveagh was given the library on the occasion of his 21st birthday. He was a very keen bibliophile and collector of rare books and acquired the majority of the more prestigious items in the collection.

One's first impression on entering the library

is of the very many fine bindings, which line the walls. There are numerous beautiful examples of the art of bookbinding, ranging from early vellum bindings to embroidered bindings, elaborately tooled Victorian exhibition bindings and examples of the modern craft.

The subject coverage has a strong Irish flavour with a particular bent towards literature. The works of the best-known Irish writers of the last three centuries are amply

represented in the collection, many with first editions. These include works by Swift, Joyce, Yeats and Synge. Perhaps most notable are a first edition of *Gulliver's Travels* and a first edition of James Joyce's *Ulysses*, both in excellent condition.

The collection also boasts a wide range of historical material in both manuscript and printed forms. Among some of the earliest material in the collection is a 13th century copy of a 12th century work known as *Topographia Hybernica* by Giraldus Cambrensis which goes down in history as the first written description of the Irish people. Unfortunately it was largely uncomplimentary, for example he says that the Irish are a "wild and inhospitable people they live on beasts only and live like beasts".

The earliest printed item in the collection is a copy of *Manipulus Florum*. It is an incunabulum, that is it was published prior to 1501. Printing using moveable type

began in Europe circa 1450; books produced in the first fifty years of the printing era are very rare.

The collection also boasts an original manuscript that once belonged to Queen Elizabeth I. It acts a primer for the Irish language. It is said that when Granuaile was presented at Elizabeth's court, that she greeted her with a Conas atá tú? Which is a phrase that can be found in the manuscript.

The Library is open for the use of scholars and for visits by interested groups. The Government Libraries Section of the Library Association was the first of such groups to attend on the 12th of December 2001.

Visits to the Library can be arranged for groups of up to ten persons. If you are

interested, please contact Julia Cummins at the Library, Farmleigh, Phoenix Park, Castleknock, Dublin 15. Tel. 01 8155908.



Members of the GLS enjoying a Christmas drink in the beautiful surroundings of the Library in Farmleigh

E-mail julia.cummins@opw.ie

Snippets from Government Libraries

The Judges' Library has moved to the second floor of Áras Uí Dhálaigh, the redbrick office block on the west side of the Four Courts. Access to the



building from Inns Quay closes at 5.00 p.m., so visitors to the library after office hours need to make arrangements in advance with library staff. The address is now The Judges' Library, Áras Uí Dhálaigh, (The Four Courts complex), Inns Quay, Dublin 7.

Contact numbers:
(01) 888 6777 (Information Desk)
8886789 Library Assistant
8886788 The Librarian (Joseph Donnelly)

8886790 Assistant Librarian (Frances Keaney)
Fax: (01) 8726821 (as before)
E-mails for the Library in general (urgent requests for library service etc.) are best sent to judgeslibrarystaff@courts.ie rather than to individual staff members (whose e-mails may be unread when they are away on leave). If you are requesting assistance, a brief note explaining that you are a member of the Government Libraries Section would be helpful in case the e-mail is opened by a staff member who does not recognize your name. GLS/GLMN members Joe and Frances can be e-mailed at Joedonnelly@courts.ie and franceskeaney@courts.ie respectively. JD

Agriculture and Food

Current staff:
Mary Doyle (Librarian); Donal McSweeney (AL);
Ellis Byrne (ILL); Martina Hickey; Ellen Leahy;
Linda McKeown

(Continued on page 16)

Licensing for Electronic Publications

Some Issues

Paper to the Copyright for Librarians Training Seminar
organised by

the Government Librarians Section of the LAI
21 February 2002

Mary Doyle, Librarian, Department of Agriculture, Food and Rural Development

In this talk I discuss some of the issues in negotiating licences for electronic products. Photocopy licences, such as those which will be offered by Licensing Agencies like the ICLA are outside the scope of the paper, in part because the legislation governing the Licensing Agencies has not yet been issued. Some of the points, however, will probably also have some relevance to photocopy licensing.

There are undoubtedly many in attendance that have more experience in negotiating licences than I have, as I only started doing work in this area in August of last year. If I profess some expertise in the area, it is based more on a greater awareness than some librarians of the issues, and the expertise I gained in analysing the Copyright and Related Rights Act, when it was still a Bill. As you know I worked with other librarians in analysing the Bill, identifying problem areas and proposing alternative wording to make it more balanced and more workable. Most of this was eventually incorporated in the Act.

As a result of that work and experience, I took a different approach to reading licences than I had previously done when purchasing CD-ROMs. Then, in common with many librarians, I assumed licences to be a fait accompli, even if I felt uneasy about some of the clauses. Now we are reading the licences in full and carefully analysing each clause and negotiating on those that we find do not suit our requirements.

The talk is essentially my observations on our approach and our experiences in negotiating licences to date. In general it has been a very positive experience. We may well have been lucky in the publishers we have been dealing with up till now, and this may in no way represent the general reality. Indeed a discussion currently taking place in the Licensing Newsgroup, Liblicense, would suggest that not all publishers are as accommodating as those we have encountered.

When this talk was first envisaged, it was intended to point out the pitfalls of many of the licences on offer - and rest assured there are many. The emphasis was to be on reading the licence with extreme care to ensure that there were no unreasonable terms and no ambiguities in the language used etc. However the more I thought about it the more I realised that this was a very negative approach and was not a true reflection of our experience. So in this paper I will be discussing the pitfalls and the benefits.

Licences are a bit like copyright - something we, as librarians, have to deal with, but would rather not. However

- if we have a good understanding of the copyright law and
- a good understanding of the needs of our users

we can use that knowledge to our advantage.

How do licences differ from copyright?

- Copyright legislation establishes the rights of the copyright holder.
- It provides a number of very limited exceptions to that right.
- It is generally not negotiable once it comes into force.

Note: A licence cannot limit those rights under Irish law (but this may not always apply if you are operating under a different copyright law).

- A licence, on the other hand, is a contract between two or more parties to which all parties agree.
- The contract is often, though not always, signed by all parties.
- Licences are negotiable.

What are the advantages of well-negotiated licences for electronic publications?

- Licences can greatly extend the exemptions under copyright law (but they can also curtail them, so beware).
- Licences can give you considerable added value, e.g. the provision of usage statistics.
- Benefits conferred by licences should influence the fees paid to Copyright Licensing Agencies.

Types of Licences / Agreements

There are basically 3 types of licence or agreement

- A licence that is formally signed by all parties
- A licence or terms of usage agreed between the parties but not signed by the parties
- A click-on licence
(how many of us have clicked on "I agree" without reading the detailed terms and conditions?)

How can you take advantage of Licences?

This is best achieved if you have a very clear idea of your requirements e.g.:

- Who are your users?
- How many users do you have?
- How diverse are they in their subject interests?
- Do you have a small number of specialists in certain subject areas?
- Where are your users located?

It is important to have a clear idea of this, as price is often based on such details - FTEs (full time equivalents) at a certain grade and above, for example. However this may not truly reflect the usage of the product.

In the Department of Agriculture and Food we have 4,500 staff, located in all counties. These include administrative staff, field inspectors, veterinary staff, legal professionals and a variety of

other specialists. They cover a very wide range of subjects. However, of the 4,500 staff only a very small number may be interested in the product in question. This is something to be discussed and negotiated.

It can sometimes be difficult to be precise on numbers. However, we do our best to give a reasonably honest estimate, erring towards the highest number. We always point out that there will inevitably be some additional casual users, often only out of curiosity, simply because the journal or database is on the Intranet. Likewise a product the price for which is based on a single site is not suited to our requirements.

What do your users want to do with the information?

Many licenses include a clause similar to that in the copyright legislation that the material may not be amended or adapted etc. However, if we have a database of full-text legislation, our users want to be able to download a core piece of legislation and adapt it to reflect all changes made by subsequent legislation for use as a working document. Likewise users of a database of abstracts may want to download all references in their research area to store in a personal database. Is this systematic downloading, a prohibition that appears in many licences?

What is acceptable in terms of price versus usefulness?

If the product on offer is not providing you with what you want either in terms of value or because of unreasonable, or positively dangerous, clauses it is probably best to try and find an alternative, if such exists, or hold off until the publishers realise they will not have a market unless they change their policy.

I mentioned earlier a discussion currently taking place in the Newsgroup LIBLICENCE. This concerns electronic access to the journals of one American publisher. In this case two clauses are causing particular concern:

- termination without prior notice and
- indemnification

The publishers are not prepared to negotiate the terms of the licence.

The subject was raised in the newsgroup by one University Library. There have been several replies from other Universities, who have encountered the same problem, and all have said they are not prepared to, **nor would they be allowed by their organisation** to sign the contract in question. I must remind you that a licence is a contract that you are signing or accepting on behalf of your institution and if you sign a contract with a dangerous indemnification clause you are leaving your institution wide open.

One indemnification clause we have been looking at would have us indemnify the gateway provider against all third parties, even for something which the gateway provider could have foreseen. This indemnification clause sounded loud alarm bells, all the more so, as some of the other clauses in the same licence in relation to usage are ambiguous and need clarification. This may well mean the gateway provider hasn't acquired full rights from all the publishers.

One contribution to the discussion on LIBLICENCE was that, according to their University Purchasing Office, **which has the authority to sign contracts**, the publisher in question is considering revising its contract. If enough people say 'this is not acceptable' the publishers will have to adapt.

To be fair, it must be remembered that this is a new area for publishers also, and they are trying to arrive at the correct balance. Many have already done so. Librarians too must work towards achieving the correct balance of adequately remunerating the publishers, while also getting value for their money.

If you have a clear idea of what you need when you start it is easier to analyse the licence and negotiate with the publisher to achieve what you need. In our case, if there are clauses in the licence we don't like or don't fully understand we discuss them with the publishers. If the licence doesn't allow us to do things that would make the products worth while in terms of our users' needs, we discuss that too. I am using the term discuss rather than negotiate deliberately, as we have found the publishers to be generally very reasonable in trying to achieve an acceptable licence. It is important to remember that if the initial licence is not acceptable for any reason, it should be regarded as a starting point.

As I said earlier, my colleague Donal McSweeney and I first started investigating the provision of electronic access to journals and databases to which the library subscribed last August. We were already subscribing to a number of databases on CD-ROM, but these were not networked. We did not have any electronic journals. We downloaded as many licences as we could find relating to the material to which we subscribed, whether in print or on CD-ROM. Some of the products were available free with the print subscription and others carried a price supplement, which varied considerably. All were subject to a licence of some sort.

Even with our limited knowledge and experience, when we really began to read the various licences governing the use of the electronic versions of journals to which we subscribe, it was very easy to identify clauses that had the potential to limit the use we could make of the product, or in some other way caused us concern. Even then, it took two of us reading the licences carefully to identify all the clauses we thought were problematic.

The more obvious problems were:

- the multiplicity of licences
- all with different terms
- which copyright law would apply
- the definition of authorised users (all employees, only users on library premises, walk-in external users)
- the number of sites to which it could be networked
- permitted copying / downloading
- long-term access if we cancelled a subscription
- unclear language
- problematic terms and conditions, such as those outlined above OR
- we would ensure compliance (rather than 'take all reasonable steps to ensure compliance').

We even managed to identify quite a few which were problematic from the point of view of contract law.

I was fortunate that soon after we began the process I had the opportunity to attend an excellent one-day course run by EBLIDA, entitled:

**Creating access to information
EBLIDA workshop
on getting a
better deal from your information licences**

This course is run by EBLIDA on a regular basis and is well worth attending.

It was reassuring to see how many of the problems we had identified, but it was an eye-opener to realise how many we had missed. We must always be aware that licences are contracts, full of small print and require training and experience to analyse. It is important that we do analyse them though or we may be committing our institutions to impossible terms. One of the reassuring things gained from the EBLIDA course was the knowledge that many publishers are quite willing to discuss the terms of the licence and amend them, if necessary. As I said before, it is an evolving area where publishers are also trying to establish best practice. This knowledge that publishers are willing to negotiate added greatly to my confidence when it came to negotiating some of the licences we have been presented with.

It is not my intention to go into detail on the many clauses good and bad to be found in licences. I would not have the time to do so in the limited time available and besides, I am not presumptuous enough to claim to be competent to do so. I am also learning. I simply hope to create an awareness of the need to read licences carefully and to ensure that they meet your requirements.

Getting the best from licences merits a course in its own right. In the meantime you will find useful information on the Internet sites listed at the end of this article, which between them

- list possible pitfalls
- discuss the terminology to be found in licences for electronic publications
- discuss in depth the type of clauses that are often found in licences
- discuss in depth the type of clauses that **should** be found in licences
- and those that **should not**
- suggest possible compromise positions.

I will simply discuss a few issues:

- the multiplicity of licences
- all with different terms
- the applicable copyright law

Our concerns with the first two problems we identified are closely related.

As librarians we have a strong commitment to fostering an ethos of compliance with the law and any licence to which we might commit ourselves. This becomes increasingly difficult

- if terms differ for every product
- if we have to observe a multiplicity of copyright laws.

We all know that it is sometimes not that easy to promote copyright compliance because the legislation is complex. In Ireland, however, having achieved a reasonable and workable piece of legislation it is **now** much easier to promote its observance.

Likewise it will be easier to ensure compliance with licences for electronic publications if the terms of the licences are reasonable and it doesn't mean that we and our users have to be familiar with, not only Irish copyright legislation, but with the copyright legislation of every country in which the electronic publications are produced. Elsevier use the term 'national copyright legislation' on the publicly available licence on their web site. This is the most workable term. (By implication it is the national copyright legislation of the customer.)

The multiplicity of licences creates a similar problem. This is a much more difficult one to

resolve. Our initial approach was to try and mobilise people into designing a model licence for specific user groups within Ireland and negotiating as a large group on the basis of this model licence. This is currently being done in several countries. We have abandoned this approach for the present, because there are insufficient libraries of our type at the stage we are at and we need to make access available now. Many of the model licences available are being written by large University Consortia and do not necessarily reflect our needs. Nevertheless these model licences are an excellent starting point as to what should be in a licence and can be adapted to the specific needs of our library. They also have the advantage that some of the larger publishers seem to be modelling their own licences on them.

Our approach to the problem has been to

- set up access through the Library's Intranet pages (all users' requests are directed through a single IP address).
- give each product its own introductory page.
- give each page a common look and feel.
- state on each page that the use of the product is subject to the terms and conditions agreed between the Library and the Publisher.
- list the terms and conditions applicable to the end user - in plain English.

In one situation where the user is still forced to click 'I accept' on a click on licence on the publisher's web site, there is a statement on the Library page that 'these terms supersede the licence on the publisher's web page'.

In each case we got the agreement of the publisher to this text before we made the product available to our users.

I would just like to clarify the methods of user identification that we have identified:

- by password
- by supplying the publisher with a range of IP addresses (terminal addresses)
- by directing users through a single IP address (easier to administer).

Our discussions with the publishers haven't been all one-sided. We were, for instance, concerned with providing passwords to users, as some unscrupulous users might pass them on to people outside the Department - which would disadvantage the publisher. We suggested to one publisher that they test requests coming from our single IP address to see if their system would recognise requests as coming from our organisation, without limiting the number of concurrent users. The response was that our suggestion was very opportune as they themselves were also concerned about passwords. The same publisher subsequently volunteered to increase some of the benefits in our licence - possibly in recognition of our responsible approach.

Another problematic area in licences is long-term access if we cancel a subscription. There are various ways of providing such access:

- providing for long term access on the publisher's site to years subscribed to
- providing a CD-ROM of the years subscribed to
- permitting full downloading of the product by the subscribing organisation for archival use.

The main thing is that some provision should be made for long-term access to what has probably been an expensive subscription.

In summary I must emphasise that you should read terms carefully, because

- terms which seem generous on initial reading may be severely limited by the small print - which may not always be adjacent.
- be aware of promises made outside of the licence (by sales people etc) - there is often a clause which specifically excludes all communications outside of the signed licence.

Nevertheless, there is much to be gained from a well negotiated licence.

- Your users will have greater access to the material.
- Your users will probably have greater freedom to make copies.
- Your library will frequently be supplied with usage statistics by the publisher. This will be a great help in evaluating what subscriptions should be taken out or cancelled.

In November 2001 I attended a very useful conference, organised by the Health Librarians Section, on Electronic Journals. Among the many pieces of advice that I took away from that conference was the fact that

- it takes time to set up an electronic subscription with a good licence
- there is a need to prioritise the journals before you start.

Priorities will be influenced by

- products that will give the most benefit to the most people
- a reasonable licence
- a reasonable price

The product which would provide the most benefit to the most people may not always end up top of the list if the terms are such that you cannot derive the necessary benefit from it.

CONCLUSION

I hope that I have provided some food for thought, despite my relative inexperience. I have only dealt with some of the many issues. However there is a great deal of material on the internet, though it generally deals with the potential pitfalls rather than the potential benefits. Hopefully you will now look on licences in a more favourable light, while taking care to avoid the pitfalls.

Useful Internet Sites

<http://www.arl.org/scomm/licensing/>

Licensing issues - ARL (Association of Research Libraries) page - very useful references.

<http://www.cic.uiuc.edu/cli/manageelecres.htm>

Committee on Institutional Cooperation (US Universities) - how it managing joint purchasing including negotiation of licences.

A consortium approach to managing electronic publications - including joint purchasing.

<http://www.cic.uiuc.edu/cli/contracts/standardized%5Fagreement%5Flanguage.htm>

Committee on Institutional Cooperation (US Universities) -

Standardised agreement language.

<http://www.library.yale.edu/~llicense/table.shtml>

LIBLlicence site

Discusses licensing terms - gives examples and discusses possible terms. Suggests what to look for and offers possible compromise solutions.

<http://www.jisc.ac.uk/pub00/licensing.html>

JISC CEI Content Working Group Statement of Licensing Principles (Joint Information Systems Committee).

<http://www.eblida.org/ecup/docs/licensing.pdf>

Giavarra, Emanuella. Licensing digital resources: how to avoid the legal pitfalls. 2nd edition, 2001.

Copyright News

Two new Sis, one of particular interest to the educational establishments, were issued in 2002:

S.I. No. 463 of 2002

Copyright and Related Rights (Register of Copyright Licensing Bodies) Regulations, 2002

S.I. No. 514 of 2002

Copyright and Related Rights (Certification of Licensing Scheme for Reprographic Copying by Educational Establishments) (The Irish Copyright Licensing Agency Limited) Order 2002

Work is ongoing on the implementation of the Copyright Directive and Mary Doyle and Joe Donnelly have been working with other librarians to identify potential problems. The principal one causing concern is the implementation of Article 6.4, relating to technological measures.

Snippets (cont'd)

Food Safety Authority of Ireland

Noeleen Murtagh was appointed as Librarian in December 2002. She had previously been Information Executive in the FSAI.

Foreign Affairs

Current staff

Órla Gillen (Librarian); John Kavanagh (SO); Declan Nolan (CO); Petra Sheehan (CO); Tommy Hillick (CO)