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New Zealand moves to embrace
PSI Re-use and Open data

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About the Author

Keitha Booth is a Senior Advisor at the New Zealand State Services Commission with particular responsibility for leading the development of cross-government information policy. She leads the Secretariat for the [New Zealand Open Government Data and Information Re-use Work Programme](#). The goals of this programme are to make non-personal government-held data and information more widely available and discoverable, easily usable and compliant with open government data principles within the NZ legal context; and to facilitate agencies' release of the non-personal government-held data and information that people, communities, and businesses want to use and re-use. The most recent output of this work programme has been the development of the [New Zealand Government Open Access and Licensing framework \(NZGOAL\)](#). Earlier work includes leading the development of the [Guidelines for the Treatment of Intellectual Property Rights in ICT contracts](#), and project manager of the development of [New Zealand's 2006 e-Government Strategy](#). Keitha wishes to acknowledge the work of her colleagues, particularly Richard Best, Department of Internal Affairs, and the members of the Open Government Information and Data Re-use Working Group.

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Executive Summary

This report summarises the key features of New Zealand's information policy environment and then describes the significant progress that has been made towards opening up New Zealand's non-personal public sector information (PSI) for greater access and re-use.

At the governance level, an ICT governance structure has been set up. This comprises a Ministerial Committee on Government ICT, an ICT Strategy Group, a Data and Information Re-use CEs Steering Group, and an ICT Common Capability CEs Steering Group.

The Data and Information Re-use CEs Steering Group is leading and driving the direction for, sponsoring and facilitating the cross-government Open Government Information and Data Re-use programme. Its goals are to make non-personal government-held data and information more widely available and discoverable, easily usable and compliant with open government data principles within the NZ legal context; and to facilitate agencies' release of the non-personal government-held data and information that people, communities, and businesses want to use and re-use. An Open Government Data and Information Working Group advises this group.

At the policy level, the New Zealand Government Open Access and Licensing framework (NZGOAL)¹ was released on 6 August 2010, following Cabinet approval. NZGOAL standardises the licensing of New Zealand State Services² agencies' copyright works for re-use using Creative Commons licences and recommends the use of 'no-known rights' statements for non-copyright material. NZGOAL endeavours to address the various and inconsistent copyright and licensing practices that apply across the State Services, and provide a framework for agencies and external users to re-use copyright works and non-copyright material easily and legally.

At the operational level, several directories have been developed, including the Kiwi Research Service (KRIS), and DigitalNZ. Data.govt.nz, a central government pilot directory exposing online government datasets, has been available since November 2009. A second pilot, to commence later in 2010, will test a potential model for agencies to open up public data to gather insights from the marketplace and the wider general public. These insights would feed into government policy development and complement the traditional public policy consultation process.

There is also emerging evidence of innovative use of New Zealand government datasets by individuals and business for social and economic gain. These evidence the value of government releasing its copyright and non-copyright material in a manner that permits legal and innovative use.

A review of the high-level Policy Framework for Government Held Information is commencing. It is expected that this will be finalised in December 2010 and submitted to Cabinet for approval in early 2011. New supporting guidance would be released from April 2011.

¹ <http://www.e.govt.nz/policy/nzgoal>

² Any NZ public service and non-public service department; any Crown Entity under the Crown Entities Act 2004; any organisation listed on the 4th Schedule to the Public Finance Act 1989; the Reserve Bank of New Zealand

Current New Zealand Government Information Policy Environment³

Key Legislation

Key laws relating to re-use of New Zealand public sector information are the Official Information Act 1982, Local Government Official Information and Meetings Act 1987 and the Copyright Act 1994.

Official Information Act

The purposes of the Official Information Act are:

- (a) to increase progressively the availability of official information to the people of New Zealand in order:
 - (i) to enable their more effective participation in the making and administration of laws and policies; and
 - (ii) to promote the accountability of Ministers of the Crown and officials, and thereby to enhance respect for the law and to promote the good government of New Zealand;
- (b) to provide for proper access by each person to official information relating to that person; and
- (c) to protect official information to the extent consistent with the public interest and the preservation of personal privacy.

Local Government Official Information and Meetings Act 1987

The Local Government Official Information and Meetings Act 1987 has similar purposes for local government:

- (a) to provide for the availability to the public of official information held by local authorities, and to promote the open and public transaction of business at meetings of local authorities, in order:
 - (i) to enable more effective participation by the public in the actions and decisions of local authorities; and
 - (ii) to promote the accountability of local authority members and officials,—and thereby to enhance respect for the law and to promote good local government in New Zealand:
- (b) to provide for proper access by each person to official information relating to that person; and
- (c) (c) to protect official information and the deliberations of local authorities to the extent consistent with the public interest and the preservation of personal privacy.

³ Please note that, as the scope for this discussion is non-personal information, the Privacy Act 1993 is not discussed

Copyright Act 1994

The Copyright Act 1994 provides the legal context for the newly released *New Zealand Open Access and Licensing framework (NZGOAL)*⁴, which provides guidance for State Services agencies when they release copyright works and non-copyright material for re-use. (See a full description of NZGOAL below).

Other relevant legislation

Other legislation to be noted is:

The Public Records Act 2005, which establishes a framework for creating and maintaining public records. Amongst other matters, it guarantees the public's right to free inspection of open access records.

The National Library Act 2003, which, as well as setting out the library's purpose and functions, sets out provisions for ensuring that New Zealand's published documents are deposited at the National Library to ensure long-term access and preservation.

The Statistics Act 1975, which requires the collection of official statistics to provide information required by the Executive Government of New Zealand, government departments, local authorities, and businesses:

- for the purpose of making policy decisions: and
- to facilitate the appreciation of economic, social, demographic, and other matters of interest to the said Government, Government Departments, local authorities, businesses, and to the general public.

The Act also requires Statistics New Zealand to compile, analyse, abstract, and publish, with or without comments, official statistics.

Policy Framework for Government Held Information

Guidance for managing government-held information is provided by the *Policy Framework for Government-held Information* (PFGHI)⁵ which was released in 1997 following Cabinet approval (CAB (97) M 15/4C(i) refers). It is government's best practice statement for managing government information held by public service departments. It sets out eleven principles covering availability, coverage, pricing, ownership, stewardship, collection, copyright, preservation, quality, integrity and privacy. Government departments are identified as stewards of Government held information and it is their responsibility to implement good information management.

It draws on international guidelines whilst reflecting the provisions of the legislation set out above: the Official Information Act 1982, the Local Government Official Information and Meetings Act 1987, the Privacy Act 1993, and the Copyright Act 1994.

⁴ <http://www.e.govt.nz/policy/nzgoal>

⁵ <http://www.e.govt.nz/policy/information-and-data/policy-framework-for-government-held-information>

One of the reasons for developing the PFGHI in the 1990s was a concern “that a culture has evolved that locks government-held information away as a specific departmental asset”. The PFGHI, therefore, sets out the initial guidance for Public Service departments to open up their non-personal information. The principles most relevant to PSI re-use are the principles of availability, copyright, coverage and pricing:

Availability: Government departments should make information available easily, widely and equitably to the people of New Zealand (except where reasons preclude such availability as specified in legislation).

It is evident that, through the Availability principle, the Government was setting a normative expectation of information availability flowing from the interests of transparency and democratic participation.

Copyright: Information created by departments is subject to Crown copyright. Where wide dissemination is desirable, the Crown should permit use of its copyrights subject to acknowledgement of source.

It is evident that, through the Copyright principle, the Government was setting a normative expectation that, where wide dissemination is desirable, “the Crown should permit use of its copyrights subject to acknowledgement of source”.

Coverage: Government departments should make the following information increasingly available on an electronic basis:

- all published material or material already in the public domain
- all policies that could be released publicly
- all information created or collected on a statutory basis (subject to commercial sensitivity and privacy considerations)
- all documents that the public may be required to complete, and
- corporate documentation in which the public would be interested.

It is evident that, through the Coverage principle, the Government anticipated a digital environment.

Pricing: Free dissemination of information is appropriate where there is a clear public policy purpose and recovery of costs is not feasible or cost effective. Pricing to recover the cost of dissemination is appropriate if it is both feasible and cost effective or the information has been produced for a commercial purpose of sale at a profit.

It is also evident that, through the Pricing principle, the Government recognised that a digital environment was likely to change the pricing structure for disseminating the information it releases for access.

The PFGHI has been applied at strategic and policy levels. It is referenced in the Health, Justice and Geospatial Sector information strategies and in agencies' Information Management strategies. The pricing principle is cited in Treasury's *Guidelines for setting charges in the public sector*⁶ and is well applied across Public Service departments. Public Service departments delivering information-based services are applying the stewardship principle. Examples are the Ministry of Health and Land Information New Zealand.

Whilst it sets a very sound policy-based foundation for the management of New Zealand's PSI and anticipates a digital environment where information will be used in different ways, the PFGHI is no longer adequate to deal with the tapestry of copyright and licensing issues that arise in the digital age.

This issue was discussed in the *Suggested All-of-government Approach to Licensing of Public Sector Copyright Works: Discussion Paper for Public Service and Non-Public Service Departments*⁷ which noted:

“While elegant for its simplicity, the PFGHI does not deal in any detailed way with the sometimes complex issues of licensing, re-use or commercial exploitation of government-held and owned copyright material, and there was no such discussion in the Cabinet paper or Cabinet Committee minute preceding its release⁸. That is no criticism. The PFGHI was largely fit for purpose at the time and has largely stood the test of time.

But it is no longer adequate, on its own, to deal with the issues of re-use of public sector information and data that arise in today's digital age. It also suffers from a lack of terminological precision. Most conspicuous is its statement that “information created by departments is subject to Crown copyright.” That is an overstatement because not all information created by departments is subject to Crown copyright. Only qualifying works are subject to Crown copyright.”

This Discussion Paper also notes that the PFGHI only applies to public service departments. It does not apply to the wider State Services, including Crown Entities, many of which hold large repositories of valuable material.

New Zealand Government Data Management Policies and Standards

The *New Zealand Government Data Management Policies and Standards*⁹ released in 2000, supplement the PFGHI, in particular, the ownership and stewardship principles. They were drawn up to assist agency chief executives and anyone with delegated custodial responsibilities for Crown owned data or document assets.

These policies and standards are recommended for public service departments and contracted agencies handling Crown data and document assets. They are optional but highly desirable for State Owned Enterprises and other organisations funded by the Crown, particularly where information needs to be exchanged.

⁶ <http://www.treasury.govt.nz/publications/guidance/planning/charges>

⁷ <http://www.e.govt.nz/policy/information-and-data/nzgoal-framework>

⁸ CGA (97) 12 (Cabinet paper) and CAB (97) M 15/4C (Cabinet Committee minute)

⁹ <http://www.e.govt.nz/standards/data-management>

New Zealand Government Web Standards¹⁰

The *New Zealand Government Web Standards* must be used in government Web development. They are mandatory for public service departments, although Crown Entities and State-Owned Enterprises are asked to comply with them. They set strategy and operations, technical, content and design, and legal and policy standards. Web Standard 16.5¹¹ covers copyright statements, setting out minimum requirements, optional content, and advice regarding the use of Crown Copyright and mixed copyright ownership. The availability and copyright principles of the PFGHI are described as the rationale for Web Standard 16.5.

PSI Re-use and Open Data Developments

Significant progress that has been made towards opening up New Zealand's non-personal public sector information (PSI) for greater access and re-use.

ICT Governance

A cross-government ICT governance structure has been established. This comprises a Ministerial Committee on Government ICT, an ICT Strategy Group, a Data and Information Re-use CEs Steering Group, and an ICT Common Capability CEs Steering Group.

The purpose of the Data and Information Re-use CEs Steering Group is to lead and drive the direction for, sponsor and facilitate the cross-government Open Government Information and Data Re-use programme. An Open Government Data and Information Working Group, representing government agencies and sectors, advises this group.

The key 2009/10 projects over which the Steering Group is providing strategic oversight are:

- Develop and release the New Zealand Government Open Access and Licensing framework
- Identify the barriers to re-use of structured and unstructured data
- Collate agency mandates for releasing information
- Identify cross-government levers for releasing information
- Develop, pilot and review two open data pilots
- Collate metadata standards being used across government
- Draw up a tertiary education data re-use strategy
- Develop a geospatial catalogue for discovery
- Release the New Zealand Government Feed Standard
- Brainstorm ideas on what data could be combined using geospatial coding

A 2010/11 programme is being prioritised in accordance with strategic outcomes agreed by the Steering Group. Progress on this work programme is reported online¹².

¹⁰ <http://www.webstandards.govt.nz/>

¹¹ <http://webstandards.govt.nz/copyright/>

¹² <http://www.e.govt.nz/policy/information-and-data>

New Zealand Government Open Access and Licensing framework (NZGOAL)¹³

On 6 August 2010 the New Zealand Minister of State Services. released the New Zealand Government Open Access and Licensing framework (NZGOAL) following Cabinet approval¹⁴. He noted that this “is a major step towards unlocking government's non-personal copyright works and non-copyright material for re-use”. It is widely recognised that re-use of this material by individuals and organisations may have significant creative and economic benefit for New Zealand.

NZ GOAL provides a series of open licensing and open access principles for copyright works and non-copyright material. It standardises the licensing of New Zealand State Services¹⁵ agencies' copyright works for re-use using Creative Commons licences and recommends the use of 'no-known rights' statements for non-copyright material. It promotes the release of copyright works for re-use using the most open Creative Commons (BY) licence, unless a reason for a restriction applies. The framework also guides agencies through the questions they need to consider before releasing material for re-use.

NZGOAL sets out a series of open licensing and open access principles for copyright works and non-copyright material. The Open Licensing principle promotes the release of copyright works for re-use using the most open Creative Commons (BY) licence, unless a sound reason for a restriction applies. The Open Access Principle advocates use of 'no-known rights' statements on non-copyright material being released for re-use. The other principles address, among other things, issues relating to open licensing, open access, creativity, authenticity, non-discrimination, open format and charging. NZGOAL also guides agencies through the questions they need to consider before releasing material for re-use.

New Zealand State Services agencies now have a standardised approach to apply when releasing this material for re-use. Users can be confident that they can re-use copyright material legally and that the terms for re-using non-copyright material are clearly stated. As the standardised Creative Commons (CC) licences become the norm, users will also be able to combine material that is licensed with the same or another compatible licence. The 'no-known rights' statement on non-copyright material will also become familiar. Should a restricted licence be necessary, NZGOAL sets out guidance on how to select this licence.

NZGOAL does not apply to personal information, except for its guidance on anonymising datasets and other material which, once stripped of personal information, might be licensed or released.

NZGOAL has been prepared jointly by the State Services Commission and the Department of Internal Affairs. We have benefitted from the experience of early adopters of Creative Commons licences in the New Zealand public sector, passionate officials on the Open Government Information and Data Re-use Working Group, the wisdom of the folk at Creative Commons Aotearoa New Zealand, their counterparts in Queensland, Victoria and San Francisco, the UK Office of Public Sector Information and, last but not least, the group

¹³ <http://www.e.govt.nz/policy/nzgoal>

¹⁴ <http://www.beehive.govt.nz/release/more+government+information+reuse>

¹⁵ Any NZ public service and non-public service department; any Crown Entity under the Crown Entities Act 2004; any organisation listed on the 4th Schedule to the Public Finance Act 1989; the Reserve Bank of New Zealand

of “open data ninjas” in New Zealand who have helped us, challenged us and expanded our appreciation of both the importance and potential of open data.

NZGOAL, the Cabinet Minute (CAB Min (10) 24/5A), the Cabinet Paper, the letter from the State Services Commissioner to Public Service department Chief Executives alerting them to the release of NZGOAL and a series of Frequently Asked Questions have all been released online at www.e.govt.nz/policy/nzgoal.

The next steps are a NZGOAL implementation training programme for State Services agencies in October/November 2010 and developing online guidance to assist agencies review and release their copyright works and non-copyright material for re-use. The Department of Internal Affairs is working to update the copyright advice in the New Zealand Government Web Standards, and the State Services Commission is commencing work to update the Policy Framework for Government Held Information to complement the policy principles set out in NZGOAL.

Relationship to the Official Information Act

While the Official Information Act is a powerful piece of legislation in enabling access to official information, it says nothing about licensing copyright material released by government following a request under the Act. To the contrary, copyright works released to a person following a request under the Act do not lose their copyright protection by virtue of being released in this way. Nor does the fact of release entitle the recipient to use the works in a way which would infringe copyright. The recipient needs a licence to re-use these works.

NZGOAL provides a framework within which licences can, at an agency’s discretion, be granted, either proactively or upon request. Indeed, to some extent NZGOAL can be seen as a logical extension of the principle of availability in section 5 of the Official Information Act.

Release of Cabinet material

Cabinet material (Cabinet and Cabinet committee papers and minutes) may be released proactively, most often through publication online. The proactive release of Cabinet material may result from a Minister directing its release, or from the relevant department seeking the Minister's approval to release it. The Cabinet Manual provides advice on pro-active release of Cabinet material¹⁶. The NZGOAL Cabinet Paper and Cabinet Minute were released using this mechanism¹⁷.

Data Directories

Data.govt.nz

Data.govt.nz, a central government pilot directory was released as a pilot directory in November 2009¹⁸. It was developed by and is maintained by the Department of Internal Affairs (DIA) in response to a need for New Zealand government datasets to be better exposed and more readily accessible to the public. This need was most directly manifested in New Zealand by the creation of the independent (i.e., non-government) dataset directory, the

¹⁶ <http://www.cabinetmanual.cabinetoffice.govt.nz/node/67#8.4>

¹⁷ <http://www.e.govt.nz/policy/nzgoal>

¹⁸ <http://www.data.govt.nz/>

Open Data Catalogue¹⁹, and by high-profile initiatives by the governments of the US, the UK, Australia, and others. Its objectives are:

- Central data directory: to design, develop and launch a public-access website to provide a one-stop open data directory for locating non-personal, non-secure government data
- Raising consciousness: to raise awareness within agencies of the benefits of opening up their data, and to draw public attention to the government's open data work
- Establish a communication channel to facilitate public feedback on government datasets and open data in general; and
- Provide a platform for promoting and testing open data concepts.

DIA deliberately chose to restrict the directory's metadata fields to a minimum and to link to the agency sites which store the data and generally provide more comprehensive metadata.

Data.govt.nz currently catalogues 266 datasets from 59 agencies. Most datasets are from central government, with a few from Crown Entities, Crown Research Institutes and local government.

The breadth of content is extensive, ranging from geospatial and environmental to historical staffing numbers across the public service²⁰, and public service chief executives credit card expenses 2008-2010²¹. Agencies are starting to release these copyright works under Creative Commons licensing²².

Non-government services²³ also host some agencies' geospatial data. This data is also exposed on data.govt.nz.

An evaluation of the data.govt.nz pilot is currently underway to determine its success and its future.

Examples of innovative use of government datasets

There is additional emerging evidence of innovative use of New Zealand government datasets by individuals and business for social and economic gain. For example:

- a website called Zoodle (www.zoodle.co.nz) aggregates and centralises New Zealand property and community related information, including property data sourced from Land Information New Zealand and school zones sourced from the Ministry of Education; it packages all this data together and makes it available as reports with a view to providing property owners and buyers with useful information to make the buying and selling process easier

¹⁹ <http://cat.open.org.nz/about/>

²⁰ <http://www.ssc.govt.nz/hrc-historical-data>

²¹ <http://www.ssc.govt.nz/credit-cards>

²² <http://www.data.govt.nz/dataset/show/828>

²³ An example is www.koordinates.com

- a group of individuals is adding Land Information New Zealand (LINZ) mapping data to the OpenStreetMap project (www.openstreetmap.org), a "free editable map of the whole world" which itself is made available under a Creative Commons licence, with a view to creating a full open access street map of New Zealand which can be re-used on an open access basis (and which, in some respects, currently has more New Zealand-specific data than other well known online mapping sites; the Chatham Islands is a case in point)
- shortly after the SSC released 10 years of data from the Human Resource Capability (HRC) survey, under a Creative Commons licence, an interested individual converted some of it into a graphical format to display gender payment differences in the public service over time (<http://visualgovt.zero.webfactional.com/node/1>)
- a New Zealand business called Authentic Tours Limited has developed a new iPhone application (www.mytoursapp.com) which turns city walks, museum tours and audio guides into an iPhone application. This relies in part on maps from OpenStreetMap, some of which, as noted above, contain data sourced from LINZ
- a web developer is in the process of producing a site called Fix My Street (www.fixmystreet.org.nz), understood to utilise certain local government datasets, which promises to enable people to alert their local councils to holes and other hazards in their streets
- the NZ Open GPS Project (<http://nzopengps.org/>), which provides "free autorouting, street number searchable maps of New Zealand for Garmin mapping GPS", utilises (among other sources) data sourced from LINZ.

Release of data to support public policy consultation

Providing supporting information during public policy consultation and discussion is increasingly being sought by both the public and public bodies. It is noteworthy that the New Zealand Parliamentary Commissioner criticised the Ministry of Economic Development in April 2010 for the lack of information provided in its public discussion document on mining in National Parks²⁴. The Commissioner indicated that without this information, it was difficult for her own agency and the public to participate in a policy debate that required conservation and mineral values to be measured and weighed.

A second pilot led by DIA, to commence later in 2010, will test a potential model for agencies to open up public data to gather insights from the marketplace and the wider general public. These insights would feed into government policy development, complement the traditional public policy consultation process, and go some way towards addressing the issue described above.

²⁴ Parliamentary Commissioner for the Environment. *Submission on the Schedule 4 Stocktake discussion document*, 27 April 2010, www.pce.parliament.nz.

Index of New Zealand Geospatial Data²⁵

This index lists websites that provide geospatial information for New Zealand and examples of its applied use. It includes sources of raw data, image archives and interactive applications.

Kiwi Research Information Service (KRIS)²⁶

KRIS is a single gateway to the open-access research documents produced at universities, polytechnics, and other research institutions throughout New Zealand. It harvests research document metadata contributed by researchers at New Zealand institutions. The total harvest on 13 August 2010 was 18,909 documents from 16 institutions.

Digital New Zealand²⁷

DigitalNZ is an initiative that aims to make New Zealand digital content easy to find, share and use. This includes content from government departments, publicly funded organisations, the private sector, and community groups. Since launching in December 2008, DigitalNZ has developed the following solutions:

- The [Make it Digital](#) helpdesk for helping people through all aspects of the digital content life cycle
- The [Community Kete](#) for the hosting of local community content
- The [Shared Repository](#) for the hosting of NZ research content and data in collaboration with the Ministry of Research Science and Technology
- The [DigitalNZ Search](#) service that aggregates NZ digital content from a range of content providers
- The [Custom Search Builder](#) for creating unique NZ search tools for use in classrooms and on websites
- The **Hosted Search** service for providing fully branded NZ search experiences like [Matapihi](#)
- The [DigitalNZ API](#) data sharing service that allows developers to build entirely [new tools and applications](#)
- The [Video Remix Editor](#) demonstration of how licensed digital content can be used to create wholly new content experiences

Examples of Sectoral Activity

The Environmental Data Management Policy Statement²⁸

The Environmental Data Management Policy Statement is the contribution by the Ministry of Research Science (MoRST) and Technology and the Foundation for Research, Science and Technology towards moving New Zealand science to “improving the accessibility, mobility and reusability of publicly-funded science data”.

²⁵ <http://www.geospatial.govt.nz/index-of-new-zealand-geospatial-data/>

²⁶ <http://nzresearch.org.nz/index.php/index>

²⁷ <http://www.digitalnz.org/>

²⁸ <http://www.morst.govt.nz/current-work/Science-Infrastructure-and-Data-Management/Data-Management/The-Environmental-Data-Management-Policy-Statement/>

Key statements are:

- MoRST will work with the Research Science & Technology (RS&T) sector and the Foundation to integrate clearly the government's expectation for better data management into Vote RS&T funding and system settings
- MoRST plans to construct a service-oriented 'portal' page on MoRST's website dedicated to the basics of science data management. This will be regularly updated and will provide generic information and assistance applicable to all domains of science
- MoRST will prepare the ground for players in the broader New Zealand science data 'ecosystem' to connect, build partnerships and lift their own data management performance over time; and
- MoRST will partner with leading practitioners – primarily from the environmental RS&T community – to build and test prototypes of the implementation approaches that will encourage real progress in science data management.

New Zealand Geospatial Strategy²⁹

The New Zealand Geospatial Strategy, published in January 2007, aims to better coordinate and manage the use of New Zealand's geospatial resources across all tiers of society. It addresses the increasing reliance on geospatial information in New Zealand and opportunities for efficiencies in the collection, management and provision of that information. Land Information New Zealand champions the New Zealand Geospatial Strategy and is leading its adoption across government.

Next Steps

Review of the Policy Framework for Government Held Information

As noted, whilst the current PFGHI sets a very sound policy-based foundation for the management of New Zealand's PSI, it is no longer adequate for the 21st century New Zealand PSI environment. Now that the New Zealand Government Open Access and Licensing framework (NZGOAL) has been released, a review of the PFGHI is commencing. This work will:

- support open and transparent government through active management and release of government's non-personal information and data,
- preserve the integrity and privacy of sensitive and personal information in government agencies, and
- create the conditions that encourage use and re-use of non-personal New Zealand government information and data for the benefit of the New Zealand economy and New Zealanders.

²⁹ <http://www.linz.govt.nz/geospatial-office/geospatial-strategy/index.aspx>

Six drivers support the review of the PFGHI:

- Public expectations for greater participation in government align with the government's desire for policy development based on informed input from individuals and organisations as well as external scrutiny of performance data. While the PFGHI anticipated that online information would open up access to information, it does not cover these expectations for transparency and openness
- the Internet and World Wide Web have changed the way that government-held information is managed and used. The Privacy Commissioner and others have also raised concerns that some government agencies have inadequate controls for ensuring the security of their sensitive and personal information in this environment³⁰
- the PFGHI does not cover licensing, re-use and exploitation of online non-personal government information and data to create new products or services
- since 1997 significant New Zealand information-related legislation has been enacted, recommendations agreed by international organisations, and new guidance promulgated by or submitted to Cabinet³¹. These instruments may require changes to the scope and coverage of the PFGHI
- the Official Information Act and the Privacy Act are being reviewed by the Law Commission. Any changes will need to be reflected in the PFGHI; and
- public sector agencies are seeking more practical and current guidance to assist them apply the PFGHI within their organisations. This requires reviewing the present narrow scope of the PFGHI. i.e. only covering public service departments.

It is expected that an updated Policy Framework will be finalised in December 2010, submitted to Cabinet in early 2011 and new supporting guidance released from April 2011.

³⁰ <http://www.privacy.org.nz/annual-report-of-the-privacy-commissioner-3/>
<http://www.privacy.org.nz/portable-storage-device-survey-report-201/>

³¹ National Library Act 2003, Public Records Act 2005, Unsolicited Electronic Messages Act 2007, OECD Council's *Recommendation for Enhanced Access and More Effective Use of Public Sector Information [C(2008)36]*, *OECD Policy Guidance for Digital Content*, New Zealand Government Open Access and Licensing framework (NZGOAL)