FACT SHEET 1

Licensing arrangements for DSS's HILDA, LSAC LSIC and BNLA datasets

Licensing Arrangements

There are three streams of licensing arrangements for DSS's HILDA, LSAC, LSIC and BNLA datasets:

i) Organisational licences;

ii) Individual licences; and

iii) Memorandum of Understanding.

Organisational Licence and Memorandum of Understanding (MOU) (Commonwealth of Australia)

A Memorandum of Understanding is only available for Commonwealth Government departments and agencies that are subject to the *Financial Management and Accountability Act 1997* and are therefore unable to enter into a legally binding agreement with DSS. Any Commonwealth agency, authority or other entity that is capable of contracting with the Commonwealth will be required to sign an Organisational Deed of Licence.

Under these arrangements, users will have access to the datasets supported by the organisation with which they are affiliated. The organisation will sign an Organisational Deed of Licence undertaking responsibility for access management of the datasets and other provisions (such as indemnity) which generally rest with an organisation rather than an individual. Under the Organisational Deed of Licence, three groups of people have roles and responsibilities:

1. Organisation

2. Data Manager

3. Authorised Users

Authorised Users also have roles and responsibilities under the Deed of Confidentiality that they are required to sign before being given access to the datasets. Each person with responsibility for the datasets must understand their own roles and responsibilities and how their own responsibilities fit in with those of the other data users in their organisation.

The Deed of Confidentiality must be witnessed by the Data Manager.

A flat fee of $330 (GST inclusive) is charged for each survey for each release of data. The fee for HILDA, LSAC, LSIC and BNLA applies to both Australian and overseas organisations. Note that GST is not applicable to overseas organisations. The fee is paid to the relevant Survey Contract Manager and will be charged to the organisation when the first application for any of the datasets from that survey is approved by DSS. Once paid, the fee covers all datasets (except for HILDA- CNEF) from that survey as agreed in the Organisational Deed of Licence sent to the organisation for that release of the data.

Users from an organisation with an Organisational Deed of Licence will only be able to gain access to the datasets through the organisational licensing arrangements. That is, if an applicant's place of employment already has an Organisational Deed of Licence, the applicant will **NOT** be given access to the data through a separate Individual Deed of Licence.

Individual Licences

There may be some users whose organisation does not wish to sign an Organisational Deed of Licence. In such cases, applicants may gain access to the datasets by signing an Individual Deed of Licence. In effect, DSS will take on the role of the Data Manager for these users in terms of receiving notification of changes and answering questions about the terms and conditions of the deed. Individual users are responsible for making sure they understand the terms and conditions set out in the deed. Individual users will need to apply for and sign an Individual Deed of Licence for each dataset they require as well as paying the costs for each ($77 including GST for Australian users and AUD$121 for overseas users). The security and privacy requirements are the same as those under the organisational licensing arrangements.

If the organisation of an Authorised User with an Individual Licence subsequently signs an Organisational Deed of Licence, the Authorised User will be asked if they would like to sign a Deed of Confidentiality under the Organisational Deed of Licence to replace their Individual Licence. While there is no obligation or requirement for them to do so, they will have to sign a Deed of Confidentiality for any subsequent releases of the dataset to which they wish to have access. In signing a Deed of Confidentiality, a user agrees to the Deed of Confidentiality and the terms and conditions therein superseding all previous deeds providing them with access to HILDA, LSAC, LSIC and BNLA.

Copies of the Individual Deeds of Licence and application forms are available on the DSS, HILDA and LSAC websites.

For a full description of their roles and responsibilities individual users should read Fact Sheet 3 'Roles and Responsibilities of Authorised Users'.