

Spatial Data Custodianship



Legal FAQ

What contracts does my organisation sign?

The Custodian Data Licence Agreement is between the Custodian and the State of Victoria. It is signed by the Secretary of a Government Department, Company Director, General Manager or CEO on behalf of the Custodian, and by the Secretary of the Department of Sustainability and Environment (DSE) or his delegate on behalf of the State of Victoria.

What does the agreement cover?

The Custodian Data Licence Agreement documents the standard rights and responsibilities of the Custodian with regard to collection, documentation, update and distribution of datasets. The Agreement covers

- Licensing and Sub-licensing
- Copyright
- Confidentiality
- Disclaimers
- Liability and Dispute Resolution

It has been developed in cooperation with legal representatives from the private and public sector. It includes schedules and the Data Access License Agreement that is signed by the end user of the data.

What are the schedules?

Each named dataset (layer) has a schedule which is attached to the Custodian Data Licence Agreement. The schedules state what the data comprises, the agreed format, who may access it, purpose and frequency of updates.

Example

Electricity Distribution Powerlines
Comprising Voltage, Overhead, and Underground
Includes all associated Metadata
Access by listed emergency services agencies
Updated monthly

Additional schedules (e.g. for power poles) can be added later under the same agreement or an additional user category such as councils, or a named organisation may be added, which greatly reduces your legal administration.

At all times your organisation controls who may access each dataset, how it is distributed and how often you update it.

How is my risk managed?

A Data Access License Agreement (DALA) is signed by each user (or user organisation) of each dataset. It is a part of the Custodian Data Licence agreement. The DALA includes a Disclaimer. The DALA may be signed online.

What other documentation is there?

Your Custodial Officer will document each dataset in more detail in Metadata ("data about data") before it is published in the Victorian Spatial Data Directory, licensed or distributed to users. Metadata is explained in the "All About Data" Fact Sheet. The Metadata gives clarity to users by defining in detail the level of completeness and accuracy you will maintain.

How long does the Custodianship Agreement last?

The Custodianship Data Licence Agreement is Ongoing. The Period of Notice for Termination is 90 days by either party.

Can we modify the agreement?

The Custodianship Data Licence Agreement is a standard agreement. The Schedules attached to the Agreement for each dataset are tailored to your organisation. If possible, any variations should be in the schedules. Once the Agreement is signed, a letter signed by both parties can add dataset schedules or change who has access.

The Victorian Spatial Council (VSC) has directed the Spatial Information Infrastructure Division in the Department of Sustainability and Environment to manage the Custodianship Program on its behalf.

[Spatial Information Infrastructure](#)

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