

CAPITAL & INFRASTRUCTURE BUILDING CONTRACT DIRECTIVE

DATE: February 2014

Copyright Reserved

REFERENCE

ORDNANCE SURVEY MAPPING - COPYRIGHT

1. Generally

The Council maintains a licence with Ordnance Survey for the reproduction of mapping information, subject to very strict limitations and controls.

Unauthorised reproduction or distribution for purposes not within the definition of use permitted by the licence is an infringement of Crown Copyright and may lead to prosecution or civil proceedings.

It is accepted by Ordnance Survey that authorities may need to contract out work to various organisations, and that the use of mapping material and information is often an integral part of contracted out work.

To avoid infringement of the copyright the terms under which Ordnance Survey maps and data are used in connection with these activities need to be strictly followed.

Where the authority is just providing some funding to project, or is involved in a project being run by another organisation, Ordnance Survey material **must not be provided to the other parties involved.**

Authorities may include Ordnance Survey mapping when sending out documents inviting tenders for a contract. The mapping must be annotated with the appropriate acknowledgements and authority imprints and wherever practical is to be returned to the authority with the tender application (see 4.below).

A summary of the main conditions of the licence between Ordnance Survey and the Council are described below.

2. In-House Services

In-house business units can be regarded as being a department of an authority, whilst undertaking authority work.

If the 'business unit' is being contracted by a client for non-authority work they may not use graphic mapping or digital data owned by the authority (see 4 below). They should either purchase their own mapping from Ordnance Survey or its agents, or use mapping supplied by their client.

Any mapping acquired from a client for use on a non-authority may not then be used for authority work.

3. Contracted-Out Services

The following conditions apply where organisations re undertaking work at the request of an authority, as contractor or agent:-

The authority may supply contractors with any Ordnance Survey material for the purpose of the contract(s). However, only material that is appropriate and necessary to carry out the contracted work may be supplied.

Any hard copy material remains the property of the originating authority, and any

digital data the property of Ordnance Survey.

All copies, irrespective of the form, must be returned to the originating authority on request, or at the completion of the contract.

No copies should be retained by the contractor except where there is a written agreement between the two parties that:

- the contractor may retain a copy for reference purposes only and it is annotated as such; or
- the contractor is retaining the reproduction material on behalf of the client.

Ordnance Survey material provided to contractors in order that they may fulfil the terms of the contract, is not to be used on any other activity.

All material supplied to, and made by the contractors must be annotated with the appropriate authority's acknowledgements and imprints. (see 4 below)

Contractors providing services to the Council which involve Ordnance Survey information must be aware of and comply with the following conditions of the licence:-

- The maps or data provided by the authority are only for use in connection with the specified contract or piece of work.
- Any copies made by the contractor in connection with the contract must carry the authority's acknowledgements and imprints.
- The maps or data must not be copied, loaned or sold to any third party and that they must not be used by, or for, any other part of the contractor's business.
- Any computer systems holding the data must be password protected and that only authorised staff should have access to the data. Any original or back up media and any hard copies must be kept in a secure environment.
- Certificates of deletion from computer systems and/or destruction of hard copies are to be provided at the end of the contract.
- When the originating authority provided updates all previous versions should be deleted from the contractor's systems and security devices, and the original discs/tapes returned.
- A contractor may use their own mapping or data in connection with the contract provided the authority has the same mapping/data. During the setting up of the contract arrangements, to avoid any potential infringements of copyright it must first be established that the authority has comparable and current mapping to that which the contractor will/may be using. If the authority does not have comparable mapping then the contractor must not provide the authority with any copies. The exception to this is that the contractor may provide the authority with a single reference graphic hard copy to show that they have completed the work. This must be annotated 'Reference Copy. No further copies to be made.'
- If the contractor further sub-contracts the above same terms will apply.

4. Reference to Copyright on Documents

Any map copy an authority produces, or have produced by a third party, by whatever means, must be annotated with the appropriate wording drawing attention to the copyright. This also applies to copies produced directly from computer systems.

They must be placed somewhere within the border of the map where people can see and read them from normal viewing distance.

The standard form of annotation expected on any graphic maps (including hard copies of digital data) and incorporated to digital map data irrespective of their purpose is:

Reproduced from or based upon 2012 Ordnance Survey material with permission of the Controller of HMSO © Crown Copyright reserved. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings West Sussex County Council Licence No. 100023447.

Where a reproduction is not solely confined to Ordnance Survey material the words **'Based upon'** should be substituted for 'Reproduced from' in the annotation.

The note **'© Crown copyright'**. All rights reserved. West Sussex County Council 100023447 (2012) will be sufficient for a finished reproduction of less than 200cm².

The usual form of annotation required on maps displayed on VDUs and disk labels is:-

'© Crown copyright'

followed by the authority name and licence number.

When an authority undertakes work for a third party, the third party's name and licence number should be used where appropriate.

Although the authority does not need permission to copy material which is out of copyright, Ordnance Survey ask that the following acknowledgement be used:

'Reproduced from the (year of publication) Ordnance Survey map.'

The form of wording currently agreed for annotation on ALL documents containing Ordnance Survey mapping information produced in-house and other restrictions are included in Appendix 'A' letter attached.

[Appendix A](#)

The above procedure must always be strictly followed.

5. **Control of Information**

A register is to be kept by Capital & Infrastructure of Ordnance Survey mapping information issues to external contractors/consultants, the purpose for which the information is to be used, and the action taken on completion.

CONCLUSION