Unlocking IP 2009 Conference

Developing Public Policies for Re-use of Government Information:

Initiating the Public Discourse in Hong Kong

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Waltraut Ritter

The HK KM Forum

ritter@knowledgedialogues.com

The Public Domain in Hong Kong

1. Locked public domain?

2. Public Information holders

3. Public Sector Information Re-use / OECD Policy

4. PSI Re-use – starting the Public Discourse

What is the Public Domain?

PSI definition (OECD)

Public sector information" is broadly defined as "information, including information products and services, generated, created, collected, processed, preserved, maintained, disseminated, or funded by or for the Government or public institution"

OECD recommendation C(2008)36

PSI (Stake)Holders

Government agencies (90+)

IPD Intellectual Property Services Department

Data Privacy ombudsman

OGCIO   Chief Information Officer

Research Grants Commission

Government Records Service

PSI Framework

- **Digital content** – new infrastructure for business, participative web, education, health (OECD policy principles)

- **Public sector information** - increase aggregate returns on public investments, maximise use & spill-overs (OECD Council Recommendation)

PSI Re-use definition (OECD)

Use by the original public sector generator or holder or other public sector bodies and further re-use by business or individuals for commercial or non-commercial purposes.

In general, the term "use" implies this broad spectrum of use and re-use.

Information Perspectives

Contracts

Facts

Basis for decision-making

Economic value

Accountability

Transparency

Relationship

Trust

Secret

Confidentiality

Opacity

PSI Objectives

Principles for enhanced access and more effective use for public and private sectors

Increase total returns on public investments and economic and social benefits through:

- more efficient distribution
- enhanced innovation
- development of new uses
- market-based competition

International policy principles contribute to global exchange and use of public information

OECD Recommendation: policy principles

- Openness
- Access and transparent reuse conditions
- Asset lists
- Quality
- Integrity
- New technologies and long-term preservation

- Copyright
- Pricing
- Competition
- Redress mechanisms
- Public private partnerships
- Internat'l access / use
- Best practices

Recommendation principles - details

- **Openness**

  Assume openness as a default rule for all funding models, define limitations (privacy, security, etc.)

- **Transparent access and reuse conditions**

  Non-discriminatory competitive access, limited restrictions, eliminating exclusive arrangements

- **Asset lists**

  Awareness, easy to find, clear information on conditions

- **Quality**

  Methodical collection, reliability, cooperation

- **Integrity**

  Best practice management, no unauthorised modification

- **New technologies and long-term preservation**

  Interoperability, multiple languages, technological obsolescence

PSI Re-use

How does PSI get into the public discourse?

PSI Re-use Policy

Developing PSI strategies depends on strong advocacy and support from government as well as an informed civil society and academic sector

Waltraut Ritter

Research Director

Knowledge Dialogues

Hong Kong

Ph. +852 2147 0991

Email: ritter@knowledgedialogues.com