



Standards Australia

Your reference: Discussion Paper Submission

Our reference: 29622

29 July 2019

**Distribution and Licensing Policy Framework
Submission in Response to Discussion paper, July 2019**

The State Library of New South Wales welcomes the opportunity to make a submission in response to the Discussion Paper issued by Standards Australia, seeking feedback from stakeholders regarding the distribution and accessibility of its content.

Background

The State Library of New South Wales is a legal deposit library as set out in the Library Act 1939. The Library receives standards in print on a regular basis and these are available to the public onsite. The State Library provided access online through a subscription via SAI Global until access was suspended indefinitely in 2018. The Library regularly receives queries from readers seeking standards that relate to their current situation. Examples of queries include concerns regarding fire doors in apartments by residents on strata committees, swimming pool fences, waste disposal, and standards for consumer products and toys.

From 2003 until 2018 the State Library of NSW provided access to the important technical information in Australian Standards to their readers. In 2016/17, the NSLA eResources Consortium negotiated with SAI Global on behalf of members including the State Library of NSW. In 2017, SAI Global agreed to a subscription model that included unlimited access and remote access for NSLA members. This arrangement was terminated in 2018.

Public libraries form a major statutory focus for the State Library. The Library partners with public libraries to support and improve services for the people of NSW. This includes the administration of government funding, providing advice relating to building design, collections, internet connectivity, community programs, and the development of standards and guidelines.

The Library:

- provides expert advice on the management and development of public libraries
- fosters the professional development of library staff
- provides leadership on matters affecting public libraries
- provides expert advice to Government on matters affecting public libraries in NSW
- provides internet connectivity and quality online content through the NSW.net service

There are 372 public libraries in NSW. The key indicators of public library use show that they are highly valued by their communities. In 2016/17 there were:

- 35 million physical visits to NSW public libraries
- 41.25 million loans of collection items
- 13.2 million virtual visits to public library websites
- 11.38 million internet bookings (including Wi-Fi)
- 996,261 ebook loans, an increase of 75% from 2012/13 to 2016/17

Access to Australian Standards in NSW public libraries

In 2003 the Library's NSW.net service negotiated with SAI Global for a statewide public library licence to the Standards Online Public Library Service. The licence provided the State Library of NSW, NSW public libraries and their clients with full-text online access to the complete title list of current and superseded Australian Standards. Community access was restricted to viewing only on library premises, printing was restricted, and the downloading of documents was prohibited. These were unusual restrictions for a paid database compared to other paid electronic resources available to libraries.

Due to the impact of continued price increases, this statewide service was discontinued by the State Library's NSW.net service on 30 June 2015. The State Library then negotiated a discounted opt-in offer with SAI Global which attracted subscriptions from almost half of NSW public libraries. However, ongoing price increases and the continued limitations of the product platform saw the number of subscribing libraries decline in following years. In 2018 SAI Global reviewed its pricing model for libraries across Australia. A discounted opt-in offer was no longer available to NSW libraries and pricing reverted to a commercial basis resulting in increases of more than 600 – 1400% (pricing was based on population within specific geographic areas). The commercial pricing model made standards prohibitively expensive to public libraries particularly in comparison with other electronic resources.

These circumstances have resulted in unpredictable, unaffordable and very restricted community access to standards via NSW public libraries.

Opportunities

There has been considerable investment by the community including government, businesses and experts in the development of Australian Standards. They are important documents and are highly relevant to our communities. As Australian Standards states, “with stronger standards in place, Australia can enjoy greater economic efficiency and increased prominence on the international stage. Robust standards also help support our local communities by building a safer, more sustainable environment.”

The Discussion Paper identifies the opportunity for a new distribution model as a “step towards delivering greater value and improving access to Australian Standards.” It is important that any distribution model consider the key role public libraries play as trusted and valued providers of information. NSW public libraries have a long history and proven track record of providing technical, legal and health information to their communities in partnership with the State Library, government and other peak bodies. [The Find Legal Answers](#) service and the [Drug Info](#) service are just two examples of successful statewide information distribution models. Public libraries are well placed to increase community access, understanding and use of Australian Standards. There is an opportunity for Standards Australia to leverage the geographic coverage, social reach and skills base of the public library network to further its goals. For this to happen any future distribution model must take the needs of state and public libraries and their clients into account by providing, fit-for-purpose products that support libraries as they work to increase the reach and provide access to Australian Standards, for all Australians.

Response to questions asked in the Discussion Paper

A. Do you agree with Standards Australia’s broad objectives?

The Library recognises SA’s broad objectives and proposal to achieve greater reach and awareness of their products by the broader Australian community. The State Library and public library network has historically played an important role in ensuring public access to standards across NSW to members of the public. As indicated in the background statement, this was recently curtailed to the detriment of ‘greater reach’ and ‘greater awareness’.

As members of the public are important stakeholders due consideration should be

given to the placement of standards in the public domain under an open licensing model as articulated in the AustLii submission.

B. Are there other broad objectives that should be considered by SA's Board?

Other objectives should include developing a public access model to ensure that the public is able to access standards that are relevant to their communities. Public access is essential to ensuring visible accountability and transparency around objects and environments that have a public impact.

We submit that distribution through the State Library of NSW and the NSW public library network is an excellent mechanism for reaching the broader community of NSW. To this end any distribution strategy considered by Standards Australia must ensure that access to standards is available through the State and public libraries.

C. Do you support a non-exclusive model for the distribution of standards content in Australia?

The previous model of commercial exclusivity presented a challenging environment for public access where commercial concerns took precedent and resulted in reduced, or suspended, access to relevant documents. A non-exclusive environment would allow Standards Australia to act as an arbiter in the event of conflict and allow for the coexistence of public and commercial requirements.

A non-exclusive model would also foster innovation through competition with regard to hosting and distribution solutions. The previous exclusive arrangement resulted in a platform which had little ongoing development, had become increasingly unreliable and offered a poor end user experience.

D. What criteria do you think should be applied to the selection of distribution partners?

In NSW, Standards Australia has a legal obligation to provide a copy of every standard to the State Library of NSW, the NSW Parliamentary Library, and the University of Sydney Library. The selection of distribution partners should not seek to limit or restrict the requirement to provide legal deposit libraries with standards in print and electronic form for availability in their reading rooms. Legal deposit provision ensures that Australian Standards are preserved for future generations. New digital legal deposit provisions in the Library Amendment Bill 2019 also mandate deposit at state level of digitally published material.

In selecting distribution partners for the public library sector, it would be wise to ensure that the specific needs of the libraries are understood and can be met by the distribution partners. These are different to the needs of individuals or businesses. There are several local and international information aggregators who deliver

electronic information services to the library sector and it would be useful to consider distributors with experience in delivering high quality fit-for-purpose services to the public library sector. This would ensure that any products aimed at this public library sector meet the expected industry standards of similar products.

E. How can SA encourage competition in the distribution of current standards products?

By making standards widely and freely available, Standards Australia can encourage and support the development of support and enhancements.

F. How do we encourage new innovators to engage with standards content to deliver new solutions and customer offerings?

An open data approach which makes the content available to developers.

G. How do we select innovative partners?

H. How do we ensure third party developed innovative products are good quality and fit for purpose?

I. How do we ensure we strike the right balance between facilitating innovation by third parties and maintaining the financial sustainability of Standards Australia?

With respect to questions F, G, H and I, Public access should not be inhibited by commercial requirements. While ensuring public access to standards is paramount, Standards Australia could develop other products around the support and accreditation of standards which may be of commercial interest.

J. How can SA ensure that distribution activities do not negatively impact its public benefit role in standards development?

All models for the distribution of Australian Standards should ensure that public access is a core component.

K. How should SA implement the required commercial confidentiality for distribution arrangements within the context of transparency in the rest of the business?

Any commercial confidentiality for distribution arrangements should not undermine public access.

L. How can Regulated Standards be made more accessible to the end user while maintaining the financial sustainability of the standards ecosystem?

Based on the queries received by libraries, there is no clear delineation between different categories of standards required by the public. The public access model should ensure that readers have access to all Australian Standards.

M. How can access beyond existing channels be made easier for user groups like TAFE and university students?

People involved with TAFE and universities often rely on state and public library resources to do their research.

N. How can useful information be better provided to the public regarding Consumer Interest Standards?

It is important to provide plain language guides and consumer-oriented information (explanatory guides). Providing an information pathway, from simple to complex, has been a successful framework in other public library information distribution initiatives such as the Find Legal Answers service. Library users have access to plain language material and the relevant legislation and case law.

In relation to providing consumer-oriented information in the form of explanatory guides, the Discussion Paper states, “this type of access avoids making highly technical documents easily available to non-technical people who may not be qualified or able to use the content appropriately.”

Public library users are diverse in their needs, qualifications and technical capabilities and it should not be assumed that all users “may not be qualified or able to use the content appropriately”.

NSW public libraries also provided access to their communities via a statewide licence from 2003-2015. When the statewide licence ceased, the State Library’s NSW.net service negotiated discounted opt-in licenses for interested public libraries to meet their clients’ needs for access to Australian Standards.

Consumer-oriented information is not a substitute for nor should preclude access to the standards.

The State Library argues that the public would best benefit by direct access to the standards.

O. Do you have a view on what types of partners SA could work with in providing better information to the public regarding Consumer Interest Standards?

The Library network across Australia sees no conflict between the public availability of standards and the development of commercial products in support of standards. This approach is evident in the support and development of content around legislation with laws being freely accessible while information about the law has been developed as commercial products.

Standards should be made freely and widely available to protect and enhance the WH&S of all Australians whose taxes support the production of Australian Standards. The public should have free access to standards that address basic WH&S issues relating to plumbing, electricity, roofing and the broader infrastructure of residences.

Dr John Vallance
State Librarian