



Developing a Crown Copyright Code of Best Practices for Libraries*

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Government Information Days, December 13, 2023

*working title



Background and Purpose

- Libraries across Canada act as stewards for government information. Two main service areas:
 - digitizing and making available legacy print government publications, and
 - collecting, preserving, and providing ongoing access to born-digital content published on government websites.
- Confusion about how to navigate Crown copyright controls hampers and can even prevent the work described above.
- Risk aversion in the early 2010s resulted in the loss of countless government publications, in both print and digital format. This type of copyright chill persists for many libraries and archives.
- Legislative reform of Crown copyright has been requested for at least four decades and by a wide range of stakeholders.

Background and *Purpose*

- The *Code* was created to assist libraries as they navigate copyright considerations when working with government information. It has been written to assist in various scenarios, including:
 - when conducting a copyright risk assessment for digitization and web archiving activities, across library sectors,
 - when communicating with administrators and other decision makers, especially those who are unfamiliar with this area of copyright law, and
 - when working with library staff who are unfamiliar with copyright controls and user exceptions related to working with Canadian government information.
- The *Code* shares current case studies where academic libraries are acting as stewards for government information.

Process and Structure

The document structure:

- Background
- Risk assessments
- Current government policies
- Legal framework for libraries
- Case studies
- Best practices

Review process:

- Legal review
- Small group (subject expert) review
- Open peer review

The writing team

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Open peer review - your input requested

Please review this document before January 15, using [THIS FORM](#).

1 Crown Copyright Code of Best Practices for 2 Libraries

3 Last revised: December 11, 2023

4 Introduction

5 Information published by government departments and agencies informs both current
6 and future residents and citizens, and ongoing access to government information is a
7 foundational pillar of a working democracy.

8
9 Libraries have assumed responsibility for the stewardship of this critical part of
10 Canada's culture and knowledge, preserving and maintaining public access to this
11 information. However, to do this work, libraries must first navigate Crown copyright
12 protections that can, and often do, hamper these efforts.

13
14 This document is intended to support libraries navigating copyright issues related to
15 reproducing and sharing Canadian government publications for stewardship purposes.
16 Specifically, this document provides guidance to libraries for digitizing and making
17 available legacy print government publications, as well as collecting, preserving and
18 providing ongoing access to born-digital content from government websites.

19
20 This code of best practices provides background information alongside a legal
21 framework for these activities. It also shares some illustrative examples that document
22 current practices in use within the library community and the current consensus around
23 related best practices. While this document has undergone a legal and peer review

<https://docs.google.com/document/d/1AL6JwIG59M8reR4Y6AXgrk5nJtLM54DcQmZnCXjGii8/edit?usp=sharing>

Crown Copyright Code of Best Practices for Libraries peer review form

Please provide your comments about [this document](#) before January 15, 2024.

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Provide general comments here.

<https://forms.gle/PjHygcx7pWZMD7Rv9>

Next steps

- Draft document and feedback form will be emailed to GOVINFO list and stay open until January 15, 2024.
- Revised draft ready for Canadian Association of Research Libraries (CARL) Fair Dealing Week presentation, February 28, 2024.
- Final version will be translated and shared with GOVINFO, and made available on CARL and Canadian Federation of Library Associations (CFLA) websites.
- Other conference presentations?



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