

# Open Access in Aotearoa

LEARN ABOUT OPEN ACCESS AND CREATIVE  
COMMONS LICENSING FOR NEW ZEALAND  
RESEARCH



# What is OA?



**“Open-access (OA) literature is digital, online, free of charge and free of most copyright and licensing restrictions.”**

– Peter Suber.

The basic principle of OA is that the public should be able to freely access the research outputs that come out of public funding. This includes everything from books and journal articles to research data.

At present, most of New Zealand’s publicly funded research is not freely accessible. In fact, most New Zealanders have to pay a fee to access research funded by the New Zealand taxpayer.

But this is quickly changing. Across the world, public funding bodies are insisting that all funded research be made freely available in order

to increase public engagement, maximise innovation and accelerate the production of new knowledge.

But what does ‘open’ actually mean? Some journals are fully OA, while others provide OA options; some journals charge authors to publish OA, while others provide OA for free. To complicate the picture even further, some publishers require authors to sign over their copyright, while others allow different forms of open licensing.

Given this complexity, a few concepts are used to help categorise the different flavours of OA, including ‘Green’, ‘Gold’, ‘Libre’ and ‘Gratis’.

## Green OA

A version of the paper is deposited in an institutional or discipline-specific repository, in addition to formal publication in a journal.

## Gold OA

The full, published version of the paper is made freely available by the publisher, sometimes for a fee.

# The rise of OA



“For the first time ever, the Internet now offers the chance to constitute a global and interactive representation of human knowledge”

– Berlin Declaration on Open Access to Scientific Knowledge.

Prior to the Internet, scholarly publishers provided an efficient and reliable method of getting research to its intended audience— usually other researchers in the same discipline. Publishers recouped their costs through subscription fees, article purchase fees and licences to reuse material. This continues to be how most scholarly publishing works.

With the Internet, however, some groups have developed alternative models, with the hope of getting research to a much wider audience. In 2002, researchers from around the world came together to release the Budapest Open Access Initiative, calling for open access to scholarly works.

The Berlin Declaration on Open Access to Knowledge in the Science and Humanities was published a year later, and momentum for OA started to build.

A decade on, major funding bodies are paying attention, realising the potential of OA to unlock innovation and increase social, cultural and economic returns. In June 2012, Dame Janet Finch released a report that recommended that UK funding bodies mandate Gold Open Access and Creative Commons Attribution licences for all funded research. Similar—though not identical—moves towards OA have been made in the United States, Australia and the EU.

## Gratis

The paper is available to read free-of-charge, though its use is still restricted by ‘All Rights Reserved’ copyright.

## Libre

The paper is made available under an open licence, allowing it to be shared and reused, depending on which licence is used.

# OA in New Zealand



International moves towards OA have come from both central government and individual funding bodies. While the New Zealand Government has not announced a position on open access to scholarly research, it has articulated a clear position on open access and open licensing to other publicly funded content and data (see 'NZGOAL', below).

At present, most papers published by researchers in New Zealand institutions are 'closed', which means that they are only available via subscription— usually with a University library— or a one-off payment. As a result, most New Zealanders cannot access the research they fund.

Despite the lack of open access mandates, some New Zealand researchers choose to publish in open journals, to ensure that their work is available to everyone.

Additionally, contracts for the Marsden Fund, New Zealand's fundamental research fund, include a clause mandating that researchers share their research data, metadata and samples collected within 12 months of completion of the project (unless prohibited under any required ethical consent or approval).

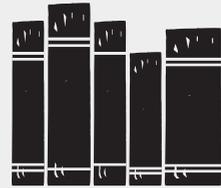
More recently, Lincoln University have become New Zealand's first open access university, after passing a policy advocating the use of OA and Creative Commons licensing for work published by Lincoln University staff

## NZGOAL

Approved by Cabinet in July 2010, the New Zealand Government Open Access and Licensing framework (NZGOAL) advocates the use of Creative Commons Attribution licences for publicly funded copyright works

Since then, government departments, libraries, museums, archives, schools and Crown Research Institutes have all used Creative Commons licensing to share their copyright works.

# Publishing Costs



Obviously, publishing isn't free. While many academics edit journals and review articles free of charge, publishers have traditionally paid for the editorial, production and dissemination process, including website, server and marketing costs.

Before OA, these costs were covered by subscription charges— usually from academic libraries or individuals. But with subscription charges increasing and funding for many university libraries static or in decline, the current model has become unsustainable. As the Faculty Advisory Council to Harvard Library argued in April 2012, “continuing these subscriptions on their current footing is financially untenable.”

Additionally, library journal subscriptions are not the only cost incurred. Researchers pay page and

colour figure charges; universities pay for copyright clearance agreements; individuals outside of research institutions pay to view research; third-parties pay copyright fees to reuse research and data; and businesses pay for published articles when seeking commercialise research.

The cost of accessing research outputs has direct implications for the broader national knowledge-based economy. Also, the savings derived from a move to an OA model could potentially release funds that can be re-directed into the research sector.

Recent reports from Europe estimate that a move to OA would represent an overall per annum saving of EUR 70 million in Denmark, EUR 133 million in The Netherlands and EUR 480 million in the UK.

## Did you know?

According to the US Association of Research Libraries, library expenditure on journals increased by 340% from 1986–2007, almost four times the increase in the consumer price index over the same period.



# Copyright



The fact that a work is protected by copyright means that the work cannot be shared, remixed or reused without permission from the copyright holder—usually the author or the publisher.

Copyright applies to all original works, including films, songs, images, books, academic journals, theses, dramas, sound recordings, TV and radio broadcasts and internet publications and transmissions.

For literary, dramatic, musical and artistic works, copyright in New Zealand lasts for the lifetime of the creator, and then an extra 50 years following their death.

Copyright is automatic, and is granted to new works when they are recorded in a material form, such as being written down or saved in a computer. It doesn't matter if you can't see the © symbol, or if the site is not commercial.

While the Copyright Act 1994 includes several specific "fair dealing" exceptions from copyright infringement, including fair dealing for the purposes

of "criticism or review" or "research or private study", members of the public — including universities — are, in general, unable to reuse publicly funded research without asking permission of the copyright holder.

By default, researchers in New Zealand Universities generally own the copyright in their research. When publishing their research, however, authors traditionally sign a 'copyright transfer agreement' or a 'licence to publish'. These agreements detail the rights retained by the author, as well as the rights of distribution and reuse extended to third parties.

However, these agreements are not standardised across the industry, and it is often hard to know exactly what rights the publisher will require until one's manuscript is accepted for publication.

## Did you know?

Signing a copyright transfer agreement with an academic publisher usually restricts the reuse of the works by the author's institution—or even by the author him or herself.



# Creative Commons



Creative Commons provides free licences that copyright holders can use to allow others to share, reuse and remix their material, legally.

An open Creative Commons licence means that bloggers, newspapers, publishers—and everyone else—can share, adapt and re-publish your work, radically expanding your potential audience.

The Creative Commons licences are easy to understand and legally robust. The suite of six Creative Commons licences provides a range of options between full “all rights reserved” copyright, at one end of the spectrum, to the “public domain”, at the other end.

Each licence has different rules and grants a different range of freedoms. All Creative Commons licenses require that you credit the original creator when re-using their work in any way.

Founded in 2001, Creative Commons licensing has been adopted by governments, schools, artists, universities and news organisations across the world, including the White House, Wikipedia and MIT. There are over 100 affiliate projects in over 70 countries.

There are four Creative Commons licence elements that make up the six Creative Commons licences. You can find a chart explaining the licences on the back page of this brochure.



## ATTRIBUTION

This means that others must credit you in the manner you specify.



## SHARE-ALIKE

If others alter, transform or build upon this work, they may distribute the resulting work only under the same licence.



## NO DERIVATIVES

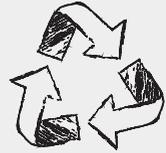
This means that others may not alter, transform or build upon this work.



## NON-COMMERCIAL

This means that others may not use this work for commercial purposes.

# Remix & Reuse



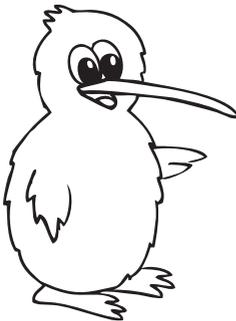
**Remix: A combination of two or more creative elements to make a new work. Remix is at the heart of science, education and culture.**

A remix is nothing more than a new work made from one or more old works. This new work can take almost any form. Some remix works are songs, stories or films; others are scientific articles or educational resources.

The word is new, but the practice is as old as culture itself. Ancient Greek tragedians like Sophocles adapted common myths—such as Oedipus the King and Helen of Troy—for their Athenian audience. Because research, education and culture always build on the past, just about all contemporary academic work is a kind of remix.

Under New Zealand's Copyright Act 1994, it is an infringement of copyright in a work to remix ("adapt") the work without the copyright holder's permission. As a result, many researchers and teachers have started to apply open Creative Commons licences to their work, to enable people from around the world to share and adapt their academic papers and teaching resources.

There are now hundreds of millions of works available online under a Creative Commons licence—from research papers and datasets to images and songs.



## Did you know?

Many New Zealand educators are also choosing to license their educational resources, enabling other teachers around the world to share, remix and reuse their work. Some educators are also collaborating to produce free, openly licensed textbooks.

# Research Tools



## LOOKING TO FIND OPEN RESEARCH?

NZ Research links to the research repositories of New Zealand tertiary institutions:  
[nzresearch.org.nz](http://nzresearch.org.nz)

Arxiv is one of the oldest open access repositories. It includes material from Physics, Mathematics, Computer Science, Quantitative Biology, Quantitative Finance and Statistics:  
[arxiv.org](http://arxiv.org)

OpenWetWare is an open lab-book site for biology and biological engineering:  
[OpenWetWare.org](http://OpenWetWare.org).

Figshare lets researchers easily share their research data (including negative results) preventing unnecessary replication:  
[figshare.com/](http://figshare.com/)

The Australian National Data Service is a collection of research resources from Australian institutions:  
[ands.org.au](http://ands.org.au)

PubMedCentral is a repository for research funded by the National Institute of Health:  
[ncbi.nlm.nih.gov/pmc/](http://ncbi.nlm.nih.gov/pmc/)

## DIRECTORIES OF OPEN RESEARCH

Journals:  
[doaj.org/](http://doaj.org/)

Repositories:  
[opendoar.org/](http://opendoar.org/)

Data:  
[databib.org/](http://databib.org/)  
and  
[re3data.org/](http://re3data.org/)

Books:  
[doabooks.org/](http://doabooks.org/)

## LOOKING FOR MORE INFORMATION ON OPEN ACCESS?

Peter Suber provides the most detailed introduction to Open Access:  
[mitpress.mit.edu/books/open-access](http://mitpress.mit.edu/books/open-access)

Creative Commons Aotearoa NZ published a series of blog posts on Open Access in 2012:  
[creativecommons.org.nz/open\\_access\\_2012/](http://creativecommons.org.nz/open_access_2012/)

Berlin Declaration on Open Access to Knowledge in the Science and Humanities:  
[oa.mpg.de/](http://oa.mpg.de/)

# Author Checklist



## When will the article become available to the public?

While many journals are making their articles freely available after publication, some journals impose embargo periods. These can vary from journal to journal. An Article Processing Charge (APC) will sometimes determine when an article becomes open access and whether it is gratis or libre OA.



## Who owns the copyright in the article and what is the precise copyright licence?

Some OA journals will ask you to transfer the copyright of your work to them, though others will allow you to retain copyright and apply a Creative Commons licence.



## Will the published article be 'free' or 'libre'?

Ideally, any restrictions on reuse should be avoided. See pages 2–3 for further discussion of 'free' and 'libre.'



## What is the actual cost of publication?

There are many fees associated with article publishing. Many traditional journals charge non-refundable submission fees, page charges, colour figure charges and charges per character or per table. Some Open Access journals may charge APCs, though many do not.



## Where is the journal article indexed?

Visibility of an article is greatly increased if it is indexed in databases such as PubMed or Google Scholar. Indexing is also important for tracking citations.



## Are you planning to do a press release?

When journalists look at covering a science story they often need to have access to the original article; they may also want to reprint images or illustrations. More restrictive licences will prevent journalists from being able to access and reuse your work, beyond the limited Fair Dealing exceptions in the Copyright Act.



## Are you planning to commercialise your findings?

When commercialising products, companies often wish to distribute copies of research articles to their directors, employees or investors. This can cost thousands of dollars. If the article is made available under a Creative Commons licence with no non-commercial restriction, companies will be more likely to share and reuse your research.

# Further Information

## FIND CREATIVE COMMONS LICENSED WORKS TO SHARE AND REUSE

Creative Commons Search provides links to thirteen search engines. This is the place to go to find images, movies, music and more.  
[search.creativecommons.org](http://search.creativecommons.org)

The Internet Archive has an extraordinary range of openly licensed and public domain media, including old music and film.  
[archive.org](http://archive.org)

Wikimedia Commons has over fourteen million openly licensed and public domain works:  
[commons.wikimedia.org](http://commons.wikimedia.org)

DigitalNZ links to over works in over 120 New Zealand institutions, including archives, libraries and museums.  
[digitalnz.org](http://digitalnz.org)

## SPREAD THE WORD ABOUT OPEN RESEARCH IN NEW ZEALAND

NZAU Open Research is coordinating the moves for open research in Aotearoa New Zealand. They can be reached at [nzauopenresearch@gmail.com](mailto:nzauopenresearch@gmail.com) and can be found on Twitter [@nzauopenres](https://twitter.com/nzauopenres)

## GET IN TOUCH WITH CREATIVE COMMONS AOTEAROA NEW ZEALAND

Visit [creativecommons.org.nz](http://creativecommons.org.nz) to find out about Creative Commons and join our email list. While you're there, check out our great Creative Commons Kiwi Video!

Give us a call on **04 470 5779**

Facebook: [facebook.org/creativecommonsnz](https://facebook.org/creativecommonsnz)

Twitter: [@cc\\_aotearoa](https://twitter.com/cc_aotearoa)

Email: [admin@creativecommons.org.nz](mailto:admin@creativecommons.org.nz)



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# Licences

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work to make money?

Can someone change  
my work?

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