

OPEN DATA TUTORIAL

Opening and promoting use of budget data

Licenses of use

Licenses. Are there any terms and conditions for their use?

9/9

As it has been said in the documents and videos of this tutorial, the goal of publishing budget data in open formats is the use and reuse of such information. In this sense, it is necessary to address the legal and ethical aspects of the information: the openness data process does not end with its publication, it must protect its users as well.

To achieve this, government entities should have **terms and conditions of use**, which are a set of rules and statements that explain how people can use, transform, compile, extract, spread, modify or share data available in their websites. They should also establish conditions and restrictions for the use of the information in order to prevent its misapplication.

Therefore, user protection is guaranteed with publicly available terms of use that assign property rights, liability limits and commitments with the information owners.

In the same way, government entities establish legal instruments on copyright protection to solve possible conflicts of interest between the people responsible for generating the information, its publishers and the public.

Some entities may prefer to enforce licenses with restrictions of use, while others grant full rights for data exploitation. The key matter is ensuring that it is not illegal to use or modify published budget data, otherwise, it can't be considered open. At the global level, there is a set of legal tools that help provide and use open data. Some examples are:

a. Creative Commons International 4.0 Attribution:

How does it work? It is a global license that offers several types of licenses of use, from the most restrictive ones, such as *Attribution-NonCommercial-NoDerivs*, to *Attribution* ones, which “lets others distribute, remix, tweak, and build upon your work, even commercially, as long as they credit you for the original creation. This is the most accommodating of licenses offered”.¹

Creative Commons offers official license translations so the users can read and understand them in their own language.

b. Public Domain Dedication and License (PDDL).

How does it work? It allows the public to copy, modify or distribute data through the elimination of any copyright. It places data under public domain yielding the rights over.

It is also important to highlight the concept of “attribution” which allows users to copy, distribute, or modify data with the key condition of referencing (naming) the original author.

c. Open Database License (ODbL).

How does it work? It is a license ruling a huge collection of datasets designed for its use and free distribution. This system allows the use of the data contained in government platforms without violating copyright. With this license is possible:

- 1) to share adaptations, reviews or additions to the data set contents.
- 2) to have data sets available as free.
- 3) to establish the origin of the dataset.

It is worth mentioning that these type of licenses allow the treatment of data (adjustment, reuse, etc.) for commercial purposes without restrictions, as long as they recognize the authorship of the information. The last two licenses have been adopted specifically for data as a product by Open Data Commons, unlike the first one that refers to all types of works (products).

¹ <https://creativecommons.org/licenses/?lang=en>.

In Mexico, open data is under “terms of open use”, allowing its reuse and distribution, always quoting the source². With it, users can adapt and reorder data, extract contents and create applications from them. With free terms of use you can:

- 1) Make and distribute dataset copies.
- 2) Spread and publish a dataset and its content.
- 3) Adapt or reorder a dataset and its content.
- 4) Extract totally or partially the content of a dataset.
- 5) Commercially exploit the dataset and its content.
- 6) Create datasets drift from the datasets or its content.

These documents and videos are intended to contribute to the learning process about data openness, based on the identification of successful cases, possible obstacles and actions to guarantee information quality. Considering beforehand what open data is for, the identification of its potential users, the data source(s) and format(s), their cleaning, the implementation of national or international standards, as well as a license of use; the openness of information brings about sustainability for budget transparency.

Remember that to achieve it, willingness, commitment and teamwork are needed, so we invite you to share these materials with all the people involved in the process, as well as to keep yourself updated on the discussions of GIFT’s community.

Let’s open budget data!

² Datos.gob (S.F). *Términos de libre uso de los datos abiertos del gobierno de México*. Available at: <https://datos.gob.mx/libreusomx>.

