Queensland public sector intellectual property principles factsheet

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# Description

The Department of Housing and Public Works (HPW) is responsible for the administration of Crown copyright and other IP (Crown IP) across the Queensland Government.

Guidance on the effective management of Queensland Government IP is contained in the [Queensland public sector intellectual property principles](http://www.qld.gov.au/dsiti/assets/documents/ip-principles.pdf) (IP principles). Queensland Government agencies should refer to the IP principles for high level policy guidance on best practice in IP management, including ICT related IP, when creating, recording, using, sharing, protecting, publicly releasing or commercialising IP assets.

Information on licensing Queensland Government copyright material before publication is included in the IP principles, the QGEA [Information access and use policy (IS33),](https://www.qgcio.qld.gov.au/documents/information-access-and-use-policy-is33) and the [Australian Creative Commons website](https://creativecommons.org.au/).

The IP principles are part of a broader Queensland Government IP policy framework, which includes the:

* IP principles (incorporating an IP assessment guide and a section on commercialising IP)
* [‘Rewards for Creating Commercially Valuable Intellectual Property’](https://www.forgov.qld.gov.au/documents/directive/0207/rewards-creating-commercially-valuable-intellectual-property) Directive (Rewards directive)
* online IP training modules for government employees, to be situated on the [Business Innovation and Improvement in Government](http://biig.govnet.qld.gov.au/) (BiiG) website.

Under the [Financial and Performance Management Standard 2009,](https://www.legislation.qld.gov.au/view/html/inforce/current/sl-2009-0104) agencies are required to manage their assets (including their IP rights) appropriately. Each government agency is responsible for the day to day management of the IP it develops, owns or uses, in accordance with applicable legislation, the IP principles and other relevant policies.

# Queensland public sector intellectual property principles

The IP principles reflect developments in open government information management policies and processes. Significant open access developments in the Queensland Government have included:

* the [Right to Information Act 2009](http://www.rti.qld.gov.au/) (Qld) (RTI), which provides for the proactive release of public sector information to the public as a default position, unless the release of the information is determined to be against the public interest
* the Queensland Government open data initiative, under which suitably licensed public sector information is released for public use through the [Open Data portal](https://data.qld.gov.au/).

The IP principles, IS33 and relevant legislation, guide Queensland Government agencies in managing the IP they create or use. The IP principles define ‘intellectual property’ and provide high level guidance on the effective administration of Crown IP.

The IP principles are divided into:

* general principles
* management principles
* commercialisation principles
* IP assessment guide.

Queensland public sector employees can also obtain information about effective IP management by accessing:

* the whole of government business and industry portal at <http://www.business.qld.gov.au/> , especially the IP Infokit at <https://www.business.qld.gov.au/running-business/protecting-business/ip-kit>
* online IP training, to be situated at [http://biig.govnet.qld.gov.au](http://biig.govnet.qld.gov.au/toolkit/index.php).
* The Department of Housing and Public Works (DHPW) - please send email inquiries to [crown.ip@qld.gov.au](mailto:crown.ip@qld.gov.au) or contact Clare Hoey, Manager, DHPW, by phoning 07 3719 7839 or emailing [clare.hoey@qld.gov.au](mailto:clare.hoey@qld.gov.au).

Queensland Government staff working with Indigenous communities or products and practices originating from Indigenous communities should be aware and respectful of traditional knowledge and its relation to the IP system. Traditional knowledge does not fit neatly into the current Australian IP system, where IP rights belong to a particular person or legal entity for a specified period of time, rather than to a group of people collectively for an indeterminate period of time.