



Crown copyright Licence Charges

1. Introduction

The aim of the Fire Service College in developing its intellectual property is to provide materials for use within its training programmes, primarily for the fire and rescue services within the UK. The products produced during its wider functions may have a value to a wider market. The College is required to generate additional income through the delivery of services to customers on a commercial basis in accordance with Treasury guidance on selling services to the wider market. This policy relates to charges for licences to re-use materials where the Controller of HMSO has delegated licensing responsibility to the Fire Service College. It aims to achieve a fair balance between value for money for customers and a fair return to the Fire Service College.

2. Legislation and regulation

The Fire Service College operates within all relevant and applicable legislative and regulatory requirements, including but not restricted to:

- The Competition Act 1998
- Crown Copyright Delegation of Authority between HMSO and the Fire Service College 2001
- Data Protection Act 1998
- Environmental Information Regulations 2004
- EU Directive on the Re-use of Public Sector Information 2003
- Freedom of Information Act 2000
- HM Treasury Guidelines
- Reuse of Public Sector Information Regulations, 2005
- Trading Fund accounting rules

3. Glossary of terms

Data, products and services provided by the Fire Service College are categorised as follows:

- Data – means any text, graphics, audio, visual and audio/visual material, software including applications, data, database content or other multimedia content, information and material.
- Re-use – The use by a person of a document held by a public sector body for a purpose other than the initial purpose within that public sector body's public task for which the document was produced.
- Crown Copyright definition – As defined in the Copyright Designs and Patents Act 1988, the Copyright Act 1956 and Copyright Act 1911.
- Added Value Products – The commercial re-use of the complete or substantial content of a value added product or service is licensed only where the user also adds value to it in the following ways:

- Using it as part of a compilation together with information drawn from a number of other sources
- By adding commentary, analysis, indexing and search facilities
- Bespoke products – These are materials which have been developed to meet the needs of specific customers. Details are available from the Information & Library Services Manager on request.

4. Fees

The scale of the licence fees are affected by :

- the material that you wish to use, e.g. photographs are subject to a different scale of charges to text documents
- how you plan to re-use the material, e.g. a document for internal circulation on an intranet will attract a different charge to the inclusion of the document in a published product or service
- how much material you wish to re-use

Our fees are based on the following principles:

- commercial charging practice and rates
- the licence fees quoted do not include purchase of the material(s) to be licensed
- the licence fees quoted do not cover handling and supply charges, conversion into other formats or any costs relating to obtaining a copy of the material, e.g. purchasing a copy of a publication.
- no distinction is made between print, electronic or any other media
- all fees are charged on a per product or service basis, e.g. CD-ROM, paper format and translated editions would all be considered to be separate products
- all fees cover non-exclusive world rights
- In a single product or service, the first instance of any of the following can be re-used free of charge: 500 words, a single photograph, diagram, table or illustration (including caption).

5. Charges

There are two kinds of charges: royalties and fixed fees.

- a. Royalties – A royalty is a fee that is linked to the amount of income generated from the sale of your product. They are generally paid quarterly/annually. The royalty approach is used in the following circumstances:
 - where the material is re-used in a commercial product that is offered for sale; and/or
 - where a substantial amount of material is being re-used

Our royalty rate is 10%. The formula employed for determining royalties is:
 10% of licensee income x percentage of Crown copyright material in the publication, as judged by FSC.

- b. Fixed Fees – A fixed fee is a fee that is payable either once or at agreed intervals. Fixed fees will usually be used in the following circumstances:
 - Where the material is re-used in a way that does not involve the offer for sale of a product or service to a customer
 - Where the quantity of material being used is modest. For text this will be up to 5000 words. Most tables, diagrams, illustrations and photographs will be handled in this way.
 - Where the material will be made available free of charge (and where it is agreed to licence such re-use). E.g. a user may wish to re-use Crown copyright material in a free issue publication or on a free access

website. The fees are partly dependent on the type of material and how it is presented

- Where the material represents a small proportion of a large database product

6. Fees

The range of fixed fees for the re-use of materials is set out below.

Text

The following fees apply for the re-use of material in all formats, including print, on the web and on an intranet. It does not include photocopying. The first 500 words can be re-used free of charge. Quantities exceeding 500 words will be charged according to the amount of material being used in any single product or service, as illustrated below:

<u>Number of Words</u>	<u>Fee in any single product or service</u>
0-500	No charge
501 – 1000	£30
1001 - 2000	£60
2001 – 3000	£120
3001 – 4000	£180
4001 – 5000	£240

Tables, illustrations, diagrams and photographs

£50 for the first two items, but all subsequent items will be charged at £50 for each item in any single product or service. This covers the re-use of illustrative material in books, on the web, in journals and newspapers and on television. Additional fees are payable for the supply of photographic prints/negatives and artwork. In the context of this document, a table means an arrangement collection of text or numbers not exceeding 500 words/numbers. It also means a single graph.

<u>Number of Items</u>	<u>Fee in any single product or service</u>
1 or 2 items	£50
3 items	£100
4 items	£150
5 items	£200

Photocopying

The charge is 5p per page x number of copies made.

Television, film and video

Crown copyright film, text and images are charged at £12 per second. For repeat transmissions a further £6 per second is payable.

Intranet use

The charging arrangements for the re-use of Crown copyright originated by the Fire Service College on an intranet site will be an annual fee based on the normal fee x the number of users who may need to access the material.

7. Accounting arrangements

The details of when payments are due will be specified in your licence. Usual practice is that payment should be made before the licence is issued or within 3 months of the date of the licence or on publication, whichever is sooner.

For royalties, we require a formal statement of sales which shows the number of copies of your product sold, the income generated and the total royalty due to us. The timetable for sending the statement to us will be specified in your licence.

8. Invoicing

We will issue you with an invoice showing the sum due to us. You should ensure that the invoice is paid within 28 days from the invoice date. Details of payment methods are shown on the invoice and are also detailed in the licence.

Payments must be made in £ sterling.

9. VAT

All fees are VAT exclusive. VAT will be charged at the appropriate rate and will be shown on the invoice issued by us.

10. Review

We reserve the right to review the fees in the light of government charging policy. Any changes will be published on our website. We will honour all fees specified in licences for the remaining term of the licence. You will be offered the opportunity to take advantage of any new items that are introduced.

11. Discounts

The fees and charges detailed above are our commercial rates for the re-use of our materials. Non-commercial use of our materials will normally be given a 15% reduction and our partner organisations, including the English Fire and Rescue Services, may apply for a partnership licence which will attract a discount of 25%.

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