

- 5 JAN 2010



Reference: 11889/09 and 12782/09

Department of
Employment, Economic
Development and Innovation

Mr Mick Barber
Principal Consultant
Alocasia Consulting
mbarber@alocasia.com.au

Dear Mr Barber

I refer to your e-mail of 26 October 2009 to the Minister for Primary Industries and Fisheries and Rural and Regional Queensland concerning Alocasia Consulting's conversion of the *Field Guide to Common Saltmarsh Plants of Queensland* into an online version. I note that the e-mail was also sent to the Honourable Andrew Fraser MP, Minister for Economic Development and State Treasurer.

As I indicated by telephone, the Minister asked me to review the matter as this is an operational matter for Fisheries Queensland, a service of the Department of Employment, Economic Development and Innovation (DEEDI).

I accept that in converting the *Field Guide to Common Saltmarsh Plants of Queensland* into an online version that Alocasia Consulting has acted within both the spirit and the letter of the copyright statement on the publication. The Queensland Government adopted that statement in order to promote dissemination of public information.

As also discussed by telephone, not all of the copyright in the *Field Guide to Common Saltmarsh Plants of Queensland* is vested in the Queensland Government. A range of licence conditions apply to this material. In most cases the material is available for any non-commercial use; in some other cases the material is available only for the purposes of the publication.

I believe it is likely that most copyright holders would take the same view as me, viz, that as Alocasia Consulting is not selling the material and as the integrity of the publication has been maintained albeit in a different online environment, that the licence condition for use by the Queensland Government has not been breached.

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However, if any copyright holder takes a different view that will be a matter between themselves and Alocasia Consulting. As a responsible manager of intellectual property, DEEDI would have to ask you in that case to not use any material so identified without the agreement of the copyright holder.

I trust that this resolves the matter. If you require any further information, please do not hesitate to contact me on 07 3224 2268 or email jim.groves@deedi.qld.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Groves', written in a cursive style.

Jim Groves
Managing Director
Fisheries Queensland
Department of Employment, Economic Development and Innovation