

LIVERPOOL PLAINS SHIRE COUNCIL

POLICY REGISTER

Policy No. 1.36

POLICY TITLE: COMPUTER EQUIPMENT AND SOFTWARE

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OBJECTIVES

To ensure that Council complies with the requirements of the relevant copyright legislation in relation to computer software and to protect the integrity of Council's computer network from inadvertent introduction of computer viruses via illegal software.

POLICY STATEMENT

PURPOSE OF THIS POLICY

Council's computer systems are an essential and expensive corporate resource and needs to be protected from misuse and damage, especially from computer hackers and viruses. The potential for loss of productivity and considerable expense in replacing hardware and software is very real and it is essential that all Council employees co-operate to ensure the integrity of its computer systems.

Copyright legislation places legal responsibilities upon Council to ensure Council or its employees do not contravene particular software copyright requirements. The legislation allows a copyright owner to obtain the right, through the Federal Court, to enter business premises, unannounced, and search for evidence of illegal copying of software. Upon conviction for offences under the Copyright Act substantial monetary penalties are applicable to each offence. There is also provision for a term of imprisonment of up to 6 months.

The policy therefore, has the following objectives:

1. To protect Council's computer system and stand-alone computers from the introduction of computer viruses via the use of illegal or unapproved software;
2. To ensure that Council complies with the Copyright Act with regard to computer software;

SCOPE

This policy sets out guidelines for the acquisition and use of computer software on Council's computer network and stand-alone computers.

DEFINITIONS

- i. **Computer hardware**
This includes personal computers, printers, scanners and associated equipment.
- ii. **Computer software**
The programs, procedures, routines and possibly documents associated with the operation of a data processing system. Examples are word processing, spreadsheet database, contact management, communications programs and screensavers.
- iii. **Computer shareware**
Computer software that is distributed to give users a chance to try software before buying it. If you try a shareware program and continue using it beyond the trial period, you are expected to register and pay for it. Share ware is a distribution method, not a type of software.
- iv. **Copyright in computer software?**
In relation to computer software, copyright is defined as giving the copyright holder the exclusive right to do all or any of the following acts:
 - The reproduction of the software in a material form.
 - The publication of the software.
 - The broadcasting of the software.
 - The adaptation of the software.

- The undertaking of any of the above acts in relation to a software program which is an adaptation of another software program held by the copyright holder.

v. Software Licence Agreements

When Council buys software, it enters into a licence agreement with the Licensor. The licence governs what the Council may do with the supplied software as long as the licence is in force. In most cases the licence may be terminated for any breach of its provisions. If the licence is terminated all rights to the use of the software are lost. It could expose the Council and/or the individual to civil action for damages and prosecution under the Copyright Act.

GUIDELINES FOR USERS

The following guidelines must be observed by all users of Council computer hardware or software, whether they be attached to Council's computer network or stand-alone at external sites:

- No computer hardware, not owned by Council, is to be connected to or installed in any computer owned by Council without the prior knowledge and authorisation of Council's Computer Services department;
- No computer software is to be installed on any computer owned by Council without the prior knowledge and authorisation of Council's Computer Services department;
- No privately owned, public domain, shareware or games software is to be downloaded from the Internet or installed from a disk on any computer owned by Council without the prior knowledge and authorisation of Council's Computer Services department;
- Should authorisation be granted for the trial use of shareware, all conditions of use of that shareware must be observed;
- Users are not to transmit or download copyrighted images, games, or text belonging to third parties without the copyright-holder's permission;
- Users are not to download or open any file received from any source outside Council without first scanning the same for viruses using a virus-checking program approved by Council;
- No software that is owned by Council or for which Council has an End User Agreement is to be installed on a privately owned computer unless it complies with the End User Agreement and has been authorised by Council's Computer Services department;
- Should Council terminate an End User Agreement with a software supplier, then any relevant software that has been installed on a privately owned computer must be immediately removed.

MONITORING

In order to maintain the security of Council's computer system, and ensure that software copyright requirements are not infringed, the following monitoring procedures will occur:

- Computer Services staff will randomly audit all computer equipment for illegal or unauthorised software;
- Managers and line managers/supervisors will regularly check computer equipment in the area under their responsibility to ensure the guidelines in this policy are being adhered to.

CONSEQUENCES

- Council employees found to be acting in contravention of this policy will be warned by the appropriate manager and asked not to re-offend;
- In the case of second or later offences, Council's Disciplinary Procedures will apply.