

# FIFTH KNSDI WORKSHOP

- Silver Springs Hotel, Nairobi, 14<sup>th</sup> March 2006
- The Legal Working Group (LWG) Progress Report
- By Peter O. Pete

# INTRODUCTION

- One of the KNSDI WGs ie Standards, Education and Dissemination WGs
- **The TORs for the Legal WG are:**
- To come with policy statements concerning legal issues of KNSDI
- Identification of KNSDI legal issues
- Preparation of draft bills on KNSDI in consultation with the AG.

# TORs cont.

- Review of the legal framework from time to time.
- Preparation of legal notices and gazette notices and facilitation of their gazettment.
- Liaising with other KNSDI WGs in policy harmonisation.

# MEMBERSHIP

- Dr Erick Aligula (KIPRA)
- Mr G.O Wayumba (UON)
- Mr C.W Ngatia (Land Registry MOL)
- Mr Mike Omondi (KPLC)
- Ms Emmah Odhiambo (CBS)
- Mr P.O Pete (KISM)
- Mr H.M Ngomo (SOK)
- Mr Antony Lamba (SOK)

# MEMBERSHIP CONT

- J.K Barreh (NCC)
- Reuben Murugu (SOK)
- Patrick N. Kitenge (ECK)
- H.H Hussein (Major) DOD
- James Oduol (SOK)
- B.O Nalo (*NISS*)
- *Geoffrey Mutsotso (CCK)*

# MEETINGS SO FAR

- 15<sup>th</sup> Feb, 2006
- 23<sup>rd</sup> Feb , 2006
- 1<sup>st</sup> March , 2006
- 8<sup>th</sup> March, 2006

# ISSUES FOR THE LEGAL WG crafted by the Draft KNSDI Policy

- Copyrights
- Liability
- Privacy
- Data policy

# Expansion of issues made on the Draft Policy

- **Legal Framework**
- Custodianship|Ownership
- confidentiality|,Privacyand liability
- Copyright

# Legal Framework

- Existing legal framework does not adequately address emerging legal issues pertaining to KNSDI
- Government to put in place a new legal framework
- Linkage with the up-coming related policies like ICT policy and the e-Government strategy paper

# Custodianship/ownership of Geo-spatial information

- **Responsibility**
- Quality control and assurance
- Data contents and formats
- Validation and maintenance
- Storage and security
- Updates of metadata
- Accessibility of data by supplying same to clearing house

# Confidentiality, privacy and liability

- Disclosure of datasets on request
- Geospatial data related to national security granted confidentiality
- No accountability for integrity on data modified by user
- Indemnity against any liability from unlawful use of dataset
- Errors to be reported to the clearing house

# Copyrights

- Custodian/owner to own copyright of data
- Value added data also attracts copyright protection to the creator
- **Fair use** of copyrighted data to be granted free of charge
- Integrated datasets-producer to own copyright provided consent was granted by the copyright holders of original works

# Copyrights cont

- Licensing agreements is recommended between owners/custodians and users on the following basis.
- Duration of agreement
- Legal protection of parties
- Max no. of users
- Any other provision that parties desire
- Supply to third parties by users

# Way forward

- It is the recommendation of the working group that the comments received in this workshop shall be one of the main spotlights for the groups future activities

**THANK YOU SO MUCH FOR  
LISTENING**