

Code of Conduct

Guidelines on the Property, Diffusion and Use of the Data

The RechAlp code of conduct was originally based on that of *InfoSpecies*.¹

This document was reviewed in September 2013 by the Legal Service of the University of Lausanne.

Introduction

The aim of the RechAlp project is to centralize scientific data and metadata concerning the Vaud Alps and to publicize it as a resource for anyone interested. RechAlp manages the meta-data. The data itself can be provided directly in some cases, but in other cases they remain the property of the owner and permission is necessary; e.g., data under contract, private data, etc.

The Code of Conduct defines under which form(s) data can be made available to third parties and under which conditions.

RechAlp, therefore, manages the supplied data in way that respects the applicable legislation in matters of data and copyright protection.

1. Two possible status for data

1.1. Public data

Public data is issued from public services or from projects financed by them (the Confederation, the Cantons, or the Communes), and is already in the public domain or accessible from a public collection and in compliance with applicable standards in matter of copyright. Anyone interested can benefit from this data and obtain free access to it, as long as its use does not injure any public interest or private right.

1.2. Private data

Private data is work performed under an institution or private company's mandate, or from private individual's activity (volunteer or professional). Associated copyright must be respected when a third party requests this data.

2. Data distribution

Any data in RechAlp remains the property of the initial owner. Only their distribution status can change, according to the following options:

2.1. Data without any distribution restriction

¹ The Swiss Network of Faunal, Floral and Fungal Information – Guidelines Concerning the Property, Diffusion and Use of Data (http://www.infoflora.ch/fr/assets/content/documents/2013_Deontologie_Info_Species_FR.pdf)

Public data can be distributed without any restriction, provided that it does not injure any public or private interest, and respects all applicable copyright standards.

2.2. Data with distribution restriction

Distribution of sensitive public data may be restricted in some cases, requiring a prior agreement from the issuing body.

Private data can be distributed subject to the owner's discretion, whether with free access, accessible under request or blocked. The distribution status can be modified at anytime with the author's written request.

2.2.1. Public domain data

The author authorizes RechAlp to allow access to his data freely providing that the data does not have any distribution restrictions as per article 2.2 art. 2

This data is governed by the same modalities that govern data without any distribution restriction.

2.2.2. Data accessible under request

The author authorizes RechAlp to transmit data requests. The author takes the personal responsibility for distribution and authorization of the data.

RechAlp declines any responsibility in the case of an author's non-response to a data access request.

2.2.3. Blocked data

The author authorizes RechAlp to document the existence of blocked data but does not authorize its distribution.

3. Data usage rights

The data must be used in accordance with the owner's preferences.

RechAlp must be cited as the source of all metadata found on the site, together with the author(s), and personal contact information when available.

4. Personal protection

RechAlp is committed to respecting and enforcing the law (Specifically Art 15 lit. of the Vaud law on personal data protection). It is prohibited to transmit any personal or sensitive information (name, first name, address, e-mail, etc.) without the prior agreement of the concerned person(s).

To ensure data reliability and recognition of its author, RechAlp is committed to providing his/her full name. However, the author maintains the right to anonymity.

5. The correct use of our data for scientific research or teaching

According to its primary aim, RechAlp provides data to third parties to support scientific projects and teaching. The authors of scientific or teaching publications using data obtained through RechAlp are required to cite RechAlp as its source, as well as the data owner, and send a copy of the final publication to RechAlp.

6. Legal requirements

These guidelines respond to the following laws:

- Federal law of 5 October 2007 on geo-data (Law on the geo-data, LGéo, RS 510.62)
- Vaud law on the geo-data of 8 May 2012 (LGéo-VD, RSV 510.62)
- Application rule of the Vaud law on the geo-data of 28 November 2012 (RLGéo-VD, RSV 510.62.1)
- Federal law of 19 July 1992 on data protection (LPD, RS 235.1)
- Vaud law of 11 September 2007 on personal data protection (LPD, RSV 172.65)
- Application of the ruling of the Vaud law on personal data protection (RLPrd, RSV 172.65.1)
- Vaud law on information of 24 September 2002 (Linfo, RSV 170.21)
- Application of the ruling of the Vaud law on information of 1 October 2003 (RLInfo, RSV 170.21.1)
- Federal law on copyright and neighboring rights of 9 October 1992 (LDA, RS 231.1)

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