



Policy on Open Licensing of the Library's Digitised Content

1. Context

Trinity has long been a champion of Open Scholarship and its benefits for research, teaching, learning, and public engagement. The Trinity Research Charter (2019) recognises openness as a key ingredient to success, to building 'a world in which we want to live.' The Covid-19 pandemic highlighted the need for open resources for teaching, learning and research, as practices and expectations were transformed rapidly. Openly licensing the Library's digitised content, wherever possible, contributes to the University's Open Scholarship aims (e.g. Strategic Plan 2020-2025, goal 4, action 4.12), and aligns with national (e.g. the National Action Plan for Open Research 2022-2030), European (e.g. the European Open Science Cloud and Europeana), and international (e.g. UN Sustainable Development Goal 4, Quality Education) strategies.

University libraries and their digitisation activities are explicitly included in the 2019 EU Open Data and Re-Use of Public Sector Information Directive, transposed into Irish law as Statutory Instrument 376 of 2021. Whilst granting exemptions to libraries regarding, for example, charging, these Regulations require libraries to make documents (broadly defined) available for re-use whenever possible (e.g. after considering GDPR and copyright), emphasising the principle of 'open by design and by default.'

2. Purpose

The Policy ensures compliance of the Library's [Digital Collections](#) repository with the Irish Open Data Regulations of 2021. It broadly aligns the re-use conditions with the open access research outputs in TARA (Trinity's Access to Research Archive). This holistic approach to both primary and secondary resources, encouraging use and re-use, enhances their potential for teaching, learning and research.

The Policy enables global promotion of the Library's digitised content and safeguards its integrity. For example, without an open licence it is not possible to upload authorised, quality images of Trinity's library treasures to popular, open platforms such as Wikipedia.

The Policy does not foreclose commercial use of the images by Trinity or by other parties, nor does it void existing intellectual property rights.

3. Benefits

The Policy removes unnecessary barriers for researchers and other users of the Library's digitised content. It creates clarity, simplifies workflows, frees up quality content, and empowers users.

4. Scope

The Policy applies to the digitised content made available by the Library, including its [Digital Collections](#) repository. The repository contains, for example, digital surrogates of bound and unbound manuscripts, books, maps, prints, letters, diaries, photographs, and music. These are typically image



files in various formats. It also contains derivatives of these surrogates, for example text files.

5. Principles

The core value of the Policy is openness, which is operationalised by providing openly licensed content. This in turn fosters the following associated values: transparency, collaboration, as well as equality, diversity and inclusion.

6. Definitions

The Policy follows the definitions of ‘open content’ and ‘open licence’ by the Open Knowledge Foundation. Accordingly, application of an open licence means the content ‘can be freely used, modified, and shared by anyone for any purpose’.

In the context of open licensing, the Policy uses the term of ‘digital surrogates’ interchangeably with the broader terms of ‘digitised content’ or ‘digital collections’. It is intended to include all digital files (image, text, audio, video, etc.) that aim to represent the original analogue object in whole or in part.

Under the CC-BY ‘Attribution’ licence, copyright is asserted; users are required to credit Trinity or the Library as creator and copyright holder. However, all other rights are waived. This licence is approved by the Creative Commons community for free cultural works and allows others to remix, adapt and build on the Library’s work, even for commercial purposes – as long as attribution is given.

7. Policy

- (a) Digital surrogates, created by the Library, of collection items that are out of copyright and may be considered in the public domain are openly licensed by default.
- (b) The default licence applied is: Creative Commons Attribution, CC-BY 4.0 International. Anyone using or re-using this content is required to attribute it to Trinity.
- (c) Other licences, open or restrictive, can be applied if strictly necessary, e.g. for legal or contractual reasons.
- (d) Any associated charges are clearly listed on the Library website, e.g. for the creation of new digital content or for a licence to reproduce restricted content.
- (e) Where Trinity has entered into an agreement with a third party to digitise collection items, the aim is to add the digital surrogates to the Digital Collections repository under an open licence (normally CC-BY 4.0). Embargo periods will be kept as short as possible.
- (f) Open licences cannot be used to override any existing intellectual property rights residing in the originals or the digital surrogates, unless with the express permission of the copyright holder.
- (g) Details of the licence, as well as of relevant copyright information, are included in the metadata for the digital surrogates and clearly accessible and understandable to users.
- (h) Open licences are applied retrospectively to all digital surrogates available to the public in the Library’s Digital Collections repository, wherever possible and in accordance with this Policy.
- (i) The applied open licences do not authorise bulk downloading of content (including for AI training data) from the Digital Collections repository. The Library regulates this separately.



8. Responsibility

The Librarian and College Archivist has overall responsibility for the Policy, ensuring it aligns with the Library's Strategy and the University's strategic goals and values. Members of the Library Leadership Team monitor its implementation.

9. Related Documents

The European Union (Open Data and Re-Use of Public Sector Information) Regulations 2021 came into operation on 22 July 2021: <https://www.irishstatutebook.ie/eli/2021/si/376/>.

The Regulations are further explained in the DPER Circular 20/2021: Open Data Directive of 6 October 2021: <https://www.gov.ie/en/circular/523a7-circular-202021-open-data-directive/>.

The Library's Digital Collections repository can be found at: <https://digitalcollections.tcd.ie/>.

The Policy is complemented by the Library Metadata Policy (2016), which has similar provisions for openly sharing metadata records created by the Library:

https://www.tcd.ie/library/assets/pdf/Policies/Trinity_Library_Dublin_Metadata_Policy.pdf.

The Policy is aligned with the Trinity College Dublin Open Access Publications Policy (2010):

<http://hdl.handle.net/2262/80574>.

The Creative Commons deed referenced in the Policy is CC-BY 4.0 International:

<https://creativecommons.org/licenses/by/4.0/>.

Creative Commons also provides a helpful guide called Understanding Free Cultural Works:

<https://creativecommons.org/public-domain/freeworks/>.

The Open Knowledge Foundation maintains useful definitions for 'open' in open data, open content, and open knowledge: Open Definition 2.1 - <http://opendefinition.org/od/2.1/en/>.

10. Document Version Control

Approved by: Board

Date policy approved: 4 June 2025

Date of next review: Spring 2026, to include contextual changes, e.g. the EU's AI Act.