



**Office of Hon John Banks CNZM, QSO**

Member of Parliament for Epsom  
Minister for Regulatory Reform  
Minister for Small Business  
Associate Minister of Commerce  
Associate Minister of Education

**28 MAR 2013**

Mr Carl Malamud, President  
Public.Resource.Org, Inc.  
1005 Gravenstein Highway North  
Sebastopol, CA 95472  
USA

*Dear Mr Malamud*

Hon Bill English has referred to me your letter regarding technical standards. Thank you for acknowledging New Zealand's commitment to open access of government works. Open access offers insights into government processes and produces creative, cultural and economic benefits. These benefits are recognised in the New Zealand Government Open Access and Licensing (NZGOAL) framework.

NZGOAL does not apply where it would be contrary to an agency's legitimate commercial interests. NZGOAL specifically cites Standards New Zealand as an example of this. Standards New Zealand is the operating arm of the Standards Council. The Standards Council owns copyright in AS/NZS and NZS. These Standards receive copyright protection under section 27(1B) of the Copyright Act 1994. Section 27(1B) allows copyright to exist in works that are incorporated by reference into legislation.

It would be appreciated if you would remove copies of AS/NZS and NZS from your website. The sale of these documents is in the public interest as it contributes significantly to the operation of the national standards system. In the absence of selling Standards, the Standards Council would be unable to develop new Standards that address emerging issues, such as updates to public health and safety best practice.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Banks'.

Hon John Banks CNZM, QSO  
**Associate Minister of Commerce**