

Clarification General conditions of use



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Data Archiving and Networked Services (DANS)

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1. When are these General Conditions applicable?

Applying the DANS General Conditions depends on the access category that has been selected for a data file in EASY. Data files with access category *Open Access (CC0 Waiver)* can be downloaded and used by anyone, without any restriction. The General Conditions are not applicable to this. Data files with access categories *Open Access for Registered Users* or *Restricted Access* can only be downloaded and used by *registered* users. The General Conditions are applicable to these two access categories. When registering, the user accepts the General Conditions.

2. Registering for EASY

You will have to register once if you wish to use data files in DANS EASY. Registration is not obligatory for data files in the category *Open Access (CC0 Waiver)*. DANS can use some of your registration data for internal DANS user research. By accepting the General Conditions, you also agree with the fact that with every dataset you download, some of these data (name, organisation and position) will be shown in the DANS EASY section that is accessible for registered data users ("activity log"). You can opt out of this. The DANS privacy regulations, available via the DANS website, describe how DANS processes personal data.

3. Access to data

Metadata, which is information about the data, are always freely accessible. This is the content of all fields displayed with the dataset under the 'Description' tab in EASY.

Registration is not obligatory for downloading or using data in the access category *Open Access (CC0 Waiver)*.

Downloading or using data files is however restricted to *registered* data users in the access categories *Open Access for Registered Users* and *Restricted Access*. There is a distinction here:

- *Open Access for Registered Users*: In this category, data files are accessible for each registered data user.
- *Restricted access*: The dataset is only made available to registered users that have permission from the person or organisation that holds the rights to the dataset. You can request access to this dataset via EASY. Your personal data will be sent to this person or organisation, which will take a decision on granting you access.

4. Use or distribution of the data

The main elements of these conditions for using the data are:

1. You should always pay attention to any *copyright and/or database and/or neighbouring rights* associated with the dataset. This may be the case with practically all datasets, except those in the *Open Access (CC0 Waiver)* category

where all rights have been renounced. It is not allowed to distribute datasets in any of the other access categories by way of the Internet or any other way *without permission of the person or organisation that holds the rights* to the dataset. What does this mean in practice? It is always allowed to copy a dataset for your own use or download substantial parts thereof for the purpose of scientific or scholarly research. It is also allowed to cite from the dataset, to a limited degree however, for example by including some data in your own publication, but only in a reasonable quantity and with a bibliographic reference to the dataset. It is, on the contrary, not allowed to distribute the dataset, which means to (re-) publish the dataset as a whole or a large part of it, for example by copying the entire dataset to your own website. If that is what you want, you have to get in contact with the holder of the rights to the dataset in order to obtain permission, i.e. the person(s) and/or institution(s) referred to in the dataset description in EASY ("*Description*" tab) under "*Rights holder*" or, if this field is missing, under "*Creator*".

Consult for more information on the sometimes complicated legal situation concerning the use of research data and their specific exceptions the [Report on the legal status of research data](#) produced by SURF.

2. When datasets are used in publications, in which ever form, this should be referred to via a proper bibliographic reference. See below under "Bibliographic reference of dataset". This applies to datasets in all access categories, including datasets in the *Open Access (CC0 Waiver)* category.

When having obtained permission of the holder of rights to the dataset to distribute or disclose *the entire dataset or substantial parts thereof* (copying it to another website etc.) you have to mention next to the standard bibliographical reference:

- the name of the holder of the rights to the dataset;
- that the holder of these rights has authorised the distribution of the data;
- that redistribution by third parties is not allowed without express permission of the holder of the rights to the dataset.

5. Personal data

Special provisions apply to datasets with personal data in accordance with the Personal Data Protection Act. Users of datasets containing personal data are obliged by DANS to follow the code of conduct Gedragscode voor gebruik van persoonsgegevens in wetenschappelijk onderzoek VSNU (Code of conduct for using personal data in scientific research VSNU). This code is an elaboration of the Personal Data Protection Act. Researchers in the Netherlands must work in accordance with this code of conduct. There is a complaint procedure, with possible sanctions for researchers that do not comply with this line of conduct. Researchers can under certain conditions gain access to data files containing personal data. Users are always obliged to guarantee the confidentiality of these data, also when connecting personal data being anonymous on their own could lead to identifying individuals.

6. The following points are also important

Bibliographic reference of a dataset

When datasets in DANS EASY are used in publications, this should be referred to via a proper bibliographic reference. This belongs to the customary obligations with regard to quotes in scientific and in other research. You are also requested to indicate the persistent identifier. The persistent identifier is automatically assigned to each dataset by EASY. You will find the persistent identifier in the 'Full Description' screen of the dataset's description. In accordance with the recommendations of [Datacite](#) this information should be stated as follows: Creator (Year created): Title. DANS. Persistent Identifier. Creator is the information mentioned in the description of the dataset, under the tab 'Description' in EASY, in the field 'Creator': this is the name or names of the person(s) and/or organisations who produced the dataset. The information contained in this field is copied fully, except the DAI, if present. The year in which the dataset has been produced can be derived from the field 'Date created', Persistent Identifier from the field 'Persistent identifier'. The specific format can be found in 'Cite as' under the tab 'Description' in EASY.

Example:

Haselager, dr. G.J.T. (Radboud University Nijmegen); Aken, prof. dr. M.A.G. van (Utrecht University) (2000): *Personality and Family Relationships*. DANS. <http://dx.doi.org/10.17026/dans-xk5-y7vc>

Bibliographical reference of a report

Digital reports contained in EASY should be provided with a proper bibliographical reference as well. The usual guidelines for citing reports apply here. The information here is the same as mentioned under the bibliographic reference of a dataset: Creator (Year created): Title. DANS. Persistent Identifier.

If the field Creator does not contain the name of an organisation (as is sometimes the case) then the name of the organisation having carried out the investigation should be added. This organisation is in most cases mentioned in the field Publisher or Rights holder.

Example:

Bouma, N. (ADC ArcheoProjecten) (2013): *Utrecht Smakkelaarsveld Begeleiding*. DANS. <http://www.persistent-identifier.nl/?identifier=urn:nbn:nl:ui:13-hkn7-4t>

Publications based on dataset

All publications (official, gray, or in any other form) in which datasets in EASY have been used must be disclosed to DANS, preferably in the form of links to accessible electronic publications on the Internet. If the publication is not available via the Internet, DANS would still like to receive a full bibliographic reference.

Liability

DANS is not liable for the content of the datasets made accessible via EASY. This also applies for documentation associated with the datasets. DANS is not liable for substantive errors, or for incorrect conclusions based on the datasets and their associated data.

Non-compliance with conditions

In the case of non-compliance of these conditions, DANS reserves the right to inform the user's employer. In the case of incorrect use of personal data, DANS also has the right to notify the Dutch Data Protection Authority (College Bescherming Persoonsgegevens).



Data Archiving and Networked Services (DANS)

DANS promotes sustained access to digital research data. For this, DANS encourages scientific researchers to archive and reuse data in a sustained form, for instance via the online archiving system EASY (easy.dans.knaw.nl) and DataverseNL (dataverse.nl). With NARCIS (narcis.nl), DANS also provides access to thousands of scientific datasets, publications and other research information in the Netherlands. The institute furthermore provides training and consultancy and carries out research on sustained access to digital information. Driven by data, DANS ensures the further improvement of access to digital research data with its services and participation in (inter)national projects and networks. For more information and contact options, please visit dans.knaw.nl.

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DANS is an institute of KNAW and NWO



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