



**PROPOSED ORDNANCE
SURVEY ANNUAL
LICENCE FEE**

It is noted that the Ordnance Survey Office has in the course of the past few weeks issued application forms for annual copyright licences to solicitors' firms throughout the country.

The Conveyancing Committee was contacted some time ago by the Ordnance Survey Office concerning the O.S. proposal to introduce an annual copyright licence fee for users of the O.S. service, including solicitors. The committee sought the views of practitioners who already used the existing licence at a cost of £300 per annum and the view expressed was that the service was over-priced. Following correspondence with the O.S. office and several meetings with O.S. personnel, the Conveyancing Committee made a submission to the Ordnance Survey office on behalf of practitioners in the following general terms.

The committee submitted that it is opposed in principle to payment of a licence fee by solicitors. It distinguished the use of Ordnance Survey maps and Land Registry filed plans by solicitors from the use of such maps by other professionals such as auctioneers or architects. Architects require the Ordnance Survey map as a template for their work and in that regard it can be expected that the architect might require several copies of a map in connection with a project. Similarly auctioneers require an O.S. map in order to make multiple photocopies for advertising purposes, brochures etc. In the case of unregistered conveyancing, properties are usually described by words and if reference is made to a map, this would either be to a map on an earlier deed or else to a map prepared specially by an architect or engineer acting for the client who would have already paid the licence fee to the O.S. office. Conveyancing of registered land is processed through the Land Registry and the Land Registry is, effectively, a reseller of O.S. maps. The Land Registry charges €25 for a filed plan and €60 for a map with any special features marked on it. These are substantial charges. The O.S. pointed out that copying a Land Registry filed plan is a breach of O.S. copyright. The committee sees a profound distinction between the use made of Land Registry maps by solicitors and the use of O.S. maps by other professionals and it submitted that the fee paid to the Land Registry should include the making of up to five photocopies of the map by the solicitor.

The committee submitted that it is happy to acknowledge the copyright of the Government of Ireland and the Ordnance Survey Office in Ordnance Survey maps and that the Law Society would advise its members not to breach this copyright. The O.S. office was also advised that the thinking of the committee was that, if the O.S. office imposes a licence requirement and/or a new fee structure for obtaining O.S. maps, it should advise its members to have sub-division maps purchased and prepared by architects or engineers.

In light of the submission outlined above, the committee is disappointed to note that its views have not been taken on board by the Ordnance Survey Office and it intends to revisit the issue with that office again.¹

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*1. Despite the efforts of the
committee, no concessions
were made for solicitors.*