



Government of Malta

Reference: **GMICT D 0097:2010**

Version: **1.0**

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Open Source Software Directive

This document is part of the GMICT Policy Framework

<http://ictpolicies.gov.mt>

Underlined terms are defined in the **Vocabulary Standard**.

Purpose

The objective of this directive is to guide the implementation of cost-effective and non-disruptive Open Source Software (OSS) throughout Government. It also seeks to maximise re-use of procured software by enabling the distribution of Government solutions as OSS under the European Union Public Licence (EUPL), where appropriate.

Scope and Applicability

This Directive covers the procurement of Open Source Software and adoption of related Open Source Business Models throughout the Public Sector to facilitate re-use of Government procured software.

1 Directive

1.1 Procurement of OSS

1. Government shall accept bespoke and proprietary software that is, in part or in full, built on OSS technologies. Such technologies include, but are not limited to, development languages, libraries, utilities and software components.
2. Government shall adopt Free Software that is in line with the Free Software Definition¹ of the Free Software Foundation. The definition states four essential freedoms, that include freedom to run program, freedom to study how the program works, freedom to redistribute, and freedom to distribute copies of your modified versions to others. This clause excludes patches, updates and upgrades of acquired commercial software.
3. Government shall only consider OSS that is available in the English language together with another European language. Source code and comments should ideally be in English language.
4. Government shall prefer OSS that adopts Internationalisation.
5. Government shall seek to capitalise on the investments carried out by European Union Member States (MS) by considering OSS that is published on OSOR.eu.
6. The legal risks and responsibilities associated with an OSS License shall be assumed by the Head of Department of the entity adopting such software.
7. OSS solutions procured by Government shall be registered under the Government OSOR Intranet². OSS packages and OSS distributions shall be registered in whole.

¹ Free Software Definition available at <http://www.gnu.org/philosophy/free-sw.html>

² The OSOR Intranet is at <http://osor.intra.gov.mt>.

Unclassified



1.2 Implementation of OSS

1. Should a translation of adopted OSS to the Maltese language be required, Government shall seek the guidance of the Government of Malta Open Source End User Group.
2. Government shall seek training and support for OSS software through its actual and potential partners, which may include Government and private entities.

1.3 Re-Use of Government Software

1. Government shall seek to facilitate distribution of OSS Government solutions under the European Union Public License.
2. Where it is not possible to make use of OSS in the implementation of solutions, appropriate evidence shall be made available.
3. Government shall provide workspaces for Open Source Government solutions on the National Forge or on <http://osor.eu>, in absence of the former.

2 Roles and Responsibilities

Roles	Responsibilities
Head of Department	<ul style="list-style-type: none">• Assume the risks and responsibilities of the OSS licenses.
CIO	<ul style="list-style-type: none">• Register of OSS under the Government OSOR Intranet.• Seek the services of the Government of Malta Open Source End User Group.• Seek support for OSS software through third parties.• Seek to facilitate the adoption of Open Source business models.• Seek to publish bespoke Government software applications under the European Union Public License (EUPL).• Provide workspaces for Open Source Government software applications on the National Forge or on http://osor.eu in absence of the former.



3 Deviations from GMICT Policy

Instances where it may not be technically possible or cost-effective to comply with a particular GMICT Policy requirement shall be reported to Government's ICT Compliance function. This is done in order to evaluate the security, architectural, operational and other risks anticipated to result from the deviation, to identify additional compensating controls required to mitigate these risks and to formally acknowledge any residual risk and assign appropriate responsibility. In such instances, a request for exemption shall be forwarded to the ICT Compliance function for assessment in line with the Exemptions and Waivers Policy and Directive (GMICT P 0048). This also applies to deviations from best practices adopted by the Agent on behalf of Government.

Breaches of GMICT Policy shall be brought to the attention of ICT Compliance function in order to determine appropriate corrective action and potential internal control improvements.

4 Related Documents

Name	Reference	Location
Open Source Software Policy	GMICT P 0097	http://ictpolicies.gov.mt
Desktop Software and Configuration Procedure	GMICT R 0002	http://ictpolicies.gov.mt
Exemptions and Waivers Policy and Directive	GMICT P 0048	http://ictpolicies.gov.mt
Compliance Policy and Directive	GMICT P 0018	http://ictpolicies.gov.mt

5 Modification History

Version	Effective Date
1.0	1 June 2010

6 Issuing Authority

This document has been issued with the authority of the **Malta Information Technology Agency**.

7 Contact Information

Government ICT Policies, Directives, Standards and associated publications can be found at <http://ictpolicies.gov.mt>.

Any suggestions, queries or requests for clarification regarding Government ICT Policies, Directives and Standards may be forwarded to ictpolicies@gov.mt.