

Value Added Reseller Model FAQs

How does Landgate define a Value Added Reseller (VAR)?

A VAR is a customer with a licence to enhance/develop the location information product (data) they receive from Landgate to create a value added product(s).

Can a VAR on-sell Landgate data?

A VAR is not licensed to broker Landgate data (i.e. pass on the data in the form it is received). A value added product must be materially different to Landgate's data and not be able to be deconstructed to the point that Landgate's data is accessible to a VAR's customers.

Why does the model focus on national operating revenue, when there are components of your business that do not benefit from Landgate data?

The model no longer applies a royalty to every dollar earned from access to property or other location information. While total operating revenue is the basis for pricing, it is only used to determine which price band applies to a VAR. The model provides a balanced approach, aiming to accommodate businesses of various sizes, simplify administration, and increase access to and usage of Landgate's location information.

Is sub-licensing permitted under the VAR model?

Yes, sub-licensing of value added products derived from Landgate data will continue to be permitted. A separate, higher pricing tier applies for VARs who engage sub-licensees (Sub-VARs) who further value add and create derivative products.

Landgate's VAR prices can be found in the Annual Charge Pricing Table at Part D of the VAR Application Form.

Are there any reporting requirements attached to Sub-VARs?

Yes, Landgate will require visibility of Sub-VARs and the Landgate data they have access to within value added products, through the completion of a Register in the Declaration Form. A completed Register and Declaration Form will be required:

- i) upon application, and thereafter by 30 November each year; and
- ii) during the term of the licence, if a new Sub-VAR receives access to Landgate's Tenure or Sales Evidence data through a value-added product, or where the addition or removal of a Sub-VAR alters the pricing tier that will apply to a VAR.

How does Landgate define a Sub-VAR, for the purposes of applying the separate pricing tier?

Landgate's definition of a Sub-VAR has changed. Licensed Agents or Brokers who on-supply or distribute a VAR's value added products are not captured within the definition of a Sub-VAR. The definition is designed to only include those who receive a value added product from a VAR and further value add before going to market. If a VAR's customer is not defined as a Sub-VAR or Related Body, they will be deemed an End-User.

Examples of Sub-VAR use (where Company A is a Sub-VAR) are provided below:

- a. The addition of new data or functionality to what is available within the value added product before going to market:
 - i) Company A receives a value added product in the form of data from a VAR and integrates this with other data to create additional value for a particular market or application;
 - ii) Company A receives a value added product from a VAR and adds further analytic, reporting or location functionality.
- b. The integration of a value added product into a website/app, provided or displayed to the market as part of a suite of online products/services:
 - i) Company A receives a value added product in the form of data from a VAR and displays it on its website to generate traffic in support of other products and services;
 - ii) Company A receives a value added product from a VAR which provides automated valuation functionality. Company A makes the functionality accessible through its website to generate traffic in support of other products and services.

Examples of non-Sub-VAR use includes:

- a. On-selling or on-providing the value added product in the form it is received:
 - i) Company A acts as a Broker or Distributor of a VAR's products, expanding the market for the VAR;
 - ii) Company A provides a VAR's products in support of Company A's professional service offering. For example, Company A is a Real Estate Agent or Valuer, that provides a property report sourced from a VAR to its clients.
- b. Using a value added product for internal business use.

Please note: The examples above only serve as a guide to what is considered Sub-VAR use. The final call in each case will be subject to Landgate's determination. If in doubt, please contact Landgate.

How does the Pricing Model apply if the products provided to Sub-VARs do not contain all the datasets licensed by a VAR?

It is possible for Tier 1 of the Pricing Model to apply to some data products and for Tier 2 to apply to other data products, depending on which data products form part of the value added products that the VAR provides to Sub-VARs.

How are Related Bodies factored into the new Pricing Model?

Related Bodies are defined under the Agreement as:

- a. the Licensee's Related Body Corporate, Subsidiary and/or Holding Company, as each term is defined in Section 9 of the Corporations Act (or equivalent concepts under any other legislation governing the Licensee, if such Licensee is not governed by the Corporations Act); and
- b. recipients of the Location Information Product from the Licensee.

If a Licensee's Related Body does not receive Landgate's Location Information Products, they do not fall within the licence definition of a Related Body.

If Related Bodies only receive value added products, they will be treated no differently to any other End-user or Sub-VAR, depending on how the Related Bodies use the products.

As per the Agreement, Landgate will allow VARs to provide Landgate's Location Information Products to Related Bodies, as long as the Related Bodies are listed as a party to the VAR Agreement and the Related Bodies total national operating revenue is included as part of Reported Revenue within the Declaration Form.

What do Licensees need to provide to verify Total National Operating Revenue?

In the Agreement, Landgate requests the Licensee provide an audited Statement of Profit and Loss and Other Comprehensive Income of the Licensee, prepared in accordance with Australian accounting standards.

Landgate acknowledges some of its customers may not be in a position to provide audited financial statements or may not prepare them to meet Australian Accounting Standards. In these cases, Landgate may accept a Management Account, verifying the Reported Revenue at an Australian level, certified by an authorised representative and providing an overview of the basis for determining Australian revenue (if applicable).

How to determine the financial year end?

The financial year end varies between businesses and countries. The financial year (or fiscal year) may also refer to the year used for income tax reporting. In Australia, the 'financial year' starts on 1 July and ends on 30 June. VARs whose parent companies operate in Australia should follow the same financial year end. For those with a parent company operating overseas, there may be an option to opt for a different financial year end to match the reporting cycles of its foreign parent.

Why is Aerial Imagery “Price on Application”?

Due to the nature of the aerial imagery market, a VAR’s intended usage must be acceptable to Landgate and specified within the Agreement, before pricing is provided for various access purposes.

What are Public and Select datasets (as listed in the Pricing Table)?

Public and select datasets include all Landgate datasets available through the Shared Location Information Platform (SLIP) that are not otherwise part of a dataset listed in the VAR Pricing Table. This includes Administrative Boundary, Crown Reserve and Points of Interest datasets. Please contact us if you would like to understand more about Public and Select Datasets.

There are other, non-Landgate datasets publicly available through SLIP (Other Custodian Data). Are these datasets also accessible for Value Added Reseller use?

Landgate’s VAR Agreement only outlines the terms and conditions of use for datasets owned by Landgate. Use of Other Custodian Data that is available through SLIP must be in accordance with the terms and conditions of the relevant Data Custodian. Other Custodian Data is generally only available for personal, non-commercial use. If Value Added Reseller use is required, an interested party must raise this query with the Data Custodian directly.