

Massive proprietary software purchases without any invitations to tender

FACIL contests government practices in the Superior Court

Montreal, August 28th 2008 - FACIL, a non-profit association, which promotes the collective appropriation of Free Software, contests the Quebec government purchasing methods for software used within public administrations. FACIL has filed a motion before the Quebec Superior Court in order to bring an end to these methods which the association believes not to be in the best interest of the Quebec government, but more importantly, not in accordance with the *regulation for supply contracts, construction contracts and service contracts of government departments and public bodies (R.Q. c. A-6.01, r.0.03)*.

In Quebec, access to public markets is the rule while contracts attribution without invitation to tender is the exception. A public market should be transparent, fair and most importantly, open to all. The solutions as well as the propositions must be evaluated objectively on known and accepted criteria. Furthermore, the regulation implies that public markets have to enhance the local economic development as well as the Quebec technologies.

From February to June 2008, FACIL has noticed sales of proprietary software for more than 25 million dollars. These purchases were made for products offered by large multinational enterprises, with no regard to suppliers in Quebec. These purchases hurt the Free Software suppliers throughout Quebec and are an obstacle to the development of Quebec IT enterprises. FACIL contests these methods as the association believes they are illegal and unacceptable.

A strategic Free Software utilization in public administration could create thousands of jobs as well as a significant decrease in software licensing costs. However, Quebec's public administration refuses to even consider and evaluate these options.

While most of the developed countries have started, a few years back, migrating their technological infrastructures to Free Software, Quebec's public administration is far behind. In France, hundreds of thousands of desktops used by civil servants have been migrated. In the Netherlands, the public administration, one of the most modern in the world, has decided to forbid the use of proprietary software in the public sector.

But here in Quebec, despite numerous initiatives, the public administration refuses to communicate and to cooperate. FACIL has decided to bring the matter to court in order for the public market law to be respected.

PRESS CONFERENCE: Friday, August 29th 2008, 10h30 at 7275, Saint-Urbain, Montreal, office 201.

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