

Policies Supporting Sharing and Reuse of GI in Norway and the UK: Are They Within the Spirit of Recent EU Directives?

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Presentation Outline

- The need for Access to GI
- Access in the Context of the paper
- Sharing and Reuse in the European context
- Directives governing Sharing and Reuse of GI
- Introduction to the Case Study
- Access Policies in Norway and the UK
- Analysis of the Policies
- Are They with the Spirit of the law?
- Summary

The need for Access

- Access required to facilitate:
 - Greater usage of GI
 - Utilization of GI across the public sector
 - Public participation in governance
 - GI collected once and used many times
 - The commercial exploitation of GI

Access Defined

- The ability to locate, view, assess, and download GI held by public sector or GI held by other organisations on behalf of the public sector
- Access in terms of:
 - Sharing of GI
 - Reuse of GI

Sharing and Reuse in the European Context

- Sharing:

...the exchange or distribution/availability of GI and GI services across public sector agencies [Article 17 (1) Directive 2007/2/EC]

only valid if the third party public sector agency accessing the GI uses it to assist in the performance of its mandated public task

Sharing and Reuse in the European Context Cont'd

- Reuse:
 - utilisation of public sector GI by a third party for purposes—commercial or non-commercial—other than the initial purpose within the public task for which it was originally produced [Article 2(4) of Directive 2003/98/EC]

Aim mainly at promoting the commercialisation of GI

EU Directives governing Sharing and Reuse of GI

- Key Directives governing Sharing:
 1. Environmental Information Directive — Directive 2003/4/EC of the European Parliament and of the Council of 28 January on public access to environmental information
 2. INSPIRE Directive — Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 on establishing an Infrastructure for Spatial Information in the European Community

EU Directives governing Sharing and Reuse of GI Cont'd

- Key Directives governing Reuse
 1. PSI Directives —

Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information

EU Directives governing Sharing and Reuse of GI Cont'd

- Other Directives

1. Directive 80/723/EEC on the transparency of financial relations between Member States and public undertakings
2. EU Procurement Directives e.g.,
Directive 2004/18/EC of the European Parliament and of the council of 31 March 2004 and
The Works Directive 93/97/EC as amended by
Directive 97/52/EC

The Case Study

- Requested by the Dutch Ministry of Interior Affairs
- Assist in the development of Access Policies for PSI in the Netherlands
- Format: An investigation into Access Policies to PSI in:
 - Norway
 - Germany (North Rhine Westphalia)
 - Spain (Catalonia)
 - United Kingdom (England and Wales)

Access Policies in Norway

- Policies on Sharing
 - Norge Digitalt (Digital Norway)
 - Members pay an annual fee
 - Contribute their GI as well
 - Free access to GI of other members

Access Policies in Norway Cont'd

- Policies on Reuse
 - Thematic GI (specifically environmental) available for free via custodians' websites
 - Access to ND GI by non-members available via Norsk Eiendomsinformasjon (NE). A fee is charged
 - Access to Base GI also available via custodians' websites (free or for a fee)

Access Policies in the UK

- Sharing or Public Sector Access to OS's GI?
 - Collective Licensing Agreements
 - The Pan-Government Agreement—OS and Central Government Agencies
 - Mapping Services Agreement—OS and Local Government Agencies

Access Policies in the UK

- Sharing or Public Sector Access to OS's GI?
 - Collective Licensing Agreements (CLA)
 - The Pan-Government Agreement—OS and Central Government Agencies
 - Mapping Services Agreement—OS and Local Government Agencies

Access Policies in the UK Cont'd

- Collective Licensing Agreements Cont'd
 - London Government Agreement—Greater London Authority and OS
 - National Health Services Agreement—Health sectors of England and OS
 - Utility Companies Agreement—guide for utility companies

Access Policies in the UK

Cont'd

- Policies on Sharing Cont'd
 - ❑ Cross agency sharing limited because of restrictions imposed by the OS Licensing agreement

Access Policies in the UK

Cont'd

- Policies on Reuse
 - No real policy on reuse due to the complex restrictions placed on GI by the Collective Licensing Agreements
 - The Collective Licensing Agreements do not support reuse

Analysis of Access Policies in Norway

Merits	Demerits
1. Sharing supported by Norge Digitalt (ND)	1. The mix of public and private sector in (ND) makes it unclear which sector is allowed to join
2. National Geoportal to support sharing and reuse	2. The design of ND is mainly in favour of sharing
3. Norsk Eiendomsinformasjon (NE) facilitate reuse. One-stop shop	3. Pricing policy not very clear. NE runs the risk of competing with the VARs
4. Ensure reliable and timely access to a variety of good quality datasets	4. Main focus on sharing. Reuse still require more attention

Analysis of Access Policies in the UK

Merits	Demerits
1. An attempt to facilitate economical access to GI for the public sector	1. Non-competitive in most cases
2. Offers limited free sharing of datasets	2. Barrier to free access
3. Facilitate the reduction in the cost of GI to the public sector	3. Supports only limited data sharing
4. Promotes interoperability and GI usage across government	4. Does not support a true GI market. Also limits public- private sector partnerships
5. Ensure reliable and timely access to a variety of good quality datasets	5. Limits public participation in government GI related activities
6. Provides a steady income to the OS which can then be used in the collection and maintenance of GI for the public good	6. Does not facilitate general public or private sector access to GI. No real National Geoportal

Are the Policies Within the Spirit of the EU Directives?

- Generally the policies reviewed are within the letter of the laws (INSPIRE & PSI)
- Are they within the spirit of the law?
 - One word answer: NO

Are the Policies Within the Spirit of the EU Directives? Cont'd

- What are the spirits of the laws?
- INSPIRE:
 - Free of Charge Sharing of GI
 - Pricing and Exchange Transparency
 - Free Viewing
 - Free Discovery Services
 - The removal of obstacles preventing the sharing of GI

Are the Policies Within the Spirit of the EU Directives? Cont'd

- What are the spirits of the laws?
- PSI
 - Promote Reuse through
 - Non-exclusivity
 - Transparency of GI
 - Transparency of use restrictions (licenses/fees)
 - Pricing of GI at the cost of dissemination

Are the Policies Within the Spirit of the EU Directives? Cont'd

Spirit of the Law INSPIRE	UK	Norway
Free of Charge Sharing of GI	No uses CLA	In some sense. Moving towards it.
Pricing and Exchange Transparency	No complex pricing system	Less complex pricing system
Removal of obstacles to sharing	No, CLA a huge obstacle	Yes
Free Viewing	In some cases	Yes
Support Sharing	No	Yes

Are the Policies Within the Spirit of the EU Directives? Cont'd

Spirit of the Law PSI	UK	Norway
Non-exclusivity	No complexity agreements	Moving in that direction
Transparency of use restrictions	No	In most cases
Pricing of GI at the cost of dissemination	In a few isolated cases	In some case (e.g., environmental GI)
Transparency of GI	No	Yes

Summary

Thank You for your Attention