

An on-line survey on the PSI Directive

The Digital Agenda for Europe lists the revision of the Directive 2003/98/EC on the re-use of public sector information (PSI Directive) among its first key actions. It highlights that governments can stimulate content markets by making PSI available on transparent, effective and non-discriminatory terms. This is an important source of potential growth of innovative on-line services. Consultation of interested parties forms part of the review process. The purpose of this open consultation is to gather information from as many sources as possible, including governments, public sector content holders, commercial and non-commercial re-users and other interested parties on their views on the review of the PSI Directive. The consultation will feed into the debate on possible policy options that should be considered for the review, and will contribute to the impact assessment that will be carried out subsequently, associated with proposals for possible legislative or other measures. The consultation includes questions on 1) the PSI re-use context and possible action to consider, 2) substantive issues regulated by the PSI Directive, 3) practical measures, 4) changes that have taken place and barriers that still exist, and 5) other issues to comment regarding the review of the PSI Directive. It will take you approximately 15 minutes to complete the survey. The consultation will close on 30 November 2010. The replies to this consultation will be published on the Commission's PSI web site http://ec.europa.eu/information_society/policy/psi/index_en.htm. Thanking you in advance for your collaboration and help.

Preliminary questions

I reply as /on behalf of a: **(compulsory)**

(at most 1 answer)

- PSI content holder (mapping agency, meteorological agency, etc.)
- PSI re-user
- public authority (other than PSI content holder)
- academic/expert
- citizen
- other

Please provide your name, and where relevant the name of your organisation **(compulsory)**

Please provide your e-mail address **(compulsory)**

Please provide your country of residence / establishment **(compulsory)**

Context and possible action to consider

Do you think that PSI re-use has reached its full potential in Europe? **(optional)**
(at most 1 answer)

- agree strongly
- agree
- no opinion
- disagree
- disagree strongly

Could further action towards opening up public data resources and practical measures facilitating re-use (asset lists of available documents, simplified or no licensing conditions, marginal costs etc.) contribute to unlocking innovation and developing new services, applications and mash-ups? **(optional)**
(at most 1 answer)

- agree strongly
- agree
- no opinion
- disagree

disagree strongly

Community-wide products and services using PSI are not limited to national borders. Do you think that divergent national rules can make it more complicated to grasp economic opportunities and to develop cross-border products and services? **(optional)**

[\(at most 1 answer\)](#)

agree strongly

agree

no opinion

disagree

disagree strongly

Should further action be taken at Community level to promote cross-border products and services re-using PSI? **(optional)**

[\(at most 1 answer\)](#)

agree strongly

agree

no opinion

disagree

disagree strongly

In your opinion, should the PSI Directive be amended? **(optional)**

[\(at most 1 answer\)](#)

yes

no

Amendments to the Directive

If yes, should there be

	yes	no
more substantive amendments to the Directive? <i>optional</i>	<input type="radio"/>	<input type="radio"/>
and/or technical adjustments to the Directive clarifying some of the provisions? <i>optional</i>	<input type="radio"/>	<input type="radio"/>

If you think that the PSI Directive should be amended, which issues should in your opinion be addressed? Which provisions should not be amended? *(optional)*

Should "soft law" measures be taken possibly in addition to a modification of the Directive, such as Commission guidance or recommendations, regarding the application / interpretation of the PSI Directive? *(optional)*

(at most 1 answer)

yes

no

If yes, which "soft law" measures would you favour? *(optional)*

Substance

Scope (Article 1)

Currently, the PSI Directive is not applicable to information held by cultural, educational and research establishments and public service broadcasters. In your opinion, as far as information is not covered by third party intellectual property rights (excluded in any case from the scope of the PSI Directive), should the Directive apply to information held by

	agree strongly	agree	no opinion	disagree	disagree strongly
public service broadcasters? <i>optional</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
educational and research establishments? <i>optional</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
cultural establishments? <i>optional</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Could you please indicate reasons for or against the inclusion of information held by these establishments? What would be the benefits / difficulties if the scope was extended to cover such information? Are there certain data sets, if not all, held by these establishments that could be valuable for developing new services or applications and that should be made available to re-use? *(optional)*

Definitions (Article 2)

Do you think that the definitions of the PSI Directive cause problems and should be amended or clarified? **(optional)**

(at most 1 answer)

yes

no

If yes, could you please indicate which definitions / problems, and how they could be clarified / addressed? **(optional)**

General principle (Article 3)

Do you think that all public sector information which is already publicly accessible should also be re-usable? **(optional)**

(at most 1 answer)

- agree strongly
- agree
- no opinion
- disagree
- disagree strongly

In your opinion, what would be the advantages / disadvantages of this? **(optional)**

Processing of requests (Article 4)

Do you think that the requirements applicable to the processing of re-use requests should be tightened or clarified? **(optional)**

(at most 1 answer)

- yes
- no

If yes, how should this be done? **(optional)**

Available formats (Article 5)

In your opinion, should more re-use friendly formats (e.g. machine readable) be promoted? **(optional)**
(at most 1 answer)

yes

no

If yes, could you please specify which formats and how? **(optional)**

Charging (Article 6)

In your opinion, public sector information should be made available for re-use

	agree strongly	agree	no opinion	disagree	disagree strongly
at charges based on full cost recovery, together with a reasonable return on investment? <i>optional</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
at charges based on full cost recovery? <i>optional</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
at charges based on partial cost recovery? <i>optional</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
at marginal costs for reproducing and disseminating the documents? <i>optional</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
at marginal costs as the basic rule with certain limited exceptions? <i>optional</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
for free as regards both commercial and non-commercial re-use? <i>optional</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
for free as regards non-commercial re-use? <i>optional</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

What would be the benefits of charging based on marginal costs? What could be the disadvantages? *(optional)*

What could be the exceptions to a default rule of marginal costs? (optional)

Do you think that the current rules on charging (allowing full cost recovery, together with a reasonable return on investment) should be tightened and/or clarified in respect of how much re-users can be charged? (optional)

(at most 1 answer)

yes

no

If yes, in what way? (optional)

Transparency (Article 7)

Do you think that the current transparency rules regarding conditions and standard charges for re-use of PSI should be changed / clarified? **(optional)**

(at most 1 answer)

yes

no

If yes, could you please indicate how you think this should be done? **(optional)**

Licences (Article 8)

Do current licensing regimes of Member States or of individual public sector bodies still create problems for re-use (e.g. by imposing unfair conditions or by unduly restricting the possibilities for re-use)? **(optional)**

(at most 1 answer)

yes

no

If yes, what can be done to address these issues? **(optional)**

Practical arrangements (Article 9)

Do you think that more measures should be taken to facilitate the search for documents available for re-use? **(optional)**

(at most 1 answer)

yes

no

If yes, which measures? **(optional)**

Non-discrimination (Article 10)

In your opinion, have the current rules on non-discrimination caused problems in practice and should they be tightened / clarified to foster fair trading conditions? **(optional)**

(at most 1 answer)

yes

no

If yes, could you please specify how you think this should be done? **(optional)**

Prohibition of exclusive arrangements (Article 11)

Do you think that exclusive arrangements are a problem and that more measures should be taken to address them? **(optional)**

(at most 1 answer)

yes

no

If yes, could you please specify which? **(optional)**

Practical measures

Should the Commission encourage deployment measures at national level such as exchange of good practices, awareness raising and/or practical measures facilitating re-use? **(optional)**

(at most 1 answer)

yes

no

If yes, could you please indicate which deployment measures? **(optional)**

Should the Commission promote practical measures such as national portals (like the www.data.gov.uk or the www.data.gov in the US) with a strong political drive towards opening up the wealth of public sector data? **(optional)**

(at most 1 answer)

yes

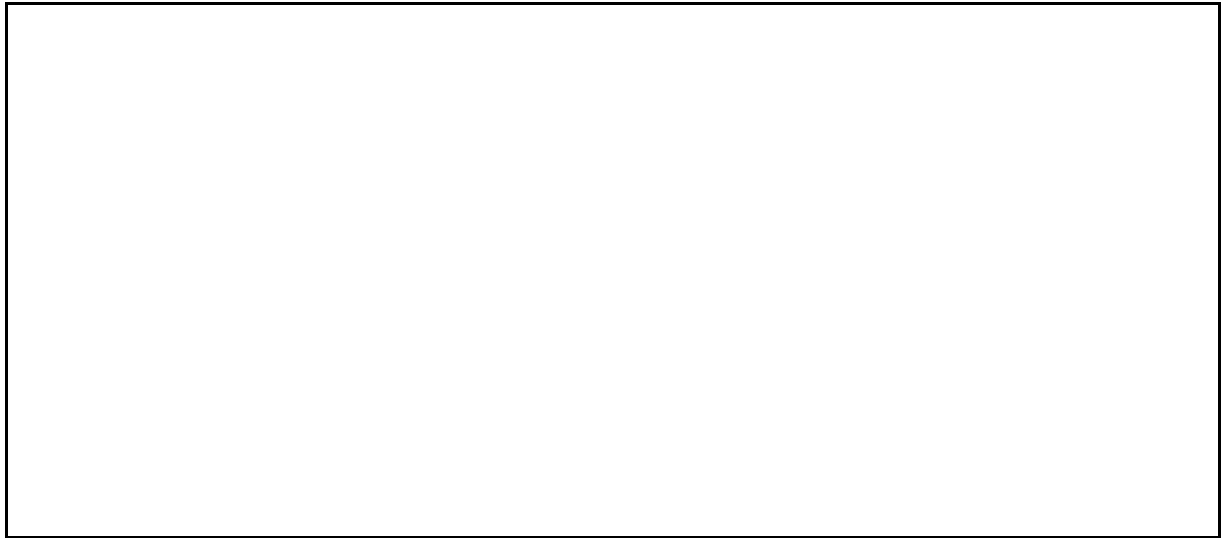
no

If yes, could you please specify which measures? **(optional)**

General issues

What changes in policy of Member States and/or public sector bodies regarding re-use of public sector

information have you noticed since the adoption of the PSI Directive in 2003? (optional)



What have been the positive effects of the PSI Directive and of these changes? Please give also figures on growth in terms of turnover, staff, number of clients, downloads etc., where possible. (optional)



What are the remaining barriers to re-use (availability of information, charging, licensing conditions, etc.)? (optional)

Would you have any other comments or input that you wish to give regarding the review of the PSI Directive? [\(optional\)](#)

Useful links

Commission's PSI re-use web site: http://ec.europa.eu/information_society/policy/psi/index_en.htm