

Questions submitted to Member States

I. Implementation and impact of the Directive

1. In addition to transposition measures, could you please indicate additional practical/deployment measures (e.g. national portals, asset lists, etc.), that have been taken in your State or by the main Public Sector Content Holders in your country to facilitate the re-use of PSI?

A working group for national PSI-issues has been set up to support the Epsiplus network activities in Finland and to monitor and promote PSI reuse, particularly by SMEs. The Finnish Epsiplus coordinating organisation is DIGES, a national association for developing the digital content industry in Finland. The working group consists of members from both the private sector organisations and government bodies.

National basic registers are key resources of public sector information. The Ministry of Finance has carried out studies in 2007 on key issues such as administrative procedures to deliver information, pricing policies and technical issues related to re-use of public sector information. Although the focus of the studies has been in sharing the information and data between government agencies, the issues studied are relevant also for re-use of PSI.

The Ministry of Finance has launched a project for formulating a new e-Government policy and its implementation programme by December 2008. Issues related to basic registers and public sector information will be addressed in the policy and the implementation programme.

The National Land Survey of Finland (a government agency) has started a project that will prepare the first phase of a national portal of geographic information. The portal is one of several measures implementing the INSPIRE Directive and it is due to be launched in 2009. Since geographical information is mostly produced and held by government bodies, the portal will also promote re-use of public sector information by and large.

Other examples of practical measures include real estate information services portal (www.ktj.fi), a national digital road and street databasel (www.digiroad.fi) and the environmental information portal 'Oiva' for experts (<http://www.p2.ymparisto.fi/scripts/oiva.asp>).

2. Do you consider that the Directive has had an impact on the information market in your country? If so, how?

Public sector awareness of the Directive has contributed to the growth of public sector information market. However, no studies on the size or the growth rate of the market have been carried out in Finland.

3. Has the implementation of the Directive resulted in a revised charging policy by public sector bodies?

The Directive has been a contributing factor in increasing the availability of free of charge public sector information on PSI holders' websites (e.g. statistical information). Improving consistency of PSI pricing has been discussed in working groups, but complexity and great variety of pricing remains a problem.

4. What kind of problems do you believe private companies in your country are encountering when wishing to reuse public sector information?.

PSI problems cited by Finnish enterprises in the Epsiplus programme:

A. Lack of knowledge of PSI

- a. enterprises are unaware that they are PSI users*
- b. enterprises are not aware of other PSI users*
- c. PSI using enterprises are from many business sectors*
- d. PSI is taken purely as a copyright issue*

B. Few cases, lacking numerical data on

- a. employment*
- b. revenue*
- c. how many companies are using PSI*
- d. data on public sector PSI use*
- e. data on business models*

C. Competition between PSI distributors and reusers

- a. who is the end user? Part of distributors want to do business directly with end users, not reusers*
- b. the term 'public task' remains undefined*
- c. distributors act like owners of the information, do not want to share it with reusers*
- d. internal pricing with PSI holder organisations not transparent*
- e. profitable PSI product refined in private sector has in some cases been included under public task*
- f. companies required to disclose information on their business as a condition for receiving PSI*

D. No national centralised website or database containing general information on PSI

E. No supervisory PSI authority in Finland

- a. enterprises hesitant to complain, they rather remain anonymous*
- b. enterprises do not know where to complain*
- c. results/consequences of possible complaints uncertain*

F. Pricing

- a. Inclusion of investment costs in charging reduces transparency*
- b. Pricing favours large companies, too high for SMEs*
- c. Great heterogeneity in PSI pricing, pricing defined case by case*
- d. Pricing may depend on revenue from PSI refined by private sector (percentage of revenue)*

- e. *Pricing may depend on how the PSI is used (eg. mapping data higher priced if the image is zoomable vs. a still image)*

G. *Outdated PSI data*

H. *Standardisation*

- a. *European cooperation and common standards needed*
- b. *Software used for retrieving PSI is often impractical, interoperability problems*

II. **Scope of the Directive**

5. Would it be appropriate to include cultural establishments, education and research organisations and public service broadcasters, within the scope of the Directive?

The main objective of the Directive, improving the environment for increased reuse and trade of public sector information, is worth pursuing in these areas. However, inclusion of these sectors within the scope of the Directive would most likely not significantly change the current situation in Finland as these establishments already comply with the Act on Transparency in Government (1999) and the Charging Act (1992), the key legislation implementing the Directive in Finland. Copyrights to a significant share of information held by these establishments is owned by third parties which should be taken into account in consideration of the issue.

6. What would be the impact and societal benefits of including these sectors within the scope of the Directive? What are the problems these excluded sectors may encounter should they be included within the scope of the Directive?

Increased reuse and trade of PSI in these sectors. Complexity of dealing with 3rd party copyrighted material could be a problem. The sector view is that impact and societal benefits should be studied before forming a view. It is estimated that the situation in Finland would not change considerably.

III. **Looking ahead**

7. What technical, organisational, legal and practical measures could be established by national administrations and/or at European level to optimise the re-use of PSI (e.g. efficient dispute settlement mechanisms)?

Systematic development of the national information infrastructure, including organisational, operational, technical and legal development measures aiming at linking public sector and private sector information processes.

8. Should legislative amendments be introduced in the Directive to make it more efficient? If so, which ones and why? Would guidelines on proper implementation and application of the Directive be useful?

Guidelines on implementation with best practice examples (e.g. of portals, model contracts) could be helpful.

9. Additional comments