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Name of the Ministry/Organisation: The Information Society Development Committee under the Government of the Republic of Lithuania

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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?

The Information Asset List can be found online (<http://rinkmenos.ivpk.lt/ivpkr/?vars=/public/public/search>), and it was created in line with the Lithuanian law on the Right of people to obtain information from state and local government institutions. The list contains data about the information resources of various public institutions in one place so as to facilitate access and use of such data. The list is administered by the Information Society Development Committee under the Republic of Lithuania.

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

Actually, the Directive has had impact on the information market in our country, but it is difficult to measure, especially, on economic activity, investment and etc. However, implementation of the Directive created good conditions for developing public sector information in the electronic (network) environment, allowed the rights of applicants (citizens and business) to apply, get and re-use public sector information by electronic means whenever possible. Moreover the Directive contributed to the transparency of activities by public sector institutions.

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

Not all data from registers in Lithuania are provided for a fee, fees are defined only by laws of the Republic of Lithuania. Fees which are defined by law are based on marginal costs. The cost of supply data must not be higher than the cost of administrating the process, taken together with a reasonable return on investments.

The Resolution of the Government of the Republic of Lithuania on Regulation of payment amount calculation of data delivery from State Registers and Cadastres (No.739, 2005 06 30, Žin., 2005, No.

82-3024) establishes the payment amount calculation of data delivery from State Registers and Cadastres.

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

According to 2007 survey of PSI re-use in Lithuania, private companies noted that, the overall availability of information, however, was not praised to the same extent. When asked about obstacles, businesses said that it is difficult to find relevant information on the Internet (36.4% of businesses), there is insufficient information (28.4%), the conditions under which information is delivered are not described on Websites (18.3%), information is not free of charge (17.1%), a license is needed to receive information (11.3%), information is available only in Lithuanian and in no other language (3.1%) and etc.

II. Scope of the Directive

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

Cultural establishments, education and research organization and public service broadcasters could be included within the scope of the Directive, ensuring their copyrights.

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?

Including these sectors within the scope of the Directive will enhance access to public information, increase better opportunities for citizens to get and re-use public data and information. The main problem of new included sectors – the protection of the copyrights and documents for which third parties hold intellectual property rights, other difficulties- formats, European standards and etc.

III. Looking ahead

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

The Directive should be amended by minimal regulations of requirements of redress.
To define organizational structure (to establish regulatory bodies) responsible for dispute procedure of public sector information re-use, coordination and redress.
Technical measures should be effective, user friendly and orientated to interoperability and open sources.
To create impact measurement of PSI re-use.

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?

Amendment of minimal regulations of requirements of redress to the Directive will make it more effective, because current Directive does not define the conditions for effective redress. Assessing importance of the Directive in European and national levels, guidelines on proper implementation and application of provisions of the Directive would be very useful, especially (for instance, 6 article Principles governing charging)

We suggest to review 6 article of the Directive and make relevant changes. When charges are made, the costs of collecting of documents should be excluded if collection was performed purely in pursuit of their public tasks. In this instance the total income from supplying and allowing re-use of documents shall not exceed the cost of production, reproduction and dissemination, together with a reasonable return on investment. But if word “collection” means gathering data from institution’s data bases, so these costs should be included into calculation of fees.

9. Additional comments