

ASSOCIATION FOR GEOGRAPHIC INFORMATION (AGI) RESPONSE TO THE EC ON THE EUROPEAN PSI DIRECTIVE CONSULTATION

September 2008

What follows is the AGI's response to a number of questions posed by the *European Commission, Information Society and Media DG, Access to Information Unit*, for the purposes of a review of the Directive on re-use of Public Sector Information.

In undertaking this exercise AGI publicised this consultation to its members both directly and through media channels to obtain feedback to help shape the AGI response.

About the AGI

Formed nearly twenty years ago, The Association for Geographic Information (AGI) is the United Kingdom umbrella organisation for all those with an interest in geographic information (GI).

Membership comprises individuals and organisations, including government departments and agencies, local authorities, other national organisations, educational institutions, utilities, software companies and data suppliers. The AGI's mission is to '*maximise the use of geographic information (GI) for the benefit of the citizen, good governance and commerce*'.

AGI is additionally a member of the UK GI Panel (<http://www.gipanel.org.uk/gipanel/index.html>), a body that aims to give high-level advice to UK Government Ministers on geographic information issues of national importance for the United Kingdom.

AGI welcomes this opportunity to submit views expressed by members on the implementation and impact of the Directive. Because of its wide and diverse membership, the views expressed by the AGI may not reflect the views of all its individual members.

Our response is as follows.

i. Implementation and impact of the Directive

- 1) *In your opinion, has the Directive been properly implemented and applied in your country and beyond?*

The AGI believes the Directive has encouraged and to some extent facilitated the wider use of GI in commercial and non-commercial applications.

That said there are concerns among the AGI membership on how effective the implementation of the Directive has been by the UK Office of Public Sector Information (OPSI) and the interpretation by the providers of UK PSI themselves concerning their own effective implementation of the Directive.

These concerns include licensing and pricing of geographical and address information which is closely linked to the current funding model for the UK Trading funds engaged in the supply of PSI.

Issues surrounding the licensing and pricing of PSI is in well known dispute in parts of the UK private and public sector and remains a subject of ongoing UK Government investigation.

The AGI's view is that presently the Directive may not have been applied as fully or effectively as it could have been in the UK.

Concern has been expressed to the AGI about the variable access to Earth observation data from European sources dependent upon its use (research, value added and humanitarian relief).

- 2) *Has the implementation of the Directive resulted in a revised charging policy by public sector bodies?*

AGI has not seen charging policies significantly change (if at all) as a consequence of the Directive.

Based on this observation and input made by providers of PSI to the AGI during this exercise, the AGI believes that 'implementation' of the Directive is not seen to require a 'revised charging policy' by all UK public providers of PSI.

Some providers claim that adopting FTP (File Transfer Protocol; simple and secure Internet based file exchange) has made data easier to access in near real time increasing demand.

ii. Scope of the Directive

- 3) *In your opinion would it be appropriate to include cultural establishments, education and research organisations and public service broadcasters, within the scope of the Directive?*

AGI believes that such organisations should be included subject to a policy on the use of the data.

AGI suggests research into whether commercial services could and should contribute to the cost of acquiring and storing the data by the cultural establishments.

- 4) *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?*

The impact and societal benefits of including education and research organisations within the scope of the Directive should be similar to those in other included sectors.

Cultural and public service broadcasters are outside our sphere of activity.

iii. Looking ahead

- 5) *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?*

AGI believes that re-use of PSI should not be inhibited by unnecessarily restrictive licensing and pricing terms.

The focus is shifting towards ensuring ease of re-use rather than simple accessibility. Public sector information needs to be ‘interoperable’ so that re-users can combine information easily in new ways, and associate their own information with it to create innovative applications.

AGI believes that the work of Government bodies engaged in governing and reviewing the effective use and reuse of implementation of the UK is essential, as is the implementation of the UK Location Strategy and the INSPIRE Directive (both of which are are centred on the use and re-use of PSI).

A metadata discovery service has been identified as an essential requirement and this should be fulfilled within the GI sector by the implementation of the INSPIRE Directive.

- 6) *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?*

The AGI view is that there is insufficient experience from current implementation to support current amendments to the legislation. It is difficult to determine at this stage in the UK how effective or well applied the current implementation has been. There is also concern that the work of the governing authorities has not been as strong or as effective as it should be.

It is believed that there could be benefit from ‘best practice’ guidelines to implementation of the Directive and some model terms and conditions of use.

Other comments

AGI welcomes the European PSI Directive and believes that whilst it has started to bring benefits there are issues still affecting the effective use and re-use of PSI in the UK and this is indicated by the ongoing work by the UK Government in this area.