

**MINUTES OF THE 3RD MEETING TO PROMOTE DIGITAL PUBLIC DATA
LUXEMBOURG, 13 MAY 2003**

I. WELCOME AND INTRODUCTION BY THE CHAIRMAN

The Chairman, **Horst Forster**, Director DG INFSO, welcomed the delegations and briefly outlined the purpose of the Group and its functions. The Group shall serve as a platform for discussions and exchange of good practices on issues related to the re-use of public sector information between the Member states and its experts.

The PSI directive is progressing fast. The Ministers of the information Society under the Greek presidency reached a political agreement on a version of the directive, which is a compromise of the various interests of the Member States. The Commission is reasonably happy with the compromise, even if there are still some improvements the Commission would like to see. An adoption of the directive will most likely take place at the end of 2003.

II. POLICIES ON THE RE-USE OF PSI - GOOD PRACTICES IN THE NETHERLANDS

The Dutch delegation presented their policies on the re-use of public sector information.

All public sector information should be available for no more than the marginal cost, benefiting the democratic process and the economy since it enables private companies to re-use and add value to public sector content, creating new products and thereby increasing the national product.

In the Netherlands public sector information is categorised according to the different cost regimes that are applied to them:

- Group 1) Marginal cost orientation that includes basic information of the democratic constitutional state, e.g. laws and court decisions.
- Group 2) Marginal cost regime that includes information to promote open government.
- Group 3) Information protected under specific legislation that follows legally specified access and re-use regimes outlining the rules under which the information can be accessed and used.

The Dutch policy on re-use of PSI and the proposed European directive are different on the following main points:

- (1) The PSI directive leaves it to the Member states and the public sector to authorise re-use regardless of any category.
- (2) The PSI directive allows Member states to impose licensing conditions for re-use.
- (3) The PSI directive allows for total recovery of costs involved in the production of the public sector information data.

The Chairman asked what measures, if any, were planned to help raising the awareness among the public on the availability of public sector databases, referring to the document that accompanied the Dutch presentation. Replying to that question, the Dutch delegate stated that they were publishing assets lists and not necessarily the content itself. On a question from the **German** delegate about the

share of the three categories, the Dutch delegation replied that the second category is by far the largest, even if the third category might be valued as the most interesting from the point of view of private re-users.

The Estonian delegation pointed out that the Estonian legislation goes further than the Dutch does and asked if the Dutch will have to change their own legislation to comply with the PSI directive. To this question, the chairman pointed out that there is no conflict between the PSI directive and the Dutch legislation since the PSI directive only requires minimum harmonisation, and Member state policies can go beyond.

The delegate from **Finland** asked if there are different policies on re-use between governmental bodies. The Dutch delegation pointed out that the same rules applies to the sharing between public sector bodies and to the re-use of public sector information by citizens and companies.

Replying to a question from the **UK** delegation, the Dutch delegation answered that the scope of the regulations only applies to central government but that local governments are stimulated to follow the same regime.

III. GEOGRAPHIC INFORMATION: MARKET BARRIERS FOR EUROPEAN PRODUCTS AND POSSIBLE SOLUTIONS

The **Chairman** introduced the session on geographical information briefly referring to the preparation of the eContent follow-on program, indicating the possible up-take of geographical information as a priority subject. To form an opinion on the direction of that particular program in relation to geographical information, advise on the economical exploitation of geographical information and viewpoints on the instruments to be used to overcome existing barriers, would be mostly welcomed.

a) The market view: Presentation by Mr. Chris Corbin (AGI) setting the scene.

Representing 1.400 members from the public and the private sector at the local level (UK) and a total of 6000 bodies in Europe (Eurogi), Chris Corbin focused on the following market issues after a brief introduction on what GI is and what it is not:

- GI is currently at different stages of development in different Member States. When developing a PSI strategy for GI, countries should look to those in the Union who is nearest to achieving the vision of the PSI directive.
- The market mostly consists of large public sector data providers with a dominant position in the market place. They are *de facto* monopolies since developers of new services based on public sector content have no alternative sources from where they can get the data.
- The private sector companies that are providing hardware, software and services are mostly SMEs. With a few exceptions very few European companies are large and have a global presence
- The public sector is itself a very large user of Geographical Information. SMEs are very reluctant to air their views of fear of losing their business. There might be very good reasons for the silence from SMEs - they need to make their living.

It is important to focus on and to learn from the experiences private companies are having today when they are trying to develop new products based on public sector information:

- Lack of a level playing field and transparency,
- Abuse of dominant positions,
- Responding to business requires takes far to long
- Lack of trust and unreasonable clauses in licences.
- Predatory behaviour; private sector develops the market and then the public sector steps in.

It was then pointed out that the PSI directive is a vision for the future. The GI sector anticipates that the PSI directive will improve data sharing, ease the burden on the private sector, improve the quality of data, trigger a cultural change and reduce costs in data production and maintenance

b) Geographic information in Germany: Presentation by the Martin Lenk

Because of its federal system Germany is facing different challenges than other member states. Since basic reference data is collected and organised on a state level, organisational and structural mechanisms must be implemented to make this data available on a federal level. Three organisations are involved in these harmonisation efforts and reference data is today widely available.

Thematic data on the other hand is far from harmonised on the same level, causing disparity in the handling of geographical data by federal governments and federal agencies. IMAGI, the organisation engaged in the harmonisation of thematic data, made a survey in 1998 and documented that 230 tasks performed by federal government and 50% of the tasks performed by federal agencies were related to geographical information. As much as 80% of all public sector data contains geographical information of some sort.

Even if there is strong political support to the work carried out in the field of geographical information in Germany to establish a national spatial data infrastructure, the lack of technical standards and harmonised and well defined meta data delays the full uptake and use of spatial data. However, a first step in establishing a spatial data infrastructure has been taken, opening a broker based internet application, thereby reducing the duplication of work and allowing for real time inquiries.

The **Estonian** representative asked if other representatives agreed that GI covers as much 80% of all public sector data. The **Chairman** said that from the way GI is defined it is likely that this is a correct figure.

c) Geographic information, the industry perspective. Presentation by Mr. Lee Wood (Teleatlas)

Introducing the topic it was pointed out that the barriers of entry to the GI marketplace is very high. A company needs a long-term vision, deep pockets and patient stakeholders to support them. Innovative thinking is crucial to overcome technical obstacles to release the potential in this market with an estimated value of 100 billion Euro.

Public sector mapping agencies are viewed as important partners to Teleatlas and they are recognised for their role in the value chain. It is important, however, that the public sector mapping agencies fully understand the private sector needs and vice versa.

Teleatlas always makes a decision on whether to buy or to make their own content, depending on its price and the rights involved:

- A clear and concise policy on third party rights to public sector information is lacking on a European level.
- In every market Teleatlas operates in, there are very different agreements on the acquisitions of public sector data because of different approaches to third part rights.
- There is structural inefficiency and inequality in the way private companies are licensed content across Europe.

On the issue of producing and updating content it seemed pointless from a private sector point of view that efforts are duplicated in the public and the private sector. In principle the private and the public sector should join forces to drive the value of the GI market.

The private sector accepts competition but they should not get the feeling that tax payers money is used to subsidise public sector bodies venturing into the same markets. Taxpayers should not pay more than once in an open procurement situation.

d) Activities of the EC in relation to geographic information. Presentation by Anders Gjøen

A short presentation on activities in relation to GI was given by the Commission, covering:

- The main elements of the PSI directive
- COGI
- The INSPIRE initiative
- Research activities and research sponsored project
- The eContent programme.

e) A clearinghouse for geographic information, the Czech experiences. Presentation by Eva Pauknerova.

Eva Pauknerova from the **Czech Association of Geoinformation (GAGI)** gave an account of the challenges involved in establishing a clearinghouse for geographical information in the Czech republic. The MIDAS clearinghouse was established to make the use of geographical information more efficient, reduce the duplication of work and facilitate the practical use of spatial data sets.

The challenges facing the establishment of a clearing house and a spatial data infrastructure are diverse:

- Data is collected and stored using different technologies.
- Some regions have complete lists of inventory while others have none.
- Data is not described in a uniform way making these data non interoperable

The MIDAS system offers a description of the available content, a list of organisations and people involved , the different services that are offered, the quality of the data etc.

Even if the figures from some of the **Czech** districts show relatively high costs involved in developing geographical information systems, the latest floods in the Czech republic have shown that the benefits by far exceed the costs.

The **UK** delegation found the presentation very interesting and congratulated the **Czech** with the efforts to establish the MIDAS system. The apparent user friendliness of the system was also remarked.

IV. CONCLUSIONS

Rounding up the presentations, the **chairman** concluded that focusing on semantically well defined content, or meta data, seemed to be a prerequisite to further increase the economical exploitation of geographical information in Europe, making cross border use of existing national spatial data infrastructures.

The next meeting of the Group to Promote Digital Public Data will be held in October 2003. A proposal on the general content of the next meeting will be put forward by the Commission before the summer break.

