

Review of Directive 2003/98/EC on the re-use of public sector information

11th PSI Group Meeting

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PSI Directive 2003/98/EC

- Adopted on 17 November 2003
- Entered into force on 31 December 2003
- Transposition deadline: 1 July 2005
- 26 MS have notified complete transposition, 1 MS has notified partial transposition (6.5.2008)
- Infringement procedures for failure to transpose (Art. 226 EC) completed
 - 4 judgements of Court of Justice in 2007
- Following stage: non-conformity cases, complaints



Review of the PSI Directive: legal basis

- Article 13 of the PSI Directive
 - the Commission shall review the application of the Directive and communicate the results to the European Parliament and the Council, together with any proposals for modifications



Contents of the review

- scope (Art. 13)
- impact (Art. 13)
 - extent of increase in re-use of PSI (Art. 13)
 - effects of charging principles (Art. 13)
 - re-use of legislative and administrative documents (Art. 13)
 - other sectors (geographical, meteorological)
 - re-use of Commission information
- further possibilities of improving the functioning of the internal market and the development of European content industry (Art. 13)



Input for the review

- Consultation of Member States
 - PSI Group
- Consultation of stakeholders
 - on-line consultation
- Data gathering exercise
 - Existing reports, networks
 - eContentplus project "ePSIplus"
 - complaints
- Studies
 - A domain specific study (geographical, meteorological & legal sectors)
 - extension of the scope of the Directive to cultural establishments



Calendar

- first half of 2008:
 - data gathering (on-going)
 - consultation of Member States (PSI Group 6.5.2008)
 - stakeholder consultation (coming weeks)
 - studies (on-going, due respectively in summer 2008)
- second half of 2008:
 - inter-service consultation of Commission services
 - Commission staff working document
 - adoption of Communication by Commission



Challenges, issues

- Recent (belated) implementation by MS
- Problems faced by re-users
 - lot of noise, less evidence
- Mindset of public sector bodies
- Funding of public sector bodies and PSI
- Competition issues, exclusive arrangements
- Supply needs to meet demand
- Enhanced cooperation between public and private sector
- Efficient redress mechanisms
- Support measures by MS?



Options for the future

- Better enforcement and application (e.g. monitoring of exclusive arrangements)
- Pro-active deployment measures (e.g. better redress mechanisms)
- Awareness-raising
- Commission and MS guidelines?
- New legislation?
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Commission activities to promote PSI re-use

1. Policy and strategy
2. Legislation
3. Measuring Impact
4. Stimulation and promotion (MS and Commission)
5. Re-use of Commission Information



Deployment, coordination and cooperation - a way forward

- Measures to promote re-use of PSI
 - Establishment of bodies responsible for PSI in MS
 - Supply meeting demand
 - Licenses (where necessary, and simple, transparent & non-discriminatory)
 - Charging (no charges or marginal costs)
 - Means of redress
 - Coordination (PSI Group and at MS level)
 - Awareness raising and exchange of good practice (PSI Group, ePSIplus and in MS)



Conclusions

- Deployment is a must
- Review of PSI Directive: good opportunity to analyse current problems and way forward
- MS and stakeholder involvement crucial for the PSI Directive Review



Many thanks

http://ec.europa.eu/information_society/policy/psi/index_en.htm

