

## **Public hearing on guidelines on recommended standard licences, datasets and charging for the re-use of public sector information.**

### Aims:

On 30.08.2013, the Commission launched a public consultation on recommended standard licensing, datasets and charging for the re-use of public sector information. All interested parties were invited to share their views via an online survey at 'Your Voice in Europe'.

The next step in the consultation process is a public hearing, the purpose of which is to provide a forum for a direct exchange of opinions by as many stakeholders as possible, including national authorities, public sector content holders, commercial and non-commercial re-users and other parties.

The final objective of both the hearing and the online survey is to contribute to the adoption of a common EU-wide approach to licensing terms, charging practices and the publishing of high-value datasets.

### Background:

Opening up public data resources for re-use is one of the key actions of the Digital Agenda for Europe whose overall aim is to deliver sustainable economic and social benefits from a digital single market.

The original Directive on the re-use of public sector information (PSI Directive), which entered into force in 2003, helped remove major barriers to re-use by regulating the behaviour of public sector bodies. Since then, despite some progress, PSI has remained an underexploited resource, given that economic benefits from easier availability of PSI could reach 40 billion euros annually for EU27.

To this end, the Commission adopted in December 2011 an ambitious open data package. Apart from funding research around data and using different instruments to test and promote the development of innovative solutions ensuring the widest possible uptake of open data, the package includes a legislative element in the form of the recently published revised PSI Directive.

An impact assessment conducted in the run-up to the adoption of Commission's proposal to revise the PSI Directive identified a number of elements where legislative action combined with soft-law measures were necessary to overcome the persisting obstacles to wide re-use of data and to help harmonise the diverging practices on the Member State level. In particular, the difficulties and uncertainties surrounding compliance with the licensing and charging provisions were singled out as factors detrimental to unlocking the value of data, due to their negative effect on both the release of data by public bodies and the actual re-use. At the same time, numerous categories of information having major importance for innovation and democracy were described as partially or completely inaccessible, unsearchable or unavailable for further re-use.

In response to this, among other measures designed to facilitate the re-use of government data, the revised Directive calls on the European Commission to assist the Member States in the implementation of the new rules by issuing guidelines on recommended standard licenses, datasets and charging for the re-use of documents.

## Specific Objectives:

### 1. Datasets

Both the text of the revised Directive and the recent developments on the international level (G8 Open Data Charter) suggest that public sector data in certain thematic fields constitute a particularly valuable asset for the digital economy.

The objective of the first session of the hearing will be therefore to discuss which of these types of data should be made openly available for re-use across Europe in order to ensure the biggest impact. Issues related to the prioritisation of datasets, the definition of 'core datasets', their optimal quality and other characteristics will also be discussed.

### 2. Charging for re-use

The revised Directive (Article 6.1.) establishes that public sector bodies can charge at maximum the marginal cost for reproduction, provision and dissemination of the information. Only in exceptional cases, full cost recovery (plus a reasonable return on investment) will remain possible.

The objective of the second session of the hearing will be therefore to discuss issues such as: cost elements to be taken into account in the calculation of the marginal cost, cost elements that can be taken into account whenever a full-cost recovery is possible, the meaning and calculation of the 'reasonable return on investment' and the practical application of the charging rules with regard to the cultural institutions.

### 3. Standard licences

The Directive provides (Article 8.1.) that public sector bodies may allow for re-use of documents without conditions or may impose conditions, where appropriate through a licence. However, such conditions may not unnecessarily restrict possibilities for re-use and should not be used to restrict competition. Furthermore, the Directive stresses the importance of standard and open licences for the purposes of licensing in the context of PSI re-use.

The objective of the last session will be to discuss the methods by which the public sector bodies establish rules governing the re-use to the potential re-users (disclaimer, dedicated license). The session will also use best practice examples to try to identify conditions which, in the light of article 8 may or alternatively - must not be used. Finally, the participants will deal with issues related to the interoperability of different national licencing regimes as well as their compatibility with existing standard licences.

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Hearing organised by the European Commission

25 November 2013, Euroforum (EUFO) building

10, rue Robert Stumper, L-2557 LUXEMBOURG

**DRAFT AGENDA**

10:00-10:15	Registration and coffee
10:15-10:30	Context and objectives of the hearing – European Commission, CNECT G3 Unit
10:30-11:30	<b>SESSION 1: Recommended datasets</b>  Interventions  Discussion
11:30-12:30	<b>SESSION 2: Charging for re-use (1)</b>  Interventions  Discussion
12:30-13:30	LUNCH
13:30-15:00	<b>SESSION 2: Charging for re-use (2)</b>  Interventions  Discussion
15:00-16:30	<b>SESSION 3: Standard licences</b>  Interventions  Discussion

**Practical information**

Plan of the EUFO building: <http://ec.europa.eu/oil/img/clocheBig.gif>

How to get there: [http://cordis.europa.eu/fp7/ict/language-technologies/contacts\\_en.html](http://cordis.europa.eu/fp7/ict/language-technologies/contacts_en.html)