Public Open Data and the 2018 Data Package: Towards a Common European Data Space

Workshop "The Governance of Data in a Digitally Transformed European Society"
JRC Ispra, 24-25 October 2018

European Commission
Directorate General for Communications Networks, Content and Technology
Unit G1 - Data Policy and Innovation
European Data Market

Data workers

€6,2 million in 2016

€13.5 million in 2025

Data companies

€260.000 in 2016

€410.000 in 2025

Data economy value

almost €300 billion in 2016

€1.000 billion in 2025

Source: European Data Market study
Benefits of Open Data

- More Open Data can help make better decisions.
- 2,549 hours wasted finding parking.
- 7,000 lives saved due to quicker response.
- 5.5% less road fatalities.
- 629 million hours saved is equivalent to €27.9 bn.
- Congestion costs are 1% of GDP.
- 16% less energy used.
Milestones of EU open data policy

- **2003**: Directive 2003/98/EC
- **2011**: Commission Decision 2011/833/EU
- **2013**: Directive 2013/37/EU
- **2014**: Guidelines on recommended licenses, datasets and charging
- **2015**: Launch of European Data Portal (for Member States)

**On the re-use of Public Sector Information**

**On the re-use of Commission documents**

**Amending Directive 2003/98/EC**

**Commission Notice July 2014**

**EU-wide Open Data Digital Infrastructure under CEF**
Public sector information Directive 2003/98/EC

- Legal Basis: Art. 114 TEU - Harmonisation in the Internal Market

- Introduces a **minimal set of rules on fair competition, transparency** and practical requirements to ensure that public sector information can be used outside of that sector (i.e. re-used) for commercial or non-commercial purposes.

The Directive does not apply to:
- data not publicly accessible under access to information regimes
- information protected by third party intellectual property rights
- In full respect of GDPR and ePrivacy rules
The European Data Portal
- facts & figures -

850,000 datasets

Metadata in 24+1 Languages

34 countries

78 catalogues
Open Data readiness of Member States

The graph illustrates the Open Data Readiness and Portal Maturity of various Member States. Countries are categorized into four groups: Beginners, Followers, Fast-trackers, and Trendsetters, based on their position on the graph. The x-axis represents Portal Maturity, while the y-axis represents Open Data Readiness.
Public sector and publicly funded data

Private sector data

Research data

Proposal for a revision of the Directive on the re-use of public sector information

Guidance on sharing private sector data in the European data economy

Updated Recommendation on access to and preservation of scientific information

2018 DATA PACKAGE
Different policy instruments for different types of data

#dataeconomy #opendata
Proposal for a review of the directive on the reuse of public sector information (2003/98/EC)
Review of the PSI Directive
Why now?


The evaluation exercise, including a public consultation.

Technological change, including the role of public data for the development of Artificial Intelligence.

Some EU states are moving ahead in new areas (research, concessions, key registers, transport).

The proposal is designed as an incremental change, which can make a real impact.
2018 Proposal for a revision: what is new?

- Encouraging **dynamic data** and **APIs**
- **High-value datasets**
- **Limit the exceptions** that allow public bodies **to charge** for the reuse of their data more than the marginal costs of dissemination.
- **Enlarge the scope** of the Directive to data held by some public undertakings and to research data resulting from public funding.
- **Strengthen the transparency** requirements for public–private agreements involving public sector information, avoiding lock-in of data with one company.
High-value datasets

Certain public sector datasets have important socio-economic benefits (potential for new services, number of users). Their availability is crucial for the economy and society and a basis for cross-border services.

Examples of high value data categories (e.g. businesses, statistics, infrastructure data) can be found in the G8 Open Data Charter and the Commission's 'PSI Guidelines'.

The proposal creates the basis for a Delegated Act with a list of high value datasets. They should be free of charge and disseminated via APIs.

The final list will be based on a separate Impact Assessment, taking into account effects on competition.
<table>
<thead>
<tr>
<th>Category</th>
<th>Examples of datasets</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Geospatial data</td>
<td>Postcodes, national and local maps (cadastral, topographic, marine, administrative boundaries, etc.)</td>
</tr>
<tr>
<td>2. Earth observation and Environment</td>
<td>Space and in situ data (monitoring of weather, land and water quality, energy consumption, emission levels, etc.)</td>
</tr>
<tr>
<td>3. Transport data</td>
<td>Public transport timetables (all modes of transport) at national, regional and local levels, road works, traffic information, etc. (4).</td>
</tr>
<tr>
<td>4. Statistics</td>
<td>National, regional and local statistical data with main demographic and economic indicators (GDP, age, health, unemployment, income, education, etc.)</td>
</tr>
<tr>
<td>5. Companies</td>
<td>Company and business registers (lists of registered companies, ownership and management data, registration identifiers, balance sheets, etc.)</td>
</tr>
</tbody>
</table>
Charging for re-use: a market entry barrier for SMEs

SMEs and start-ups cannot afford expensive data. In order to address this market barrier, the proposal:

- **Confirms the current default charging rule**: re-use should in principle be free of charge or limited to marginal costs of dissemination.

- **Limits the exceptions** to the default rule.

- **Enhances transparency**: list of public sector bodies that are required to charge for re-use beyond the marginal cost of dissemination.

- **List of high-value datasets** that should be available for free across the EU.
PSI Directive proposal: other elements


Clarify relationship with other EU legal acts, notably the 'INSPIRE' Directive 2007/2/EC and the Database Directive 96/9/EC.

Limit administrative burden, by enhancing the role of 'open by default' data publishing (instead of a request-driven approach), simplifying charging rules and scaling down MS reporting requirements.
Better Open Access:
An updated Commission Recommendation on access to and preservation of scientific information
Better Open Access: An updated Commission Recommendation on access to and preservation of scientific information

- A soft law measure addressed to Member States
- Update of previous Recommendation of 2012
- A valuable and impactful instrument for policy making used and referred to by Member States in their national strategies and action plans, creating a dynamic of convergence on policy goal
- Commission leads by example
- Technical update, refining the principles, taking into account Open Science, trend towards open research data (FAIR principles) and legal and technical developments (notably TDM, EOSC)
- To be accompanied by updates to the OA policy applicable in Horizon Europe
An happy marriage?

New "open access" elements in the PSI Directive:

• Obligation on MS to make available research data in Open Access
• Research data become re-usable, also for commercial purposes
• Re-use of research data to be free of charge
Next steps of the PSI Directive:

• Interinstitutional negotiations
• Delegated Act defining a list of high value datasets

For more information:


• Follow us on twitter: @EUDataecosystem @EU_opendata