

# **EuroGeographics Briefing Paper: Review of the Directive on the re-use of public sector information**

Reference: December 2017 PSI BP V1.0

- The PSI Directive has proved an effective tool for promoting re-use of public sector information for the good of society
- The field of geospatial information is one where PSI re-use is well established, and the experience gained can be helpful to other parts of the public sector
- EuroGeographics seeks no change to the Directive, but sees further opportunities to improve re-use through other means
- EuroGeographics and its members are developing European Location Services (ELS) to expand opportunities for re-use of national public sector information at pan-European level

## **1 Purpose**

This paper supplements EuroGeographics' online response to the European Commission's public consultation on the review of the PSI Directive. We offer our experience of re-use within the geospatial information sector, as a contribution to the Commission's forthcoming initiative on accessibility and re-use of public and publicly-funded data.

## **2 Context**

The members of EuroGeographics are national mapping, cadastral and land registration authorities (NMCAs). One of their basic duties is to provide official geospatial information for use and re-use by public administrations, businesses and citizens. When this authoritative information is re-used by multiple participants in a market, or members of any other community of interest, benefits accrue to all in terms of both efficiency and effectiveness.

Geospatial information is ubiquitous, networked and enhances decision making at all levels - whether it's making decisions about national transport infrastructure, implementing local planning policy, deciding the best location for retail premises or simply finding the nearest ATM.

NMCAs are driven to understand the needs of users and they actively promote the re-use of geospatial information in the public interest. Over many decades - hundreds of years in some cases - they have created an extensive network of inter-related applications and users.

Our members have not been slow to embrace technology for collecting and distributing geospatial information. Today's technology presents new opportunities at an increasing rate - and geospatial information and services play a pivotal role in these developments. The exciting advances taking place in smart cities and autonomous vehicles, for example, would not be possible without accurate and dependable geospatial information.

Given the impact of information technology on all sectors of the economy, it is appropriate that the European Commission should review the legislative framework to ensure that it continues to meet the needs of users and a developing European data economy.

### **3 The PSI Directive remains fit for purpose**

EuroGeographics members have been working with the PSI Directive since its inception, and have found it works reliably in practice. Disputes occasionally do arise about the terms on which re-use is allowed in particular cases, but appropriate means of adjudication are in place and do not appear unduly burdensome in the context of the Directive's aim to ensure a level playing field for re-use. The Directive does not affect intellectual property rights, and consequently works well alongside copyright and database protection legislation.

EuroGeographics therefore seeks no change to the Directive at this time.

### **4 Opportunities to improve the re-use of public sector information**

EuroGeographics members are sometimes seen not to be typical of information holders in the public sector. This is because, for many of them, the creation of data for use by others is a primary function rather than a by-product of their other activities. Geospatial information created by NMCAs is actively advertised and distributed to potential users, while in some other fields the data held by public bodies remains less easy to find and to use.

We believe the history of re-use in the geospatial data industry provides insights that can help other parts of the public sector take re-use of public sector information to the next level. We observe that public bodies that successfully support re-use do more than simply make the information available; they actively promote it to potential re-users, based on a thorough understanding of different users' needs. Often this entails adapting the information to suit the needs of particular user groups. It is users' needs and priorities - rather than the needs of the public-sector body – that are at the heart of successful re-use initiatives.

We also see that public bodies that successfully foster re-use of their data commonly employ teams whose responsibilities are to expose the organisation's re-useable information, to communicate its benefits to potential users, and to ensure that the organisation responds to feedback.

The question of charges for re-use generates a great deal of discussion. Under the PSI Directive, Member States decide whether public bodies should levy charges for re-use of information. Where charges do apply they are limited to the marginal costs incurred for reproduction, provision and dissemination, unless the public body is required to cover a substantial part of its costs through revenue (either in aggregate or in respect of particular information content). This approach maintains the principle of subsidiarity. While the Commission reports a steady increase in the availability of open data in the public sector, it is the experience in some EU countries that the optimum way to guarantee supply of high quality data to consistent standards over the long term is to recover appropriate costs through revenue. Long-term sustainability is important to many users, especially SMEs, who otherwise will be unable to invest in developing applications that re-use public sector information. It is important that restrictions on charges should not constrain the future availability and sustainability of high-quality data, constantly adapted to meet users' evolving needs.

Some EuroGeographics members have found it helpful to establish, or work closely with, incubators for SMEs - whose member firms benefit from their help and support with using geospatial data to develop innovative products and services. This experience could be transferred to other sectors.

These insights might be used to supplement the accompanying measures, guidance and other means described in the Commission roadmap for the PSI review of August 2017.

## **5 How EuroGeographics and its members are working to expand re-use of geospatial information at European level**

While re-use of geospatial information is well established within EU member states and geographical Europe, EuroGeographics members recognise further opportunities to improve re-use at cross-border and European level. By extension of the way in which benefits accrue from the use of shared reference information within a country, the EU institutions and other cross-border users can benefit enormously from having access to the data created by the Member States for their own national purposes.

Solutions are being developed by EuroGeographics members under the banner of European Location Services (ELS). Our vision is that European Location Services will provide the single access point for international users of harmonised, pan-European, authoritative geospatial information and services. We are motivated in doing this to enable national mapping, cadastral and land registry authorities to be recognised in our international effort to contribute to the wider public good.

EuroGeographics and its members, with support from EU funding programmes, are investing in the development of the European Location Service. We look forward to seeing this joint investment come to fruition, which we believe will greatly enhance access to public sector geospatial information across Europe.

## **6 About EuroGeographics**

EuroGeographics, an international non-profit organisation (AISBL) based in Brussels, is the membership association and representative body of the European National Mapping, Cadastre and Land Registration Authorities.

We currently bring together 63 organisations from across geographical Europe, delivering benefits for each regardless of the geographical, technical, political, organisational, linguistic and business parameters in which they work.

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