8. DATA SHARING, USE LIMITATIONS AND OTHER LICENSING ISSUES, INFRASTRUCTURE MONITORING

Primary aim

- "The INSPIRE directive should not affect the existence or ownership of public authorities' intellectual property rights." (9) of the Directive
- Access to spatial data sets and services in accordance with harmonised conditions
 - licence agreements (including click licences)
 - contracts
 - and exchanges of e-mails

Laboratory on Geoinformatics and Cartography



Access restrictions

- COMMISSION REGULATION (EU) No 268/2010 of 29
 March 2010 implementing Directive 2007/2/EC of the
 European Parliament and of the Council as regards
 the access to spatial data sets and services of the
 Member States by Community institutions and bodies
 under harmonised conditions
- http://eur-lex.europa.eu/legalcontent/EN/TXT/HTML/?uri=CELEX:32010R0268&fro m=EN

Laboratory on Geoinformatics and Cartograph



Response times

 Article 7 of the COMMISSION REGULATION (EU) No 268/2010:

"Member States shall provide access to spatial data sets and services without delay and at the latest within 20 days after receipt of a written request, unless otherwise agreed by mutual agreement between the Member State and the institution or body of the Community."

Is there anything strange from the Czech point of view?



Laboratory on Geoinformatics and Cartography

Basic principles (Article 17 of directive)

- "Each Member State shall adopt measures for the sharing of spatial data sets and services between its public authorities [...]"
- "Member States may allow public authorities that supply spatial data sets and services to license them to, and/or require payment [...]"
- "Where charges are made, these shall be kept to the minimum required to ensure the necessary quality and supply of spatial data sets and services together with a reasonable return on investment, while respecting the self-financing requirements of public authorities supplying spatial data sets and services [...]"

Laboratory on Geoinformatics and Cartography

Basic principles (Article 17 of directive)

- "Data sets and services provided by Member States to Community institutions and bodies in order to fulfil their reporting obligations under Community legislation relating to the environment shall not be subject to any charging."
- The arrangements for the sharing of spatial data sets and services [...] shall be open to public authorities [...]
 - May be established on the reciprocal and equivalent basis
 - May be accompanied by requirements under national law conditioning their use

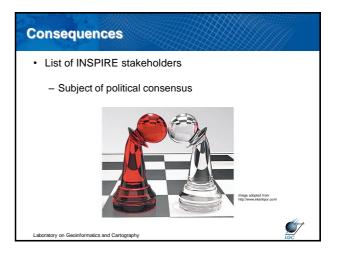
Laboratory on Geoinformatics and Cartography

Basic principles (Article 17 of directive)

- "By way of derogation from this Article, Member States may limit sharing when this would compromise the course of justice, public security, national defence or international relations."
- · Have you seen such rationale before?
- "Member States shall provide the institutions and bodies of the Community with access to spatial data sets and services in accordance with harmonised conditions."

Laboratory on Geoinformatics and Cartography





Consequences

- · Basic INSPIRE licence (in Czech only)
 - http://inspire.gov.cz/sites/default/files/documents/Basic%20INSPIRE%20licence_CS.doc
- Extended INSPIRE licence (in Czech only)
 - http://inspire.gov.cz/sites/default/files/documents/Specific%20INSPIRE%20licence_CS.doc

Laboratory on Geoinformatics and Cartography



Usage of INSPIRE

- Which INSPIRE services were the most requested in 2013?
 - 1. ČÚZK Katastrální mapy view service: 888 513 557
 - 2. ČÚZK ortofoto view service: 184 901 686
 - 3. ČÚZK ZABAGED® view service: 47 231 851
 - 4. ČÚZK RÚIAN Download service: 11 774 275
 - 5. Útvar rozvoje hl.m. Prahy View service: 5 772 110
- · How do I know?
 - INSPIRE monitoring

Laboratory on Geoinformatics and Cartograph



State of Play in EU and EFTA Member countries • http://inspire.ec.europa.eu/index.cfm/pageid/182 • http://inspire.ec.eur

INSPIRE Maintenance and Implementation

- The INSPIRE legislation and technical guidelines are written
- INSPIRE is a process → updates, improvements, progress
 - Corrigenda to the Regulations and Decisions
 - New versions of the technical guidelines



age adopted from: p://ginalazenby.wordpress.com

ahoratory on Geninformatics and Cartography

What and when to share and provide?	
15-May-2010	Implementation of provisions for monitoring and reporting
03-Dec-2010	Metadata available for spatial data sets and services corresponding to Annex I and II
09-May-2011	Member States shall provide the Discovery and View Services with initial operating capability
30-Jun-2011	The EC establishes and runs a geo-portal at Community level
19-Oct-2011	Implementation of Regulation as regards the access to spatial data sets and services of the Member States by Community institution and bodies under harmonised conditions for new arrangements
09-Nov-2011	Discovery and view services operational
28-Jun-2012	Member States shall provide the Download Services with initial operating capability
28-Jun-2012	Member States shall provide the Transformation Services with initial operating capability
23-Nov-2012	Implementation of Commission Regulation (EU) No 1089/2010 of 23 November 2010 implementing Directive 2007/z/EC of the Europe Parliament and of the Council as regards interoperability of spatial data sets and services for Newly collected and extensively restruct. Annex 1 spatial data sets available
28-Dec-2012	Download services operational
28-Dec-2012	Transformation services operational
04-Feb-2013	Implementation of Commission Regulation (EU) No 102/2011 of 4 February 2011 amending Regulation (EU) No 1088/2010 implemen Directive 2007/2/FC of the European Parliament and of the Council as regards interoperability of spatial data sets and services for ne collected and extensively restructured Annex 1 spatial data sets.
19-Oct-2013	Implementation of Regulation as regards the access to spatial data sets and services of the Member States by Community institution and bodies under harmonised conditions for existing arrangements
03-Dec-2013	Metadata available for spatial data sets and services corresponding to Annex III
21-Oct-2015	Newly collected and extensively restructured Annex II and III spatial data sets available
23-Nov-2017	Implementation of Commission Regulation (EU) No 1089/2010 of 23 November 2010 implementing Directive 2007/2/EC of the Europ Parliament and of the Council as regards interoperability of spatial data sets and services for other Annex I spatial data sets still in us the date of adoption
04-Feb-2018	Implementation of Commission Regulation (EU) No 102/2011 of 4 February 2011 amending Regulation (EU) No 1088/2010 implement Directive 2007/2/EC of the European Parliament and of the Council as regards interoperability of spatial data sets and services for oil Annex spatial data sets still no use the date of adoption.
21-Oct-2020	Other Annex II and III spatial data sets available in accordance with IRs for Annex II and III
	y on Geoinformatics and Cartography