INSPIRE

Infrastructure for Spatial Information in Europe

Good practice in data and service sharing

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Disclaimer:

This technical document has been developed through a collaborative programme involving the European Commission, all the Member States, Norway, Switzerland and other stakeholders and Non-Governmental Organisations. The document should be regarded as presenting an informal consensus position on best practice agreed by all partners. However, the document does not necessarily represent the official, formal position of any of the partners. Hence, the views expressed in the document do not necessarily represent the views of the European Commission.

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1. Introduction

The INSPIRE Work Programme for the Transposition Phase called upon the Data and Service Sharing Drafting Team (DT-DSS) to "develop recommendations for cross border data and service sharing". This report was required to include reporting on "current best practices and models for data policies". This document is that report and covers sharing both within and between States.

The DT-DSS considered "best practices" were something that would vary with time and circumstances and therefore decided to focus on "good practice" and to include possible models and practices relevant to solving the issues related to establishing a data and service sharing policy for a particular area or data domain.

However, it should be kept in mind that this document cannot be used to interpret or explain the obligations in the INSPIRE Directive. The only legal reference for data sharing is the Directive itself, together with its implementing rules as they enter into force as Regulations and Decisions.

This document provides examples of existing good practice on data sharing for three scenarios: for Member States with the Community institutions and bodies, between Member States, and between public authorities within a Member State. Although the implementation of INSPIRE is still in its early stages, Member States and public authorities have been sharing data for much longer. Their experiences can be an inspiration for implementing INSPIRE, as they often embody the general principles which are now in INSPIRE.

The consequence of this is that the good practices here do not only address data sharing according to Article 17(8) of the Directive, but data sharing in general. Several good practices of data sharing will also cover public access, as covered under Article 14 of the Directive, and the document will also include other elements pertaining to Article 14.

The methodology used to compile the document is as follows.

First, in order to facilitate comparison, the group established a number of topics considered particularly critical to a successful data and service sharing arrangement:

- Coordination (of data and service sharing)
- Framework Agreements
- Transparency (on the data)
- Licences
- Charging mechanisms
- Public Access
- Emergency Use
- Third Party Data

Second, for each of these topics a set of criteria was defined.

Third, a number of examples were selected for each topic. Each topic example is presented as a page which contains related information. The information about the example covers its scope, including geographic scope, what is provided, organisational context, legal framework, and status (planned or implemented), as well as a general description. The relation to the particular topic is described as well as how to find more information. One example may be presented as good practice under a number of different topics.

The document includes examples that were known to the members of the team or available from the Internet or other readily available sources. Examples of good data sharing practices outside of the European Community are also included.

The main focus of the document is to provide a framework to enable practices to be collated and compared. The document is therefore not intended to be complete or exhaustive at this time, but a living document to be updated regularly with other existing or new examples of good practices that people bring to notice.

2. Overview

2.1. Overview by topic

Example	Coordination	Framework Agreements	Transparency	Licences	Charging Mechanisms	Public Access	Emergency Use	Third Party Data
Australia – Queensland				✓				
Australia/ New Zealand ANZLIC - ASDI	✓	✓						
Belgium - Flemish SDI	✓							✓
Canada – GeoConnections	✓			✓				
Denmark - Municipalities access to KMS' data and services		✓						
ECOMET		✓	✓	✓				
Finland - Urban Area GI Service (FUAGIS)		✓	✓					
Germany - GDI-DE: Online Licences				✓				
Germany - Licence Template for the Use of Spatial Datasets and Services				✓				
Germany: Administration Agreement on topographic data		✓						
Germany: Guidance on fees for provision of topographic data and services					✓			
International Charter - Space and Major Disasters							✓	
Italy - Lombardy	✓							
Italy - Piemonte				✓				
Netherlands – TNO DINO portal						✓		
Norway Digital	✓	✓	✓					
OneGeology	✓							
Spain - IDEC – Spatial data infrastructure of Catalonia						✓		
Spanish Cadastre						✓		
Spanish-French Cooperation						✓		
Sweden – Saccess				✓				✓
UK – British Geological Survey					✓			
UK – Ordnance Survey, GB							✓	
UK - Environment Agency for England and Wales				✓				✓

2.2. Overview by geographic scope

Example	Sub-national	National	International	Global
Australia – Queensland	✓			
Australia/ New Zealand ANZLIC - ASDI			✓	
Belgium - Flemish SDI	✓			
Canada – GeoConnections		✓		
Denmark - Municipalities access to KMS' data and services		✓		
ECOMET			✓	
Finland - Urban Area GI Service (FUAGIS)		✓		
Germany - GDI-DE: Online Licences		✓		
Germany - Licence Template for the Use of Spatial Datasets and Services		✓		
Germany: Administration Agreement on topographic data		✓		
Germany: Guidance on fees for provision of topographic data and services		✓		
International Charter - Space and Major Disasters			✓	
Italy - Lombardy	✓			
Italy - Piemonte	✓			
Netherlands – TNO DINO portal		✓		
Norway Digital		✓		
OneGeology				✓
Spain - IDEC – Spatial data infrastructure of Catalonia	✓			
Spanish Cadastre		✓		
Spanish-French Cooperation			✓	
Sweden – Saccess		✓		
UK – British Geological Survey		✓		
UK – Ordnance Survey, GB	✓			
UK - Environment Agency for England and Wales	✓			

3. Topics

3.1. Coordination of data and service sharing

3.1.1. Introduction

Coordination in the context of data and service sharing relates to the provision of a sustainable structure to develop, facilitate and streamline the sharing of data and services. Coordination of sharing activities is an essential step towards facilitating access and use of spatial data sets and services.

Examples found of such structures often include easily accessible free discovery and view services for stakeholders and the general public as described under Article 14, and other important functions for an SDI, such as data harmonisation and research and development efforts. The examples may therefore often include more than just pure coordination activities.

A successful structure for co-ordination of data sharing will provide:

- A clear view of the roles of the various stakeholders, and their respective responsibilities;

- A clear view of the processes involved. The processes should provide for vertical and horizontal communication, information to potential participants on how to be included in the data sharing, and how to solve problems and conflicts.

- Planning and monitoring of the progress. Planning should include practical administrative and technical infrastructure support, for example, template licences, repositories, registries and frontline assistance such as helpdesk, hotline, and consultancy.

- Central access point to spatial data sets and services, that provides all the relevant information for access and use.

3.1.2. Criteria

The following criteria have been considered critical for a successful structure for co-ordination of data sharing:

➢ A clearly defined and well-communicated policy for co-ordination
➢ Measures for efficient communication between the stakeholders, horizontally as well as vertically
➢ Clear and transparent information to existing and potential new stakeholders
➢ Measures for effective sharing across levels of government
➢ Practical support is provided
➢ Administrative and technical infrastructures are provided

A clearly defined and well-communicated policy for co-ordination
The policy should describe who the stakeholders are (not necessarily individual institutions) and their responsibilities, and must include planning, monitoring, problem solving and settlement of disputes.

The policy should include measures such as

- A coordinating body or other means of administrating the co-ordination, including forums and meetings with stakeholders;
- Plans for how to keep the structure efficient and make it evolve as necessary;
- Plans for financing, and means for coordination and dialogue.

Measures for efficient communication both horizontally and vertically

This can include setting up forums for co-operation between the data owners and other stakeholders, physical or web-based. The goal is to ensure that the public authorities are well informed and encouraged to make their data available according to this policy.

Clear and transparent information to existing and potential new stakeholders

This information should include how to obtain or provide access to data and services, and under which conditions they can do so. This information should be on-line, accessible from a central and visible access point that can be easily found and should also contain contact details for obtaining more information.

Further activities to raise awareness should be present, including presentations made to other public authorities, a mailing list of key contact people in different institutions who will receive any relevant information (for example updates of use conditions or versions of the data sets) and information to key persons and authorities for making decisions on administrative frameworks and financing.

Measures for effective sharing across levels of government

Clear and smooth procedures for sharing data with other public authorities should be in place. This includes requests for access to the data sets and services being completed in a timely manner, provisions for answering any queries as to the usefulness for purpose that other public authorities may have, and provisions for responding to emergency demands for data.

Practical support is provided

It should be planned how to provide practical support to the stakeholders. This support can take the form of guidelines, a helpdesk, courses, or consultancy. This could be provided by a body set up for co-ordinating or in another manner that is practical for the particular structure.

Administrative and technical infrastructures are provided

The coordinating body or structure should provide templates for general conditions and licences that all public authorities can use for sharing their data or services. Registries with available data and services should be created on the national level.

3.1.3. Examples

Topic	Coordination		
Example	**ANZLIC**		
Scope	*Geographic*	☐ Sub-national ☒ International	☐ National ☐ Global
	Provision	☐ Data	☒ Services
	Organisational context	☒ Many organisations ☐ One organisation	☐ Bi-lateral
	Legal framework	☐ Legislation applies ☐ Contractual basis	☒ Policy / guidance applies ☒ Voluntary basis
	Status	☒ Operational ☐ Pilot	☐ In development ☐ Concept
Date	*Source: 01/12/2009* *Last change: February 2010*		
General context (related to the example)	**ANZLIC** - the spatial information council - is the inter-governmental council responsible for the coordination of spatial information management in Australia and New Zealand. It provides focus and leadership for the spatial information community and is responsible for leading the development of the **Australian Spatial Data Infrastructure** (ASDI – 33 Australian government agencies are involved). A three-tiered structure has been implemented to coordinate spatial information interests, especially in relation to access and pricing. ANZLIC is developing nationally-agreed (in both Australia and New Zealand) policies and guidelines in spatial data management. Within Australia, the major vehicle for improving access to data is the ASDI. The key role of ANZLIC is to promote accessibility to and usability of spatial information. ANZLIC is working with all government jurisdictions and the private sector to develop policies and guidelines which adopt international best practice and which are relevant to conditions found by practitioners and users of spatial information in both countries. ANZLIC is promoting the use of best practice through mechanisms such as the Australian Spatial Data Infrastructure and embedding its use in the practices of both public sector agencies and business enterprises that provide spatial data and services. In the future, ANZLIC will renew and consolidate the ASDI activities under the banner of the Australian and New Zealand Spatial Marketplace (ANZSM). It is currently developing a proposal for the implementation of ANZSM. This will improve discovery and access to public sector information; and provide integrated access to a broad range of public sector information.		

Positive aspects (related to the topic)	*Clear well-communicated policy.* ANZLIC's strength lies in **partnerships** with all government jurisdictions, professional and commercial groups, and users of spatial information. Each jurisdiction is responsible for determining its own access conditions and arrangements. All jurisdictions have worked towards developing common data pricing and access policies. *Effective sharing across all levels of government.* A three-tiered management structure has been implemented to coordinate spatial information interests, especially in relation to access and pricing. *Practical support.* ANZLIC has prepared a suite of inter-related policies and guidelines, including: • Guidelines for Custodianship of spatial data (1998) • Policy Statement on Spatial Data Management (1999) • ANZLIC Metadata Profile Guidelines Version 1.0 (2007) • Guiding Principles for Spatial Data Access and Pricing Policy (2001) • Model Data Access and Management Agreement - data access and management protocol including a model data licence agreement for the supply of data (2002) • Privacy guidelines for spatial information (2004) • Access to Sensitive Spatial Data (2004) ANZLIC is currently developing guidelines on liability. Project managers are encouraged to adopt the ANZLIC spatial data policies and guidelines in their projects. All practitioners are invited to provide feedback on best practice issues so the ANZLIC policies and guidelines are kept relevant to evolving needs.

More information	All information is available in English.
	http://www.anzlic.org.au/
	Contacts
	by email at < info@anzlic.org.au >
	by post to Level 2, 113 Canberra Ave, Griffith ACT 2603, Australia
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Topic	Coordination		
Example	**Belgium – Flemish SDI (Samenwerkingsverband GDI-Vlaanderen)**		
Scope	Geographic	☒ Sub-national	☐ National
		☐ International	☐ Global
	Provision	☒ Data	☐ Services
	Organisational context	☒ Many organisations	☐ Bi-lateral
		☐ One organisation	
	Legal framework	☒ Legislation applies	☐ Policy / guidance applies
		☐ Contractual basis	☐ Voluntary basis
	Status	☒ Operational	☐ In development
		☐ Pilot	☐ Concept
Date	Source: December 2009 Last change: 14/12/2009		
General context	The objective of the "Samenwerkingsverband GIS-Vlaanderen (cooperation GIS-Flanders) is to optimise the elaboration, the use, the exchange and the maintenance of GI between participants from regional, provincial and local public authorities in the Flemish region. The cooperation is based on a regional Decree of 17 July 2000. Recently, by the regional Decree of 20 February 2009, it has been expanded to the "Samenwerkingsverband GDI-Vlaanderen", (cooperation SDI-Flanders) which incorporates all public bodies in the Flemish region, and includes data sets and services from INSPIRE and other data considered to be needed in the Flemish SDI. The participants of the cooperation can use each other's data free of charge or at marginal cost.		
Positive aspects (related to the topic)	*A clear policy for coordination* is provided by establishing a Steering Committee that advises the Minister on the strategic decisions on data sharing in the Flemish Region. *Clear and transparent information* is provided as all partners of the cooperation are represented in the Steering Group, which meets every month. *Practical support, administrative and technical infrastructure* are provided by the Agentschap voor Geografische Informatie Vlaanderen (Agency for Geographic Information Flanders), which is the executive agency that supports the members of the cooperation structure and disseminates the data, and by the Department of the Flemish Administration (Services for the General Government Policy) that is responsible for preparing the policy with regard to spatial data, which is considered to be a horizontal competence that transgresses the different policy domains.		
More information	www.agiv.be (in Dutch, only a part of the website is translated in English); http://www.agiv.be/gis/organisatie/?catid=117 (Decree of 17 July 2000 – in Dutch) http://www.agiv.be/gis/organisatie/?catid=131 (Decree of 20 February 2009 – In Dutch) Contact: info@agiv.be		

Topic	**Coordination**		
Example	**GeoConnections Canada**		
Scope	*Geographic*	☐ Sub-national	☒ National
		☐ International	☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☒ Many organisations	☐ Bi-lateral
		☐ One organisation	
	Legal framework	☐ Legislation applies	☒ Policy / guidance applies
		☒ Contractual basis	☐ Voluntary basis
	Status	☒ Operational	☐ In development
		☐ Pilot	☐ Concept
Date	*Source: 27/09/2009* *Last change: 11/12/2009*		
General context *(related to the example)*	The GeoConnections program ("GeoConnections") is a national federally-funded program designed to link location-based information using the power of the Internet for several policy areas. GeoConnections brings Canada's geomatics community together to agree on policies that simplify and harmonise data licensing, access, and sharing. To develop, support and deliver the Canadian Geospatial Data Infrastructure, GeoConnections relies strongly on a broad network of partners who are developing the capabilities to disseminate geographic data on-line and to access such data from these partners. By helping make location-based data and technologies accessible and useful to decision-makers in public health, public safety and security, the environment and sustainable development, and Aboriginal matters, GeoConnections is contributing in numerous ways to a better quality of life for Canadians. For example, • a public-health practitioner could use web mapping to explore the potential link between a community's air quality and its incidence of respiratory problems, • an emergency preparedness official could plan responses to natural disasters or terrorist attacks, • an environmental consultant could determine whether a proposed highway would affect an endangered species' habitat, and • an aboriginal community could model its forest operations and manage its timber harvests sustainably.		
Positive aspects (related to the topic)	GeoConnections is a NSDI in operation today. It is a good example of a government-driven program built on cooperation between different parties from different public levels and private sector partners. A clearly defined and well-communicated policy for coordination is presented in the document "Federal Geomatics Strategy and Policy Framework" (http://www.iacg-cmoig.org/public/docs_e.php). Clear and transparent information to existing and potential new stakeholders: there are useful tips for decision-makers, data-suppliers, technology suppliers, developers and new-users. Measures for effective sharing across levels of government via the Discovery Portal GeoConnections and the publication of metadata describes the proposed data and services. Administrative and technical infrastructure: there is a Guide to Dissemination of Governmental Geographical Data in Canada: Best practices, which among		

	other things deals with licensing and coordination.
	GeoConnections foresees partnership and funding opportunities and organises outreach and awareness (workshop, symposia and community events). The program solicits, evaluates, and provides co-funding and support for selected projects from all levels of government, non-government organizations and the private sector.
More information	http://www.geoconnections.org/en/index.html, English , French,

Topic	Coordination		
Example	**Lombardy - SDI**		
Scope	*Geographic*	☒ Sub-national	☐ National
		☐ International	☐ Global
	Provision	☒ Data	☐ Services
	Organisational context	☒ Many organisations	☐ Bi-lateral
		☐ One organisation	
	Legal framework	☒ Legislation applies	☐ Policy / guidance applies
		☐ Contractual basis	☐ Voluntary basis
	Status	☒ Operational	☐ In development
		☐ Pilot	☐ Concept
Date	*Source: March 2010*		
General context	The SDI Lombardy (Infrastruttura per l'Informazione Territoriale della Lombardia) is constituted of policies, agreements, technologies, data and people, and facilitates the access to the spatial information collected and produced in order to allow efficient access and use of this information. The infrastructure provides online access to the information that has been made available by the participants and provides spatial online services to the public administration and to the general public. The participants include all the 12 provinces and the 1546 municipalities. The Geoportal provides access to a vast set of spatial information on the territory, all the commonly used spatial data sets are accessible online (basic topographic layers, orthophotos, satellite images, …) as well as several thematic data sets (land use, spatial planning, infrastructures, …). The services currently offered include a view service, a catalogue of all the public data sets for Lombardy with related discovery service and a download service for some spatial data sets.		
Positive aspects (related to the topic)	This SDI was strongly driven by spatial planning considerations and its main emphasis was on the creation and maintenance of a regional topographic database which acts as a platform for other applications and is accessible on-line. Information held in this database was also made freely available to private sector users." The organisational model includes: • Legal agreements for the participation to the SDI: Rules, specifications and standards to share GI and to access common services, • Co-funding initiatives to promote the aggregation of Municipalities using GI by means of service centres (e.g. TDB mapping program) • Support & Dissemination to SDI members Enabling factors, lessons learned, best practices		
More information	www.cartografia.regione.lombardia.it (IT)		

Topic	Coordination		
Example	**Norway digital**		
Scope	*Geographic*	☐ Sub-national	☒ National
		☐ International	☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☒ Many organisations	☐ Bi-lateral
		☐ One organisation	
	Legal framework	☐ Legislation applies	☐ Policy / guidance applies
		☒ Contractual basis	☐ Voluntary basis
	Status	☒ Operational	☐ In development
		☐ Pilot	☐ Concept
Date	*Source: September 2009, Last change: 18/09/2009*		
General context *(related to the example)*	Norway digital provides a contractual, voluntary framework in which public sector data owners and users can participate. It allows them to share data, and participate in the development and implementation of a national geodata policy. The framework consists of a general agreement negotiated between all parties, and a special agreement for each party with details of their rights and obligations. Each party is paying a fee based on their usage of data. If they contribute data, they receive reimbursement for that, and are obligated to use the funds to improve on the data and services for the framework. Agreements and applicable payment is done in advance, allowing participants to budget their need for geodata for the whole year regardless of what needs may come up during the year. Discrepancies between projected and actual use that requires changes, are dealt with in next years negotiations. Any updates or new data are made available at once to the other parties. A result of the co-operation is a national geo-portal on-line, where metadata and other information about the datasets are available to the public. It also includes a download service for ND participants.		
Positive aspects (related to the topic)	The general agreement for Norway digital provides a *clearly defined and well-communicated policy* for co-ordination. *Efficient communication* is provided by a system of contacts, a common website and various forums for technical, administrative and general policy issues. These forums also provide technical and administrative support. The documentation and the website provide *clear and transparent information to existing and potential new stakeholders.* Instant access to all data over a shared network according to a national standard provides effective *sharing across levels of government.* The secretariat provides *practical support as well as an administrative and technical infrastructure.*		
More information	Most of the information is in Norwegian. A few key documents are available in English. Link to website: www.norgedigitalt.no The national Geoportal: www.geonorge.no/ In English: www.statkart.no/Norge_digitalt/Engelsk/About_Norway_Digital/ Questions can be directed at the Secretariat for Norway Digital at the Norwegian Mapping and Cadastre Authority: post@norgedigitalt.no		

Topic	Coordination			
Example	OneGeology			
Scope	Geographic	☐ Sub-national ☐ International	☐ National ☒ Global	
	Provision	☒ Data	☒ Services	
	Organisational context	☒ Many organisations ☐ One organisation	☐ Bi-lateral	
	Legal framework	☐ Legislation applies ☐ Contractual basis	☐ Policy / guidance applies ☒ Voluntary basis	
	Status	☒ Operational ☐ Pilot	☐ In development ☐ Concept	
Date	Source: 18/09/2009 Last change: 09/12/2009			
General context (related to the example)	OneGeology is a global initiative to improve the accessibility of geological map data, the interoperability of that data and the transfer and exchange of know-how and experience. Since its inception in 2006 it has been hugely successful and 115 nations are now participating with over 40 of those nations serving their data to a dynamic web map portal. OneGeology is coordinated by the British Geological Survey and the portal and technical support provided by the French Geological Survey (BRGM). OneGeology is basically a distributed multi-national spatial infrastructure. This infrastructure is dependent on the geological surveys serving their geological data. Six Directors of geological survey organisations, representing each of the six continents makes up an overarching Steering Group. OneGeology is a voluntary initiative with an ambitious but simple mission statement and set of objectives. Its coordination, governance and operation are carried out by a group of highly motivated people who share the common vision; the project is pragmatic and it is the simple objective, a philosophy of light touch with minimal intrusion into national systems and practices and "let's do it not, excessively discuss it" which have been the reason for the progress made.			
Positive aspects (related to the topic)	Well-communicated policy for coordination. Significant effort has been put into outreach and the media profile of OneGeology has undoubtedly been a major factor in encouraging participation and ensuring a more coherent approach to geoscience data delivery and standards. The outreach has been achieved by professional media advice and input; press releases aimed at the general (as well as professional) media; ensuring information about project was available in plain, non-jargon, English; a very dynamic (daily) updated website; multi-lingual translation of key web documents; exploiting video and audio; being prepared to give presentations at many, many events in both SDI and geology domains, nationally, regionally and globally; regular newsletters, and now blogs and Twitter. Clear information and efficient communication between stakeholders. Most coordination is done by email to all members and all who express interest – there are two levels to joining the project – the OneGeology team and the followers all of whom are communicated with by email; face to face meetings take place once per year. Effective sharing across levels of government: State and federal – Canada, Australia - have cooperated on standards and processes to deliver Clear information and practical support. A dynamic web site (in addition to the geo-portal) provides up to date information on all aspects of the project and includes much downloadable technical and general help and information. This includes guidance documentation "cookbooks" which take participants (who			

	may have no prior knowledge) through the process of making spatial data web-accessible. Telephone and sometimes in-country support is provided. The project has adopted a "buddy" system where countries with the expertise pair up with those nations who need help to get started.
	Administrative and technical infrastructures are provided. Coordination is through a small operational and technical "hub" based in BGS and BRGM, supported by operational and technical working groups formed from OneGeology participants. Documents relating to data delivery and standards are on the website. Default "use statement", IPR policy and guidance, registry.
More information	Portal website: http://portal.onegeology.org/ Language: EN, FR. General website: www.onegeology.org Language: English; introductory pages in French, Chinese, Russian, Spanish and Arabic. Contact: onegeology@bgs.ac.uk

3.2. Framework Agreements

3.2.1 Introduction

A Framework Agreement is an arrangement that includes two or more partners and covers the conditions for access and use of one or more data sets and services established prior to use. This means that at the moment when a public servant needs to use a spatial data set or service he/she does not have to worry about administrative arrangements as these have been sorted out before and information on how to practically access the data usually has been provided to all interested persons. The framework agreement often has the form of a contract although the legal basis on which public authorities can contract with each other will vary from Member State to Member State. For instance, the contract may be built on, or supplement, a regulation on data and service sharing.

In the context of INSPIRE data and service sharing, a Framework Agreement can be seen as an agreement between one or more public authorities within a Member State or between Member States concluded prior to the dataset or service being required, thus removing potential obstacles at the point of use. This removal of obstacles at the point of use is its most important benefit.

A framework agreement reduces the effort of establishing data sharing agreements for all the partners, as it requires the management of only a small number of contracts, and, where required, financial transactions, covering usually several data sets or services.

A framework agreement ensures that case by case negotiations, procurements, contracts, licences etc. are no longer needed "at the point of use" of the spatial data sets and services. Many policy related processes cut across various departments at one governmental level, or through the various levels of government in a Member State, and therefore require contributions, e.g. spatial data sets, from different institutions and departments. A framework agreement, which largely facilitates the actual sharing of spatial data sets and services, enhances the efficiency of these processes.

A framework agreement is an important mechanism for providing access to spatial data sets and services in emergency situations. As the contractual aspects have been settled beforehand no further negotiations are needed during an emergency situation and access to the data set or service can be provided directly.

The benefits of framework agreements rise with the number of partners being included: the more public authorities and data sets can be included in a single arrangement, the more transparent and smooth sharing becomes for the end-users.

To come to some successful framework agreement with all its benefits it is necessary to spend time in the preparatory negotiations. There are likely to be diverse ideas to consider and it is crucial that all partners are willing to compromise.

It is obvious that for framework agreements a bigger time frame needs to be scheduled than for a bilateral contract. A pragmatic step-wise approach will help in making a quicker start-up. It might also be helpful to create or integrate a coordination body for framework agreements. The coordination body can just be a facilitator for the development of the framework agreements, e.g. by providing templates for possible policies and / or it can be a part of the final Framework Agreement, e.g. by providing an access point to the data sets and services.

The framework agreements used as examples here are often covering more than just the provision of spatial data sets and services under INSPIRE.

Criteria

The following criteria have been considered as critical for the success of framework agreements

➢ Fewer obstacles at the point of use
➢ Licences have become more harmonised
➢ Reduced effort to put licences in place
➢ Clear processes for making decisions relating to the Agreement
➢ Provision of a forum for exchange of information

Fewer obstacles at the point of use
The idea of the framework agreement is to avoid case by case negotiations and procurements "at the point of use". An upstream settlement of the agreements takes away a major threshold for usage of spatial data sets and services in an operational policy context: a public servant covered by the framework agreement no longer needs to worry about paperwork related to the sharing aspect prior to the actual usage of the spatial data and services. This also means that the information on the practical steps for getting access to the spatial data sets and services have to be communicated to the users.

Licences have become more harmonised
The use of framework agreements most often includes the need for a consistent data policy for all the providers involved. The licence conditions of the different organisations will get more harmonised during the development of the framework agreement.

Reduced effort to put licences in place
The process of setting up a new framework agreement will be time-, and resource-, consuming in the short run but in the long run it will save many resources in the agencies involved. In most cases, a successful framework agreement will include a number of partners and several data sets and services, that can be all accessed by the end user (all users not part of the framework agreement) using one single mechanism and standardised licenses. Access and use therefore get more transparent and smooth for the end-users.

Clear processes for making decisions relating to the Agreement
The work towards a framework agreement and the monitoring of the results will need a leading force, probably an agency which has been given the responsibility and resources to work with the issue. It is also important to maintain the infrastructure created through the framework agreements over time. It is also very important that there are means to monitor and check that the different parts of the agreements will be fulfilled over time. A central policy on how to proceed in this field and how to take decissions is recommended.

Provision of a forum for exchange of information
In order to give relevant answers to questions and queries put forward by the involved parties but also for the maintenance of the infrastructure in place, it is important to have a forum where information can be given to the community involved and answers to questions can be provided.

3.2.1. Examples

Topic	Framework Agreements		
Example	**ANZLIC**		
Scope	*Geographic*	☐ Sub-national ☒ International	☐ National ☐ Global
	Provision	☐ Data	☒ Services
	Organisational context	☒ Many organisations ☐ One organisation	☐ Bi-lateral
	Legal framework	☐ Legislation applies ☐ Contractual basis	☒ Policy / guidance applies ☒ Voluntary basis
	Status	☒ Operational ☐ Pilot	☐ In development ☐ Concept
Date	*Source: 01/12/2009* *Last change: March 2010*		
General context (related to the example)	**ANZLIC** - the spatial information council - is the inter-governmental council responsible for the coordination of spatial information management in Australia and New Zealand. It provides focus and leadership for the spatial information community and is responsible for leading the development of the **Australian Spatial Data Infrastructure** (ASDI – 33 Australian government agencies are involved). A three-tiered structure has been implemented to coordinate spatial information interests, especially in relation to access and pricing. ANZLIC is developing nationally-agreed (in both Australia and New Zealand) policies and guidelines in spatial data management. Within Australia, the major vehicle for improving access to data is the ASDI. The key role of ANZLIC is to promote accessibility to and usability of spatial information.		
Positive aspects (related to the topic)	ANZLIC has worked with the Australian National Land & Water Resources Audit (the Audit) to develop a Data Access and Management Agreement, signed by all jurisdictions in September 2001. The agreement provided consistent access arrangements to the data sets held by the Audit and its jurisdictional partners t*hus reducing the obstacles to access and use*. Further, ANZLIC and the Audit have collaborated in developing a model agreement for use in any natural resource management program. The Model Data Access and Management Agreement incorporates guidelines for custodianship, metadata, archiving, accessing, data licensing and pricing and puts them into an operational context (note: this document is currently under review). The Audit completed its operational activity on the 30th of June 2008. Similarly ANZLIC is building partnerships with the marine data and emergency management communities to progress adoption of a common standards-based framework.		

More information	Links / Language / what is on the website / contacts
	Language: English
	http://www.anzlic.org.au/
	Contacts
	by email at < info@anzlic.org.au >
	by post to Level 2, 113 Canberra Ave, Griffith ACT 2603, Australia
	by telephone
	   Liz Marchant, *Executive Director* +61 2 6260 9092
	   Michael Langdon, *Executive Officer* +61 2 6260 9094
	   Sue Sokic, *Administrative Officer* +61 6260 9093		

Topic	**Framework Agreements**			
Example	**Agreement between KMS (NMCA Denmark) and the municipalities on access and use of KMS data and services**			
Scope	*Geographic*	☐ Sub-national	☒ National	
		☐ International	☐ Global	
	Provision	☒ Data	☒ Services	
	Organisational context	☒ Many organisations	☐ Bi-lateral	
		☐ One organisation		
	Legal framework	☐ Legislation applies	☐ Policy / guidance applies	
		☒ Contractual basis	☐ Voluntary basis	
	Status	☐ Operational	☒ In development	
		☐ Pilot	☐ Concept	
Date	*Source: 16/12/09*			
General context (related to the example)	This framework agreement gives all municipalities' access to and the right to use all geographical data including national charts, cadastral data and all distribution services from KMS. The rights include internal and external use of information and services which is based on legal rules and public decisions or based on a public policy. The background for the arrangement is among other things the fact that it is hard to arrange horizontal access and use within the public sector and a lack of synergy when producing geographical data. A coordinating body will be established where the parties will develop the cooperation including financing. The agreement corresponds with an agreement including all state institutions, and must be seen as part of extending the application of NSDI for governmental use.			
Positive aspects (related to the topic)	*Fewer obstacles and licences harmonised.* The municipalities will, through a smooth and simple "license declaration" (declaration of rights) to KMS, be granted the rights to KMS data. *Reduction in total effort.* The process of creating the structures has been made on a central level which has made it easier to put all the mechanisms in place. *Clear processes for making decisions.* A "coordination body" in which the parties will meet on different issues, including financing, coming up under the agreement will also be established. It will also mean that the central body will have the possibility to monitor how the agreement works over time.			
More information	**http://www.kms.dk/** Language: Danish Contacts **: Kort&Matrikelstyrelsen,** kms@kms.dk Service enters in force April 2010.			

Topic	**Framework Agreements**		
Example	**ECOMET**		
Scope	*Geographic*	☐ Sub-national ☒ International	☐ National ☐ Global
	Provision	☒ Data	☐ Services
	Organisational context	☒ Many organisations ☐ One organisation	☐ Bi-lateral
	Legal framework	☒ Legislation applies ☒ Contractual basis	☐ Policy / guidance applies ☐ Voluntary basis
	Status	☒ Operational ☐ Pilot	☐ In development ☐ Concept
Date	*Source: 12/12/2009*		
General context	ECOMET is an Economic Interest Grouping of the National Meteorological Services of the European Economic Area. The European Commission (Directorate-General Competition) approved the ECOMET arrangements in October 1999. Members are the National Meteorological Services of Austria, Belgium, Croatia, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Iceland, Italy, Latvia, Luxembourg, the Netherlands, Norway, Portugal, Romania, Spain, Sweden, Switzerland, Turkey and the United-Kingdom. Objectives of ECOMET include: • to guarantee the access to meteorological data and products • to assist the Members to maintain and improve their infrastructure • to increase the use and improve the distribution of meteorological data, products and services of the Members while maintaining and improving their quality • to allow the users access to all meteorological data and products through one Member, an idea of one-stop-shop The arrangements of the ECOMET grouping are set out in the Formation Agreement, Internal Rules of Administration and Internal Rules of Operation. ECOMET General Assembly meets twice a year.		
Positive aspects (related to the topic)	*Fewer obstacles at the point of use.* The Members are allowed to license each others data and products. *Licences have become more harmonised:* Model licences are used to harmonise the licensing conditions. The pricing of data and products is each Member's own responsibility depending on their national law and data policy. ECOMET model licence is not completely fixed but includes options. This enables Licensor (= Member State) to include conditions on activities such as the production of value added services, redistribution of data and internet broadcasting. It is up to a Licensor which conditions to use if any. There is also an option for redistribution from Service Provider Holding Company to Subsidiary, which is allowed if the Holding Company declares that it has the majority of the voting rights in the Subsidiary. In this case the names of the Subsidiaries must be given in the Licence. In INSPIRE this could be applied so that the Body of the Union who receives the data from a Member State as a "Service Provider" or "Licensee" indicates in the license to which other EU Bodies it may deliver the data. *Clear processes:* ECOMET has a Guide to assist Members to comply with the arrangements. *Reduction of total effort.* The Members report quarterly on their sales of each		

	others' data and products to the ECOMET Secretariat in Brussels. The Secretariat organises financial transactions.
More information	More information is available in English on ECOMET web-site http://www.ecomet.eu/.

Topic	Framework Agreements			
Example	**Finnish Urban Area GI Service (FUAGIS)**			
Scope	*Geographic*	☐ Sub-national		☒ National
		☐ International		☐ Global
	Provision	☒ Data		☒ Services
	Organisational context	☒ Many organisations		☐ Bi-lateral
		☐ One organisation		
	Legal framework	☐ Legislation applies		☐ Policy / guidance applies
		☒ Contractual basis		☒ Voluntary basis
	Status	☒ Operational		☒ In development
		☐ Pilot		☐ Concept
Date	*Source: 15/02/2001* *Last change*: *18/2/2010*			
General context	FUAGIS improves efficiency and quality of municipal service processes in technical and environmental sector. The project will offer three main products: a Municipal Technical and Environmental Sector Electronic User Service Platform for citizens, a standardized Data Exchange Interface and a National Municipal GI Portal (NMGIP). NMGIP offers one marketplace to get and purchase municipal GI via internet. NMGIP meet the requirements of both INSPIRE and PSI directives offering WMS and WFS based services to support customers machine to machine interaction as well as downloading of municipal GI. NMGIP will be linked to National INSPIRE Metadata and Viewing Portal administered by National Land Survey as INSPIRE Coordinating Body in Finland. NMGIP will be defined during the year 2010 and implemented during the first half of year 2011. Ownership of the NMGIP will belong to municipalities. Association of Finnish Local and Regional Authorities (ALFRA) has responsibility to organize the NMGIP service on behalf of municipalities. Municipal co-operation in this project is based on voluntary agreement with municipalities at this moment representing 81% percent of inhabitants of the country. Ten software vendors are partners in the project when defining and implementing Data Exchange Interfaces into municipal processes in technical and environmental sector. The project is financed by Ministry of Financing, municipalities and ALFRA, who is the owner of the Project. The project started in February 2009 and will end during May 2011. The budget is about 2.5 million €.			
Positive aspects (related to the topic)	NMGIP offers access to all municipalities in one service and thus *reduces obstacles* at the point of use. The agreement will *offer harmonised municipal licenses,* charging mechanism and data policy. The service integrates use of different municipal data services.			
More information	Existing technical definitions: http://www.paikkatietopalvelu.fi/ Language: Finnish Contacts : Matti.Holopainen@Kuntaliitto.fi Detail Plan and Base Map WMS/WFS Services available from single municipalities, NMGIP available May 2011.			

Topic	**Framework Agreements**		
Example	**Administration Agreement on topographic data:** **Administrative agreement between the Federal Ministry of Interior and the Länder (States) about the provision of digital geotopographical and cartographical data of the Surveying Administration of the Länder through the Federal Agency for Cartography and Geodesy**		
Scope		☐ Sub-national ☐ International	☒ National ☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☒ Many organisations ☐ One organisation	☐ Bi-lateral
	Legal framework	☐ Legislation applies ☒ Contractual basis	☐ Policy / guidance applies ☐ Voluntary basis
	Status	☒ Operational ☐ Pilot	☐ In development ☐ Concept
Date	*Source: 01/09/1999 and 01/08/2006* *Last change*: *01/01/2009Source: 15/09/2009*		
General context (related to the example)	The Administration Agreements are based on 2 legal contracts between 17 Partners, the Federal Ministry of Interior and the 16 States (Länder) in Germany. The agreements allow the Federal Government to use and distribute topographical and cartographic datasets on behalf of the Länder which are the creators and owners of the original data. The agreements covers two cases: 1. Provision of datasets and services through the Federal Agency for Cartography and Geodesy (BKG) to Federal Institutions, which is covered by a general flat rate financed by the Ministry of Interior. 2. Provision of datasets and services through BKG to third parties. Any financial returns have to be shared by the partners of the agreement according to a specific key which is determined in the contract. The agreements authorise the Federal Agency for Cartography to store and provide the datasets of the Länder through a central data center (Geodatenzentrum). A Steering Committee of the participating parties has the responsibility to maintain and control the processes of data quality assurance, redistribution and cash flow.		
Positive aspects (related to the topic)	It is a good example for of a Framework Agreement because it • *minimises the number of contracts* from the possible maximum of 17 down to a single contract. It increases the integrated provision and using of several datasets by simplifying with *only one contract instead of several* for each single data set or service, • *harmonises* the possible amount of different *licence models* down to a single model, which is accepted by all the partners of the administration agreement, • creates a central partner on behalf of all administrative partners involved for the customer who can gather all necessary information about data, services and policies at one point, • improves the quality of data and services, because quality assurance is part of the Administration Agreement and • supports the collaboration of the responsible administrative data collectors		

	for topographic and cartographic information in Germany.
More information	General Information and download: www.bkg.bund.de, www.bmi.bund.de and www.adv-online.de Portal with access to data and services: www.geodatenzentrum.de (in German and some in English).

Topic	**Framework Agreements**		
Example	**Norway digital**		
Scope	*Geographic*	☐ Sub-national	☒ National
		☐ International	☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☒ Many organisations	☐ Bi-lateral
		☐ One organisation	
	Legal framework	☐ Legislation applies	☐ Policy / guidance applies
		☒ Contractual basis	☐ Voluntary basis
	Status	☒ Operational	☐ In development
		☐ Pilot	☐ Concept
Date	*Source:* September 2009 *Last change*: 18/09/2009		
General context *(related to the example)*	Norway digital provides a contractual, voluntary framework in which public sector data owners and users can participate. It allows them to share data, and participate in the development and implementation of a national geodata policy. The framework consists of a general agreement negotiated between all parties, and a special agreement for each party with details of their rights and obligations. Each party pays a fee based on their usage of data. If they contribute data, they receive reimbursement for that, and are obligated to use the funds to improve on the data and services for the framework. Agreements and applicable payment are done in advance, allowing participants to budget their need for geodata for the whole year regardless of what needs may come up during the year. Discrepancies between projected and actual use that require changes are dealt with in next years negotiations. Any updates or new data are made available at once to the other parties. A result of the co-operation is a national geo-portal on-line, where metadata and other information about the datasets are available to the public. It also includes a download service for ND participants.		
Positive aspects (related to the topic)	The existence of agreements and shared services gives direct access *without any obstacles at the point of use*. All participants are getting access based on *common licensing terms*. Licenses are negotiated yearly for all parties, greatly *reducing the effort for each participant* for getting licences with all partners that deliver relevant data. The central agreement provides *clear processes for making decisions* relating to the Agreement. *Several forums are provided* for exchange of information.		
More information	Most of the information is in Norwegian. The national agreement is available in English. A few key documents are available in English. Link to website: www.norgedigitalt.no The national Geoportal: www.geonorge.no/ In English: www.statkart.no/Norge_digitalt/Engelsk/About_Norway_Digital/ Questions can be directed at the Secretariat for Norway Digital at the Norwegian Mapping and Cadastre Authority: post@norgedigitalt.no		

3.3. Transparency on the data

3.3.1. Introduction

The principle of transparency is an essential part of good administration at all levels of governance, and refers to availability of all relevant information. This means that important information is readily accessible and that it is widely spread and communicated to all stakeholders..

In the context of INSPIRE data and service sharing, transparency on the data is about the Member States and their public authorities being clear on what kind of data or service is available and how the data or service can be obtained and used. The importance of transparency for data and service sharing is that the user can evaluate whether the available data or service meets his needs and requirements. This covers evaluation from the point of view of the source, technical attributes, quality levels and use conditions, in order to be able to determine whether the data and service is fit for their particular purpose.

Some of this information may be available as metadata, but additional information should also be made available if requested to allow an assessment of fitness for purpose to be made. This is particularly important when the data is being used for a purpose which is different from that for which it was originally produced or collected.

Clear contact details and processes for gaining further information should be arranged as part of the service. The user should be guaranteed a speedy response to requests for further information.

Multilingual information offers transparency without delay to all Member States and their public authorities as well to the European Community.

3.3.2. Criteria

These are the criteria considered vital to achieving transparency:

➢ Metadata is up-to-date and available
➢ Additional technical information can be readily made available to allow assessment for fitness for purpose
➢ All conditions of use are clear, complete, published online and available for the public
➢ Clear contact details and speedy process for acquiring further information about all aspects of the data
➢ Multilingual information is made available if needed (e.g. European level)

Metadata is up-to-date and available
Metadata is being kept up-to-date frequently and is available via the network services.

Additional technical information can be readily made available to allow assessment for fitness for purpose
Data is often used for purposes completely different from those for which it was collected. Whilst some information is available in metadata, additional technical information on source and quality should be provided if available to allow decisions to be made on whether the data can be used for a different purpose.

All use conditions are clear, complete, published online and available for the public
Any user can easily find the conditions for use on the website and can download a copy of the use conditions if he wants to.

All the conditions for using the data and services are described in clear and understandable terms. The conditions are explained for all types of use. If for a

particular type of use, more information is needed by the public authority in order to determine the conditions, contact details are clearly indicated.

<u>Clear contact details and speedy process for acquiring further information about all aspects of the data</u>
The user can obtain further information within a reasonable time, if needed taking into account his urgent need for access to the particular data or service.

An e-mail address and a phone number are available on-line for obtaining more information on the data and services and ideally a response is given within a few working days.

<u>Multilingual information is made available if needed (e.g. European level)</u>
Information on licences and pricing mechanisms, as well as contact details are available in all the official languages, in the languages of the neighbouring countries or in English.

3.3.3. Examples

Topic	Transparency on the data			
Example	ECOMET			
Scope	Geographic	☐ Sub-national		☐ National
		☒ International		☐ Global
	Provision	☒ Data		☐ Services
	Organisational context	☒ Many organisations		☐ Bi-lateral
		☐ One organisation		
	Legal framework	☒ Legislation applies		☐ Policy / guidance applies
		☒ Contractual basis		☐ Voluntary basis
	Status	☒ Operational		☐ In development
		☐ Pilot		☐ Concept
Date	Source: 12/12/2009			
General context	ECOMET is an Economic Interest Grouping of the National Meteorological Services of the European Economic Area. The European Commission (Directorate-General Competition) approved the ECOMET arrangements in October 1999. Members are the National Meteorological Services of Austria, Belgium, Croatia, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Iceland, Italy, Latvia, Luxembourg, the Netherlands, Norway, Portugal, Romania, Spain, Sweden, Switzerland, Turkey and the United-Kingdom. Objectives of ECOMET include: - to guarantee the access to meteorological data and products - to assist the Members to maintain and improve their infrastructure - to increase the use and improve the distribution of meteorological data, products and services of the Members while maintaining and improving their quality - to allow the users access to all meteorological data and products through one Member, an idea of one-stop-shop The arrangements of the ECOMET grouping are set out in the Formation Agreement, Internal Rules of Administration and Internal Rules of Operation. ECOMET General Assembly meets twice a year.			

Positive aspects (related to the topic)	ECOMET provides *clear use conditions, published online and available for the public* on its homepage:
	
	 • Catalogue of all ECOMET data and products in two categories
	   o Non-chargeable data and products
	   o Chargeable data and products
	 • Price list
	 • Tariff modulations
	 • Licensing conditions
	
	 Clear contact details are available for national contact points. Each Member is responsible for pricing own data and products according to its national law and data policy. More information is available through national contact points.			

More information	Further information in English http://www.ecomet.eu/			

Topic	Transparency on the data		
Example	Finnish Urban Area GI Service (FUAGIS)		
Scope	Geographic	☐ Sub-national ☐ International	☒ National ☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☒ Many organisations ☐ One organisation	☐ Bi-lateral
	Legal framework	☐ Legislation applies ☒ Contractual basis	☐ Policy / guidance applies ☒ Voluntary basis
	Status	☒ Operational ☐ Pilot	☒ In development ☐ Concept
Date	Source: 15/02/2001, Last change: 16/12/2009		
General context	FUAGIS improves efficiency and quality of municipal service processes in technical and environmental sector. The project will offer three main products: a Municipal Technical and Environmental Sector Electronic User Service Platform for citizens, a standardized Data Exchange Interface and a National Municipal GI Portal (NMGIP). NMGIP offers one marketplace to get and purchase municipal GI via internet. NMGIP meet the requirements of both INSPIRE and PSI directives offering WMS and WFS based services to support customers machine to machine interaction as well as downloading of municipal GI. NMGIP will be linked to National INSPIRE Metadata and Viewing Portal administered by National Land Survey as INSPIRE Coordinating Body in Finland. NMGIP will be defined during the year 2010 and implemented during the first half of year 2011. Ownership of the NMGIP will belong to municipalities. Association of Finnish Local and Regional Authorities (ALFRA) has responsibility to organize the NMGIP service on behalf of municipalities. Municipal co-operation in this project is based on voluntary agreement with municipalities at this moment representing 81% percent of inhabitants of the country. Ten software vendors are partners in the project when defining and implementing Data Exchange Interfaces into municipal processes in technical and environmental sector. The project is financed by Ministry of Financing, municipalities and ALFRA, who is the owner of the Project. The project started in February 2009 and will end during May 2011. The budget is about 2.5 million €.		
Positive aspects (related to the topic)	*Metadata is up-to-date and available.* The FUAGIS concept is based on the principle of data being available at the point at which it is created. NMGIP serves metadata for all datasets and services from municipalities and has direct access to the municipal process where data is created. *Use conditions are published online and available for the public.* Use conditions including pricing are published through NMGIP online and are available for users. Further information is also available by email and telephone.		
More information	Existing technical definitions: http://www.paikkatietopalvelu.fi/ Language: Finnish Contacts : Matti.Holopainen@Kuntaliitto.fi Detail Plan and Base Map WMS/WFS Services available from single municipalities, NMGIP available May 2011.		

Topic	Transparency on the data		
Example	Norway Digital		
Scope	Geographic	☐ Sub-national	☒ National
		☐ International	☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☒ Many organisations	☐ Bi-lateral
		☐ One organisation	
	Legal framework	☐ Legislation applies	☐ Policy / guidance applies
		☒ Contractual basis	☐ Voluntary basis
	Status	☒ Operational	☐ In development
		☐ Pilot	☐ Concept
Date	Source: September 2009 Last change: 18/09/2009		
General context (related to the example)	Norway digital provides a contractual, voluntary framework in which public sector data owners and users can participate. It allows them to share data, and participate in the development and implementation of a national geodata policy. The framework consists of a general agreement negotiated between all parties, and a special agreement for each party with details of their rights and obligations. Each party pays a fee based on their usage of data. If they contribute data, they receive reimbursement for that, and are obligated to use the funds to improve on the data and services for the framework. Agreements and applicable payment are done in advance, allowing participants to budget their need for geodata for the whole year regardless of what needs may come up during the year. Discrepancies between projected and actual use that requires changes, are dealt with in next years negotiations. Any updates or new data are made available at once to the other parties. A result of the co-operation is a national geo-portal on-line, where metadata and other information about the datasets are available to the public. It also includes a download service for ND participants.		
Positive aspects (related to the topic)	*Metadata is mostly up-to-date and available for the participants and the general public through the geoportal.* The pricing is done on a yearly basis and all participants know in advance how much they will be charged. *Clear contact details and speedy process for acquiring further information about all aspects of the data:* persons for each member are available for technical questions, and there are also regular meetings of technical forums to discuss these issues.		
More information	Most of the information is in Norwegian. A few key documents are available in English. Link to website: www.norgedigitalt.no The national Geoportal: www.geonorge.no/ In English: www.statkart.no/Norge_digitalt/Engelsk/About_Norway_Digital/ Questions can be directed at the Secretariat for Norway Digital at the Norwegian Mapping and Cadastre Authority: post@norgedigitalt.no		

3.4. Licences

3.4.1. Introduction

Licences are tools to specify the terms that apply to a data sharing arrangement. A licence can be written or oral, and it can be given as a one-sided declaration, such as a click licence, according to set standards decided by the owner of the intellectual property rights in the data, or as a fully negotiated agreement.

Use of a formal written or electronic licence is not mandatory and the supplier may choose not to use one. If no written licence is used, when data is shared under the INSPIRE Directive the Directive will apply, and if it is provided by a Member State to a Community institution or body, the Regulation on data and service sharing will apply.

A well defined licensing policy is important in order to develop clear and clearly structured agreements and smooth procedures to establish them and to review them when necessary.

A "licence template" should be readily available at the time of the request. Ideally there will be one template for all datasets or services that an organisation is responsible for. A reduced number of licences makes it easier for both the producer and the user to understand the terms and to compare different licences. Terminology should be the same for all users. If more than one template is necessary, they should be available for types of use (e.g. commercial, non commercial…) and/or types of users (e.g. public authorities, industry, private service providers, universities…). For the user in particular it is also important to have harmonised use conditions in order to be able to use different data sets together.

Harmonisation can be implemented within one organisation, but it can also cover several organisations. The process of harmonising licence agreements can be a top-down or a bottom-up approach. This means that an executive body could produce a harmonised licence and require others to use it, or that existing data licensors could get together to try to harmonise their existing licences between them. There are examples of both approaches below.

The procedure to conclude a licence agreement should be already in place and it should be quick and straight forward. Compared to manual licences, digital licences and especially click-licences as well as licence statements (for example a statement published on a download website) offer fast and efficient access to data and services whenever needed.

Licensing mechanisms should include procedures for the retrospective establishment of licensing agreements for data and services used in emergency circumstances. See also under 'Emergency Use'.

3.4.2. Criteria

The following are the criteria for a good practice on licensing:

➢ Licensing policy in place
➢ Clearly specified terms in the licences
➢ Standard licences: reduced number, harmonised terms
➢ Fast licensing procedure

Licensing policy in place
The public authority has a licensing policy in place, containing clear objectives and guidelines for the definition and establishment of licences, for the licensing process and for reviewing the objectives and procedures.

Clearly specified terms in the licences
All issues relevant for licensing are clearly and concisely described in the licenses.

Standard licences: reduced number, harmonised terms
The public authority or group of public authorities (e.g. framework agreement) providing spatial data sets and services offers one or a small number of standard licences, based on harmonised licensing terms, so that there is a limited set of licences, with clearly different objectives.

Fast licensing procedure
A fast licensing procedure is in place. Licences do not have to be negotiated ad hoc and the procedure for signing them is swift (e.g. on-line licensing, either via a click-use system, a licence statement or in another manner).

3.4.3. Examples

Topic	Licences		
Example	**Australia - Queensland**		
Scope	*Geographic*	☒ Sub-national	☐ National
		☐ International	☐ Global
	Provision	☐ Data	☒ Services
	Organisational context	☒ Many organisations	☐ Bi-lateral
		☐ One organisation	
	Legal framework	☐ Legislation applies	☒ Policy / guidance applies
		☐ Contractual basis	☒ Voluntary basis
	Status	☒ Operational	☐ In development
		☐ Pilot	☐ Concept
Date	*Source: 07/04/2009* *Last change: 10/08/2009*		
General context *(related to the example)*	**T**he Government Information Licensing Framework (GILF) is the result of a project initiated by the Queensland Spatial Information Council (Australia). GILF makes it easy for people who use public sector information (PSI) to understand the rights of use associated with PSI material. GILF comprises a simple open content licensing framework, designed to assist in the management of government intellectual property, and encourage the use of PSI through increased availability and accessibility. GILF contains guidelines for agencies preparing information for publication or distribution and it enables customers to understand how they can re-use PSI in a legally appropriate way. In 2009 GILF for Water, an Australian Government water initiative, involved training each jurisdiction to use the GILF website and its licensing review process.		
Positive aspects (related to the topic)	*Licensing policy in place.* GILF contains guidelines for agencies preparing information for publication or distribution and it enables customers to understand how they can re-use PSI in a legally appropriate way. GILF comprises: • a supporting policy, • a series of resources to help users, • a Licensing Review process to help to determine the relevant GILF licence and • 7 licences (6 Creative Commons licences and 1 GILF Restrictive Licence). *Standard licences.* Under GILF, the 6 Creative Commons licences are the preferred method of licensing for the management of government intellectual property. Use of the Creative Commons licences fosters availability and accessibility, and encourages the re-use of government information. The Restrictive Licence template has been developed specifically for material that contains personal or other confidential information. It may also be used for other reasons, including material that is to be licensed under some form of limiting or restrictive condition.		

More information	Language: English
	 http://www.gilf.gov.au/
	 Contacts:
	     For policy and strategic issues: Mr Steven Jacoby
	     Steven.jacoby@nrw.qld.gov.au
	     For all other enquiries: QSIC Support on (07) 3896 3774 or via email
	     on qsic@nrw.qld.gov.au		

Topic	**Licences**		
Example	**GeoConnections Canada**		
Scope	*Geographic*	☐ Sub-national ☐ International	☒ National ☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☒ Many organisations ☐ One organisation	☐ Bi-lateral
	Legal framework	☐ Legislation applies ☐ Contractual basis	☒ Policy / guidance applies ☐ Voluntary basis
	Status	☒ Operational ☐ Pilot	☐ In development ☐ Concept
Date	*Source: 18/09/2009, Last change*: *11/12/2009*		
General context *(related to the example)*	The GeoConnections program is a national federally-funded program designed to link location-based information using the power of the Internet for several policy areas. GeoConnections brings Canada's geomatics community together to agree on policies that simplify and harmonise data licensing, access, and sharing. To develop, support and deliver the Canadian Geospatial Data Infrastructure, GeoConnections relies strongly on a broad network of partners who are developing the capabilities to disseminate geographic data on-line and to access such data from these partners.		
Positive aspects *(related to the topic)*	*Licensing policy in place:* GeoConnections offers a common approach to granting rights to licences/ to fees and royalties. There is a common approach to the integrated framework for the licensing of government geographic data. See the website for further information. Fast procedures: It offers fast procedures through electronic contracting, click wrap agreements, web-wrap agreements. *Clearly specified terms in the licences:* Version 2 of The Dissemination of Government Geographic Data in Canada - Guide to Best Practices was developed by a committee of government and industry geomatics experts with the assistance of Department of Justice lawyers. It presents and recommends clear, concise, and commonly used clauses that can be used in licence agreements and memoranda of agreement. *Standard licences: reduced number, harmonised terms:* There are a number of standard licences in place with harmonised licence terms (for Model licences see Practical Guide 2008) which foresee: - Web-based distribution model - Reseller model - Value added reseller model - No-fee and free based distribution models An interesting table gives an overview of the key characteristics of the model licence agreements. It gives a good overview for each model licence agreement including the primary dissemination objectives, the restrictions on use of the data, the downstream data distribution, value-added/derived products development and the positive and negative aspects. It can be found on the GeoConnections website. This will help increasing the harmonisation of licence terms such as ownership, intellectual property, liability, duration and termination (these are guided by data dissemination policy directives currently in force across federal departments and agencies). Furthermore clear guidance is provided to assist licensing practitioners in selecting the most appropriate model and licence agreement (see practical Guide).		
More information	www.geoconnections.org (English and French) :Free Thematic Data(Geo-Gratis) (www.geogratis.gc.ca) Free Base Layers of Data (geobase) (www.geobase.ca).		

Topic	Licences		
Example	ECOMET		
Scope	Geographic	☐ Sub-national ☒ International	☐ National ☐ Global
	Provision	☒ Data	☐ Services
	Organisational context	☒ Many organisations ☐ One organisation	☐ Bi-lateral
	Legal framework	☒ Legislation applies ☒ Contractual basis	☐ Policy / guidance applies ☐ Voluntary basis
	Status	☒ Operational ☐ Pilot	☐ In development ☐ Concept
Date	Source: 12/12/2009		
General context	ECOMET is an Economic Interest Grouping of the National Meteorological Services of the European Economic Area. The European Commission (Directorate-General Competition) approved the ECOMET arrangements in October 1999. Members are the National Meteorological Services of Austria, Belgium, Croatia, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Iceland, Italy, Latvia, Luxembourg, the Netherlands, Norway, Portugal, Romania, Spain, Sweden, Switzerland, Turkey and the United Kingdom. Objectives of ECOMET include: - to guarantee the access to meteorological data and products - to assist the Members to maintain and improve their infrastructure - to increase the use and improve the distribution of meteorological data, products and services of the Members while maintaining and improving their quality - to allow the users access to all meteorological data and products through one Member, an idea of one-stop-shop The arrangements of the ECOMET grouping are set out in the Formation Agreement, Internal Rules of Administration and Internal Rules of Operation. ECOMET General Assembly meets twice a year.		
Positive aspects (related to the topic)	*Licensing policy in place:* ECOMET Members are allowed to license each others' data and products. *Standard licences:* model licences are available as templates. The licences include options and conditions for different user groups: • End Users • Broadcasters and Publishers • Service Providers • Research and education The licences include also conditions depending on the type of use • Creation and supply of value added service (VAS) products • Redistribution of data and products as part of VAS • Internet broadcasting *Clearly specified terms*: Licensing conditions are explained on ECOMET website http://www.ecomet.eu/. Non-Chargeable data and products have no conditions on their use, except for the general requirement that the source of data should be mentioned.		
More information	Further information in English http://www.ecomet.eu/		

Topic	**Licences**		
Example	**Online licences: Standardised Licences as an Online Service in Germany**		
Scope		☐ Sub-national	☒ National
		☐ International	☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☒ Many organisations	☐ Bi-lateral
		☐ One organisation	
	Legal framework	☐ Legislation applies	☐ Policy / guidance applies
		☐ Contractual basis	☒ Voluntary basis
	Status	☐ Operational	☒ In development
		☐ Pilot	☒ Concept
Date	Source: 11/12/2009 Last change: 11/12/2009		
General context (related to the example)	GDI-DE is the abbreviation for Geodateninfrastruktur Deutschland (Spatial Data Infrastructure of Germany). It is a network, driven by representatives of the main administration levels in Germany for the purpose of developing and running the national SDI. One goal of GDI-DE is to provide online services for standardised licences in the future. At present the concept for this SDI service is in development. It is planned to operate with the first online service for licensing by 2010. The service will be implemented with a prototype, called "Registry GDI-DE". The Registry GDI-DE is part of the technical infrastructure of the SDI in Germany. It serves online services for general SDI information, e.g. parameters for coordination transformation, symbols for map visualisation and also standardised templates for licences. The standardised licences will cover the common use cases for data and service use, e.g. "free-of-charge, non-commercial use regarding intellectual property rights". The idea and the concept for the online licensing with standardised licence conditions are influenced by "Creative Commons". Creative Commons provides licence-tools to support the sharing of digital products in the Internet.		
Positive aspects (related to the topic)	Standardised Licences as an Online Service in Germany should be a good example for Licences because it • will work with a *small number of standard licences*, which will be provided through a service registry, • will help increasing the harmonisation of licence terms by providing *harmonised licence conditions* out of one source (Registry GDI-DE), • is using a service oriented approach for increasing spatial data and service sharing and • will *simplify data access* but also help data providers protecting their intellectual property rights by using the appropriate licence conditions of the Registry GDI-DE.		
More information	General Information in German and partly in English language Organisation German SDI: *www.gdi-de.org* (see also under projects: Registry GDI-DE) Creative Commons: *www.creativecommons.org*		

Topic	Licences		
Example	**Licence Template for the Use of Spatial Datasets and Services in Germany**		
Scope		☐ Sub-national	☒ National
		☐ International	☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☒ Many organisations	☐ Bi-lateral
		☐ One organisation	
	Legal framework	☐ Legislation applies	☐ Policy / guidance applies
		☐ Contractual basis	☒ Voluntary basis
	Status	☒ Operational	☐ In development
		☐ Pilot	☐ Concept
Date	*Source: 27/06/2009* *Last change: 12/10/2009*		
General context (related to the example)	The Licence Template for the Use of Spatial Datasets and Services is the result of a German SDI Activity in 2007/08. It was developed by a working group of SDI Partners in Germany under the chair of the German Commission for Geobusiness. The goal of the project was the creation of a licence template which considers all requirements of a licence model for the provision of spatial datasets and services, regardless from thematic content or administrative origin. The template helps data providers and users to agree on a set of standardised use conditions. The project was finalized in 2008. Since then the template has been published online in German language (see link below), recommended by the German Commission for Geobusiness and used in several operational cases (e.g. by the Cadastral and Surveying Authorities of German States). The template covers the provision of cost-free datasets and services as well as those which include payment. All issues about payment and prices are handled in an Annex, where the partners of the licence model can fill in their particular payment agreements (pricing, prices, payment etc.).		
Positive aspects (related to the topic)	Standardised Licences as an Online Service in Germany is a good example for Licences because it - will help *harmonising licence models* by recommending a single template, which is accepted by data providers as well as by the users (customers), - supports data providers and users finding common agreements including use conditions as well as pricing, *hence making the procedure faster* - is the result of a project based on operational use cases, which proved that the approach of the template is practical and - has a general approach and can be used for many cases where licensing and pricing is an issue		
More information	Organisation: Commission for Geobusiness: www.geobusiness.org Download of the template: http://www.geobusiness.org/Geobusiness/Redaktion/PDF/Publikationen/mustervereinbarungen,property=pdf,bereich=geobusiness,sprache=de,rwb=true.pdf (available only in German language)		

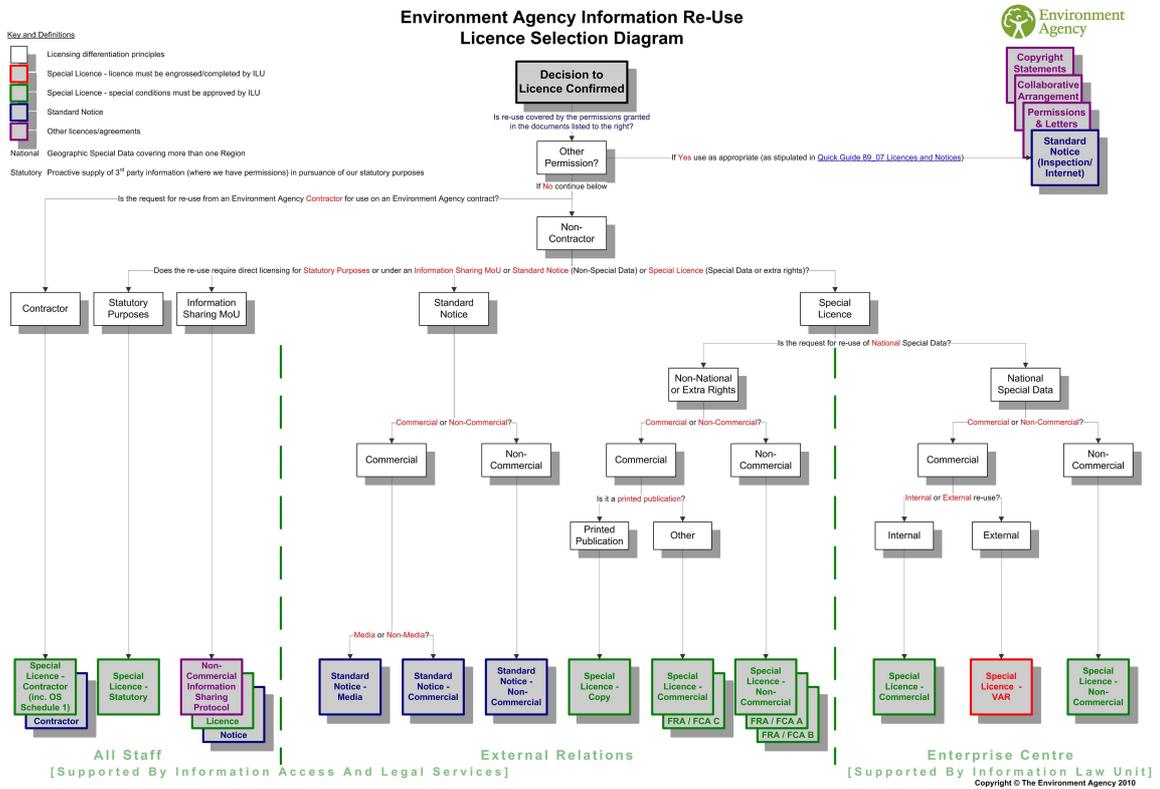| *Topic*	**Licences**			
Example	**Piemonte Region, Italy**			
Scope	*Geographic*	☒ Sub-national	☐ National	
		☐ International	☐ Global	
	Provision	☒ Data	☐ Services	
	Organisational context	☐ Many organisations	☐ Bi-lateral	
		☒ One organisation		
	Legal framework	☒ Legislation applies	☐ Policy / guidance applies	
		☐ Contractual basis	☐ Voluntary basis	
	Status	☐ Operational	☒ In development	
		☐ Pilot	☐ Concept	
Date	*Source: http://www.ec-gis.org/inspire, September 2009* *Last change: 29/06/2009*			
General context (related to the example)	SITAD (Sistema Informativo Territoriale Ambientale Diffuso) is a regional Spatial Data Infrastructure in Piedmont region (Italy), created in 2003 and developed in line with "INSPIRE Directive " and with the most important national initiatives (CNIPA, IntesaGIS…). The main objective of SITAD initiative is to facilitate access and use of spatial data within public entities and citizens, focusing the attention on technological and non-technological aspects.			
Positive aspects (related to the topic)	Based on digital rights management principles, a new licensing model was developed by Regione Piemonte, which allows the data provider define the costs for different data sets based on the type of user and the use conditions. Users are classified based on the type of use (commercial or non commercial, with further subcategories for non commercial use) and on the type of access (free access, registered access, with further subcategories for registered access). For these users and categories different sets of use conditions can be defined as regards: access (view, download), the possibility to pass on data, obligations of the data user (related to error reporting, conditions for paper publication, conditions for digital publication). The licence model presented here is the result of the development of a *clearly defined licensing policy*. On one side this licence models allows for a *reduced number of standard licences*, on the other side it is flexible enough to allow to take into account different user groups and uses for different data sets. And last but not least this model will be implemented as an electronic licence and therefore allow for a *fast licence procedure*.			
More information	• In English: "Standard Licences for Geographic Information: the Development and Implementation in Local Government in Italy", www.gsdi.org/gsdi11/papers/pdf/350.pdf, • English version of the new licensing system of Piedmont Region - Matrix for license filling http://inspire.jrc.ec.europa.eu/uploads/reference/Matrice_Revisione_en.pdf • Italian version of the new licensing system of Piedmont Region - Matrix for license filling http://inspire.jrc.ec.europa.eu/uploads/reference/Matrice_Revisione.pdf • Italian version of the new licensing system of Piedmont Region - Guidelines http://inspire.jrc.ec.europa.eu/uploads/reference/DGR%2031-11679%20%20del%2029giu2009%20-%20Allegato%20A%20Linee%20Guida%20Riuso%20Dati.pdf, • Italian version of the new licensing system of Piedmont Region – Italian Regional Council Resolution			

	http://inspire.jrc.ec.europa.eu/uploads/reference/DGR%2031-11679%20%20del%2029giu2009%20-%20Riuso%20Dati.pdf • Italian version of the new licensing system of Piedmont Region - Standard License http://inspire.jrc.ec.europa.eu/uploads/reference/DGR%2031-11679%20%20del%2029giu2009%20-%20Allegato%201%20Licenza%20Standard%20Riuso%20Dati.pdf

Topic	Licences		
Example	**Saccess**		
Scope	*Geographic*	☐ Sub-national ☐ International	☒ National ☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☐ Many organisations ☒ One organisation	☐ Bi-lateral
	Legal framework	☐ Legislation applies ☒ Contractual basis	☒ Policy / guidance applies ☐ Voluntary basis
	Status	☒ Operational ☐ Pilot	☐ In development ☐ Concept
Date	Source: 27/09/09		
General context *(related to the example)*	This service gives the public in the Nordic countries, including the business sector, free access and right to use satellite images covering Sweden from the 1970s, 1980s, millennium and 2005 and yearly coverages as of 2007. The service includes images from three satellite companies. The end user licence for the Saccess satellite images is a result of an agreement between Lantmäteriet and the satellite owners to form one harmonised end user licence covering the three companies' conditions and images. The service is free of charge. The licence for use is entered into via registration and a click wrap licence. Delivery is made via the Internet.		
Positive aspects *(related to the topic)*	*Licensing policy in place*: The parties have come to an agreement on their policy. *Standard licences and harmonised terms*: There is one harmonised end user licence. *Fast procedure:* The procedure is simple and the user can get a licence on line.		
	Links /http://www.lantmateriet.se/templates/LMV_Page.aspx?id=14341 Language: Swedish/English		

Topic	Licences		
Example	Environment Agency for England and Wales		
Scope	Geographic	☒ Sub-national	☐ National
		☐ International	☐ Global
	Provision	☒ Data	☐ Services
	Organisational context	☐ Many organisations	☐ Bi-lateral
		☒ One organisation	
	Legal framework	☒ Legislation applies	☒ Policy / guidance applies
		☐ Contractual basis	☐ Voluntary basis
	Status	☒ Operational	☐ In development
		☐ Pilot	☐ Concept
Date	Source: Jul 2009 Last change: January 2010		
General context (related to the example)	The Environment Agency (EA) is responsible for protecting and improving the environment of England and Wales. It also has responsibility for protecting communities from the risk of flooding and managing water resources. It holds a variety of datasets relating to environmental themes which are requested for use by a wide variety of organisations and individuals. EA receives 50,000 requests a year for information, all of which need to be licensed. These requests come from a variety of external, commercial and non-commercial users and local and national organisations. There are a number of legislative frameworks – Environmental Information Regulations2004 (EIR), the Freedom of Information Act 2000 (FoI), and the Reuse of Public Sector Information Regulations 2005 and the Data Protection Act 1998. EA has developed a single process to cover all of them.		
Positive aspects (related to the topic)	Licence policy in place: At the heart of EA's system is a decision tree to determine which licence is applicable. There are 10 licences and notices, plus 4 other permissions templates (protocol / arrangement / etc). All have a similar look and feel with similarly written headings. Standard licences, harmonised terms: EA has analysed the requests it received to find the common, high volume ones and from that have developed standard data bundles and associated licences where they can. These standard licences can be used by their Area offices to meet many requests for local data. National datasets, those datasets with more value, and data for resellers are dealt with at a national level. Licence policy in place: Charges are made for some data requests. EA has one charging scheme for all requests. It has three options: 1. **FoI/EIR Charge**: Recovery of the marginal cost of reproduction and dissemination (for an individual request) for providing access to data – most requests are free for non-commercial users 2. **Internal Re-Use Charge**: Recovery of the costs of reproduction and dissemination (in addition to the FoI/EIR Charge) for providing a licence for re-use that is only internal to the organisation requesting – non-commercial users are charged half the charge of a commercial user 3. **Royalty Fees for External Use**: Market-based charges that aim to make a contribution to the costs of collection and production (including a reasonable return on investment) – applicable to value-added resellers. Fast licensing procedure: The use of the decision tree means that relatively junior level staff can process an application for data without referral to experts in licensing. The audit of the datasets (see example under Third Party data)		

	also means that no referral is needed to any owners of Third Party data.
More information	Further information is in English. The EA website: http://www.environment-agency.gov.uk/ Information on licences: http://www.environment-agency.gov.uk/35684.aspx Contact – see website.

Environment Agency Information Re-Use
Licence Selection Diagram

Key and Definitions

- Licensing differentiation principles
- Special Licence - licence must be engrossed/completed by ILU
- Special Licence - special conditions must be approved by ILU
- Standard Notice
- Other licences/agreements

National   Geographic Special Data covering more than one Region

Statutory   Proactive supply of 3rd party information (where we have permissions) in pursuance of our statutory purposes

Decision to Licence Confirmed

Is re-use covered by the permissions granted in the documents listed to the right?

Other Permission?

If Yes use as appropriate (as stipulated in Quick Guide 89_07 Licences and Notices)

If No continue below

Copyright Statements
Collaborative Arrangement
Permissions & Letters
Standard Notice (Inspection/ Internet)

Is the request for re-use from an Environment Agency Contractor for use on an Environment Agency contract?

Non-Contractor

Does the re-use require direct licensing for Statutory Purposes or under an Information Sharing MoU or Standard Notice (Non-Special Data) or Special Licence (Special Data or extra rights)?

Contractor | Statutory Purposes | Information Sharing MoU | Standard Notice | Special Licence

Is the request for re-use of National Special Data?

Non-National or Extra Rights | National Special Data

Commercial or Non-Commercial?

Commercial | Non-Commercial

Commercial or Non-Commercial?

Commercial | Non-Commercial

Commercial or Non-Commercial?

Commercial | Non-Commercial

Is it a printed publication?

Printed Publication | Other

Internal or External re-use?

Internal | External

Media or Non-Media?

Special Licence - Contractor (inc. OS Schedule 1) Contractor

Special Licence - Statutory

Non-Commercial Information Sharing Protocol Licence Notice

Standard Notice - Media

Standard Notice - Commercial

Standard Notice - Non-Commercial

Special Licence - Copy

Special Licence - Commercial FRA / FCA C

Special Licence - Non-Commercial FRA / FCA A   FRA / FCA B

Special Licence - Commercial

Special Licence - VAR

Special Licence - Non-Commercial

All Staff
[Supported By Information Access And Legal Services]

External Relations

Enterprise Centre
[Supported By Information Law Unit]

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3.5. Charging mechanisms

3.5.1. Introduction

Article 17.3 of the INSPIRE Directive allows public authorities to make a charge for spatial datasets and services under certain conditions described in the Directive and in the implementing rules. If a charge is made, a pricing policy is required which is compliant with the Directive and with other legislation relating to charging such as public information law and competition law.

Article 14.4 says that when a charge is made for view, download or invoke services, then e-commerce services must be available. The Directive does not define e-commerce services. The topic is not pursued further in this document.

There is a wide variety of foundations for charges and methods for how different categories of users are charged for their use of the data or service. It can be based on various metrics and categories e.g. number of users, length of time allowed for use, type of user, purpose of use, type of data or service and so on. The granularity of charging mechanisms is reducing – at one time one charge would be made in advance for annual use whereas micropayments or retrospective charges can be made for the actual monitored level of use.

It is important that the charges made do not constitute an obstacle at the point of use, that the mechanism used suits the type of use and is cost effective to operate, it is clear to the user and can, if necessary, be explained and justified in the context of the Directive and other legislation.

3.5.2. Criteria

These are considered the criteria for having a good charging mechanism:

➢ Appropriate metrics
➢ Pricing mechanism, fees and factors are clearly described and published online
➢ Cost effective administration of the charges

Appropriate metrics
There are a variety of different approaches to calculate charges, one important aspect all charging approaches have in common is that the resulting charges should not constitute an obstacle at the point of use. Also charges should be coherent, related to the use and easy to understand and implement..

Pricing mechanism, fees and factors are clearly described and published online
There is sufficient information available on pricing to enable the user to determine how much he will be charged for on the data or service he will use.

A clear description on how charges are calculated is available. This includes the different factors considered and it might comprise the actual formula used to calculate the charges.

Cost effective administration of the charges
Cost effective administration of charges means that only a small percentage of the revenue generated through charges is required to cover the administrative procedures needed on both sides (users and producers) to raise these charges in the first place.

3.5.3. Examples

Topic	Charging Mechanisms			
Example	**Guidance on fees for the provision of topographic adata and services: Guideline of the Cadastral and Surveying Authorities of the German States (Länder) for fees and prices**			
Scope		☐ Sub-national	☒ National	
		☐ International	☐ Global	
	Provision	☒ Data	☒ Services	
	Organisational context	☒ Many organisations	☐ Bi-lateral	
		☐ One organisation		
	Legal framework	☐ Legislation applies	☒ Policy / guidance applies	
		☐ Contractual basis	☐ Voluntary basis	
	Status	☒ Operational	☐ In development	
		☐ Pilot	☐ Concept	
Date	*Source: 27/06/2009, Last change: 12/10/2009*			
General context *(related to the example)*	The Guideline of the Cadastral and Surveying Authorities of the German States (Länder) for fees and prices is a nationwide agreement between the 16 involved State Authorities. The idea behind the guideline is harmonisation of charging mechanisms for data and services, unique prices for standardised products and transparency about the pricing itself. The Guideline is mainly used by the centralised data centres of the Cadastral and Surveying Authorities of the German States (Länder). The last version dates from 2009 (see link below). The guidelines are split in three parts: 1) General Information about pricing mechanism 2) Special Information about the prices for the provision and the use of particular products of the surveying authorities 3) Glossary The guideline covers manual, non-service provision as well as the use of discovery-, view- and download services. The use conditions include internal use and the re-provision of original and manipulated datasets and services to third parties.			
Positive aspects *(related to the topic)*	The Guideline of the Cadastral and Surveying Authorities of the German States (Länder) for fees and prices is a good example for Charging Mechanisms because it - contains *appropriate metrics* which includes the calculation models for charging, so customers are able to re-calculate prices, - is based on *clear published charges* for reference datasets coming from different origin, - provides *calculation methods* not only on data as they are, but also on service use of the data (like viewing and downloading) - harmonises the prices of standardised products from surveying authorities in Germany and - is a precondition for the centralised data provision process of the Federation to their own authorities (Federal Public authorities like ministries and Agencies as well as to third parties (e.g. private customers).			
More information	Organisation - Cadastral and Surveying Authorities of the German States (Länder): www.adv-online.de Download of the guideline (available only in German): http://www.adv-online.de/icc/extdeu/broker.jsp?uMen=8997590f-9498-b11a-3b21-718a438ad1b2			

Topic	Charging mechanisms			
Example	**British Geological Survey**			
Scope	*Geographic*	☐ Sub-national	☒ National	
		☐ International	☐ Global	
	Provision	☒ Data	☒ Services	
	Organisational context	☐ Many organisations	☐ Bi-lateral	
		☒ One organisation		
	Legal framework	☒ Legislation applies	☐ Policy / guidance applies	
		☐ Contractual basis	☐ Voluntary basis	
	Status	☒ Operational	☐ In development	
		☐ Pilot	☐ Concept	
Date	*Source: 18/09/2009*			
	Last change: 18/09/2009			
General context *(related to the example)*	The British Geological Survey (BGS) is the UK's main supplier of geological expertise and information for governmental, commercial and individual users. BGS forms a part of the Natural Environment Research Council (NERC). BGS is funded around 50% by government "Science Budget" funding and raises the remainder from research income and commissioned work, e.g. commercial projects, consultancy, an international programme, as well as an information delivery service providing value added datasets, maps and other published products.			
	BGS is progressively moving towards making more of its basic geological data available free of charge, with minimal barriers thereby improving access, all for non-commercial use. For example, any information published on the BGS website can be used free of charge for non-commercial private study, teaching and research purposes, including all its flagship 1:50000 scale digital geological map data (see BGS OpenGeoscience). BGS makes a clear distinction in its charging policy between commercial and non-commercial use. BGS's added value products (e.g. 50 metre resolution geological hazard data) are subject to licence agreements and cost-recovery charges. In the near future some data will be made available free of charge also for commercial purposes (DiGMapGB-625, 1:625 000 scale national cover).			
Positive aspects *(related to the topic)*	*Appropriate metrics:* For users who wish to reproduce or extract published data, BGS issues copyright permits and licences. A fee for a standard licence is calculated based on the type and area of data, the number of users, and the duration (years) of a licence. Standard charges for different types and levels of use are published on the website.			
	Pricing mechanism and fees are clearly described and published online: A digital data catalogue can be found on the BGS website which shows the digital data that is available for use under a BGS Digital Data Licence. Descriptions have been simplified in order to help the non-specialist user finding information they need. The digital data licence fee comprises three elements: a licence administration charge (LAC), a data preparation and delivery charge (DPC), and a data use charge (DUC). The standard DPC is payable when a licence is set up. The DPC may be higher if data preparation is unusually complex and time-consuming. The standard LAC is payable when a licence is set up and each time it is renewed.			
	The DUC is an annual fee payable for each year covered by the licence. The DUC is unit-based (usually per km²), with the total amount payable dependent upon the number of units licensed. DUC discount schemes are applied to licensees requiring large numbers of units. BGS makes its national digital geological map datasets available to universities for education and research purposes, under the EDINA agreement; both EDINA and BGS recover only			

	the marginal costs for this service from subscribing institutions.
More information	Data access website: http://www.bgs.ac.uk/data/databases.html Language: English General website: www.bgs.ac.uk Language: English; Open Source Material: http://www.bgs.ac.uk/OpenGeoscience/ Contact: enquiries@bgs.ac.uk

3.6. Public access

3.6.1. Introduction

Public access is about the ability of the public to discover, view and download information and data and to use available services and data. Public authorities have an obligation to provide INSPIRE data through online services to their citizens under national legislation based on the INSPIRE Directive.

It is important for the citizens to obtain easy access to the information they are looking for. Citizens should be able to easily find information, to view the spatial data sets and to use the spatial data sets and services without too much difficulty. The public authorities should make their data and services available in a way that makes it easy for the citizen to obtain access. Use conditions and charges should be presented in an understandable way.

3.6.2. Criteria

The following criteria indicate that one has a good practice for public access:

➢ Awareness by public that data and services exist
➢ Clear process for the public to access data and services
➢ Online access wherever possible

Awareness by the public that data and services exist
The public knows where it can find data and services, i.e. there is a central portal with registries and search engines that allows the citizen to find out where to go to obtain access to data or services. Awareness raising activities are promoted also through other means (e.g. flyers…). Increasing awareness of the public usually will be reflected in increasing access to this website.

Clear process for public to access data and services
The public authorities provide clear and user-friendly information on how the citizens can obtain access to data and services and under which conditions and charges they can do so. This information is also provided on-line, with contact details for obtaining more information.

Online access wherever possible
Citizens can also obtain access to data online rather than via a paper copy, a digital copy on CD or a consultation on site.

3.6.3. Examples

Topic	Public access		
Example	**TNO DINO Portal (DINO-loket), The Netherlands**		
Scope	*Geographic*	☐ Sub-national	☒ National
		☐ International	☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☐ Many organisations	☐ Bi-lateral
		☒ One organisation	
	Legal framework	☐ Legislation applies	☒ Policy / guidance applies
		☐ Contractual basis	☐ Voluntary basis
	Status	☒ Operational	☐ In development
		☐ Pilot	☐ Concept
Date	*Source:* 18/09/2009 *Last change*: 14/12/2009		
General context	TNO was assigned the task of acting as a Geological Survey of the Netherlands by the Ministry of Economic Affairs in 1997. It became responsible for collecting, archiving, analysing and disseminating geo-scientific information on the Dutch geology. The current legal policy of DINO is based on the Energy and Mining policy of the Dutch State. Currently, all data obtained by public funding should be made easily accessible to the Dutch citizens at marginal costs (E-government-2000). Such release of data & information is considered to have stimulating effects on economic activities. For other subsurface themes data delivery is voluntary.		
Positive aspects (related to the topic)	*Online access.*The DINO-loket is a good example because it stores 225 geoscientific data sets and offers an *online "One stop shop"* easy access for all users. View services are available for a number of data sets. A number of maps and data, e.g. the hydro-geological model, can be downloaded without registration. Links to the services and data are available on the home page. *Clear process for public to access data and services.* Access to other data can be requested through an easy procedure that is *clearly indicated* on the website. Private users can obtain access by sending an e-mail with their name and address to info@dinoloket.nl. As soon as possible they receive a user name and password to enter the website. Business users can contact DINO at the same e-mail address for obtaining a subscription, or they can fill out a form to obtain one-off access to the database. This form is available as a pdf-file on the website, but still has to be sent by paper mail.		
More information	http://www.dinoloket.nl/en/DINOLoket.html (in English and Dutch) - home page http://www.dinoloket.nl/en/about/subscribe/subscribe.html (in English and Dutch) - how to obtain access Contact for further information: info@dinoshop.nl		

Topic	**Public access**		
Example	**Spanish Cadastre**		
Scope	*Geographic*	☐ Sub-national ☐ International	☒ National ☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☐ Many organisations ☒ One organisation	☐ Bi-lateral
	Legal framework	☒ Legislation applies ☐ Contractual basis	☐ Policy / guidance applies ☐ Voluntary basis
	Status	☒ Operational ☐ Pilot	☐ In development ☐ Concept
Date	*Source (September 2009): http://www.ec-gis.org/Workshops/inspire_2008/presentations/08_01_velasco.pdf ,* *Last change*: June 2008		
General context *(related to the example)*	The Spanish Cadastre is an administrative register with a fiscal origin created as a database that includes physical, legal and economic information. The Cadastre is responsible for the creation, maintenance and diffusion of these cadastral data either directly or in collaboration with local authorities and other public entities. The Virtual Office of the Cadastre was created in May 2003 with the main goal of providing other Administrations with information which, until then, citizens were required to present to the given Administration after collecting it themselves from the Cadastral office. Nowadays the Virtual Office of Cadastre provides the following services free of charge via Internet or via Cadastral Information Points: • Cadastral Information Query: results are provided in alphanumeric and graphic (maps) form and in georeferenced form (dxf), access is restricted only for information subject to Data Protection Law, • Certificate of Cadastral Data (official document with the data obtained from a previous query), • Data exchange centre for exchange of information with different Administrations and organizations, • Standard WMS allow external geographical systems to overlay Cadastral information onto their own cartographies, while for specific registered users access to WFS is available. In 2003 it was possible to consult literal information and to send files. In the following years further functionalities were added: cadastral online information, WMS services, WFS services for registered users, further interactive functionalities. In 2009 a 3D+time (=4D) model of buildings and its representation by means of kml files in Google Earth has been incorporated as exchange format. Now also offer free WFS services (GML), shapefiles, dxf and other formats to all users identified by electronic DNI or electronic signature.		
Positive aspects *(related to the topic)*	This is a good example for efficient practices in public access as it provides: - Free *on-line access* for all citizens to cadastral data via Internet or via Cadastral Information Point (avoids digital gap), except to those data sets subject to Data Protection law, which can only be accessed by the title holder, someone with legal interest or the public agencies for their competences. - By providing online access where possible, the service can and is widely used by public and private sectors and visitors have grown from less then 300.000 in 2003 to more then 18.000.000 in 2008.. In 2008 the weekly average accesses ,were more then 40 millions.		

More information	- Evolution of the Spanish Cadastral Virtual Office (EN) http://www.ec-gis.org/Workshops/inspire_2008/presentations/08_01_velasco.pdf - Resolución de 24 de noviembre de 2008, de la Dirección General del Catastro, por la que se aprueba el régimen de funcionamiento de la Oficina Virtual del Catastro y de los Puntos de Información Catastral. (ES) http://www.catastro.minhac.es/pdf/res_241108.pdf - The "Ensenad@ Project" Modernising the Spanish Cadastre (EN) www.eurocadastre.org/pdf/duran2ingles.pdf

Topic	**Public access**			
Example	**Spanish and French cooperation**			
Scope	*Geographic*	☐ Regional ☒ International	☐ National ☐ Global	
	Provision	☐ Data	☒ Services	
	Organisational context	☐ Many organisations ☐ One organisation	☒ Bi-lateral	
	Legal framework	☐ Legislation applies ☐ Contractual basis	☐ Policy / guidance applies ☒ Voluntary basis	
	Status	☒ Operational ☐ Pilot	☐ In development ☐ Concept	
Date	*Source: April 2010*			
General context (related to the example)	The goal of this cross-border cooperation between the two NMCA's (Spanish IGN-E and French IGN-F) is to publish web services from each partner on the Geoportal of the other and to promote Public Access to these web services. For the view services, the technology is based on WMS-C and API. In parallel, IGN-E and IGN-F are exchanging border data to complete their respective paper maps. The objectives of the cooperation are many fold: - To promote public access and use of Spanish and French datasets - To implement cross border INSPIRE compliant view services - To have interoperable resources - To list interoperability issues Type of viewed datasets: raster map (4 scales are available: 1/32 000, 1/ 64 000...) and ortho-photographs. Type of services: view services.			
Positive aspects (related to the topic)	*Clear process for the public to access data and services:* The ability of the public to discover, view data and to use other available services is facilitated by the use of the Geoportals and their tools. In order to respect the legal constraints of French API (free access for non commercial use), Spain filled a licence application form based on simple GeoDRM principles (nature of the data, term, type of services). Online access wherever possible: At the user side, this cooperation gives the opportunity to Spanish and French users to consult online national and cross border web services. A user can integrate these data through the API, and there is a complete user guide to assist and support. View services of both IGN-E and IGN-F are free, excluding any commercial use.			
More information	General Link to partners Geoportal websites: http://www.idee.es/show.do?to=pideep_pidee.ES http://www.geoportail.fr/index.do Public access information: http://www.gsdi.org/gsdiconf/gsdi11/prog_details.html API and WMS-C users guide: https://api.ign.fr/geoportail/api/doc/fr/webmaster/wmsc.html Contact: Francois.Chirie@ign.fr			

Topic	**Public Access**		
Example	**IDEC – Spatial Infrastructure of Catalonia**		
Scope	*Geographic*	☒ Sub-national ☐ International	☐ National ☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☒ Many organisations ☐ One organisation	☐ Bi-lateral
	Legal framework	☒ Legislation applies ☐ Contractual basis	☐ Policy / guidance applies ☐ Voluntary basis
	Status	☒ Operational ☐ Pilot	☐ In development ☐ Concept
Date	*Source: March 2010*		
General context	The Spatial Data infrastructure of Catalonia (IDEC) is the platform to interchange and share spatial information through the Internet and involves all Public Administrations, such as the Generalitat de Catalunya (Catalan Government), the Spanish Government, Local Entities as well as other public and private institutions of Catalonia. The main purpose is to give users access to the existing geospatial datasets, so that they can operate and download them, to make the information that exists in public Administration available widely and to promote its use in the public and the private sector. IDEC is currently providing access to more than 5,000 layers provided by 260 Web Map services from 75 different providers*.* IDEC can be defined as a set of technologies, policies, standards and human resources required to acquire process, store, distribute and improve the use of geographic information. The IDEC Support Center was created by the Institut Cartogràfic de Catalunya and the Geographic Information Law 16/2005, approved by the Parliament of Catalonia, according to the Inspire European Directive. The IDEC Support Centre is responsible for operating and developing IDEC in accordance with the established rules.		
Positive aspects (related to the topic)	*Awareness that data and services exist:* The IDEC Geportal offers a central search engine that allows to search for IDEC metadata as well as for metadata from the national Geoportal IDEE. IDEC use has constantly grown over the last years, as reflected by the user statistics (http://www.geoportal-idec.net/geoportal/eng/inici.jsp?pag=home.jsp) and the private sector users account for forty per cent of all usage. *Clear process for access:* Regarding the datasets use and dissemination the general principle is that the geographic information is publicly available to any person or entity with the limitations of current legislation and according to access authorization level indicated in the Catalogue of geographic information (which is an annex of the Cartographic Plan). The specific use conditions can be found in the metadata, as well as the link to the online resource. All this information is free for public access, and offers open access to display, according to verbal agreements or simply expressed via mail or more formal, as is the case of many local authorities.		
More information	http://www.esdinetplus.eu/cgi-bin/download.pl?f=146.pdf (EN) http://www.geoportal-idec.net/geoportal/eng/inici.jsp?pag=home.jsp (EN) http://delta.icc.cat/SDIExplorer/cercaCataleg.jsp?language=en&clau=idec&cerca=dades& (EN) http://www.cccartografica.cat/web/c4content/ca/c4_docs.html#t03 (CA)		

	http://www.cccartografica.cat/web/c4content/doc/c4/decret_annex_1.pdf (CA) http://www.cccartografica.cat/web/c4content/doc/c4/annex_2.pdf (CA)

http://www.cccartografica.cat/web/c4content/doc/c4/decret_annex_1.pdf (CA)
http://www.cccartografica.cat/web/c4content/doc/c4/annex_2.pdf (CA)

3.7. Emergency Use

3.7.1. Introduction

Emergency use is the use of spatial data in case of disaster, i.e. an event that causes serious disturbance of public order and security, great loss of human lives, deterioration of health, ecological destruction or severe material damage and that requires a coordinated response of services and organisations of various disciplines in order to remove the threat or to limit the harmful consequences. In such emergency situations, it is often the case that normal procedures for obtaining access to spatial data sets or services are too slow, making it problematic for the emergency services involved to properly respond to the situation. This may lead to serious damage to the lives and properties of many people. Therefore it is important that clear procedures for emergency use are in place.

Comprehensive emergency procedures at Member State level could possibly assure fast response times, but are beyond the scope of this document. Here the emphasis is on the actions data producers can plan and provide during an emergency.

Therefore all data producers should have procedures to make their data available without delay in emergency situations.

There could be specific agreements for emergency access or such emergency access could be part of the normal licence. Provisions for emergency access in the cases where a license (e.g. framework agreement or other licences) is in place should foresee mechanisms such as a more extensive use of more data, or the possibility for the user to supply other emergency services with data, an emergency phone number.

Where no license is in place, but normally requested to access the data, it is important that the data owner has procedures in place for making data available in emergency situations without delay. Also where no licence is required emergency procedures have to be foreseen that allow to make important information available without delay in such critical situations.

(Note that an emergency situation is not the same as an incident. An incident often requires a coordinated response of services, but does not threaten public security. An incident can create an emergency situation when there are many victims at the same time, when many evacuations are needed, when there is environmental pollution or contamination.)

3.7.2. Criteria

The following criteria indicate that one has a good practice for emergency situations:

➢ 'Emergency' and any related terms clearly defined
➢ Where licences exist they include processes for emergency use
➢ Where licences do not exist there is a mechanism to allow emergency access and use
➢ Clear emergency procedures and regular tests of the process
➢ An effective communication to advertise the emergency process
➢ Short response times for emergencies
➢ Easy post-emergency licensing (if required)

Emergency' and any related terms clearly defined
A clear description of emergency is given, so that the user can assess whether he finds himself in an emergency situation and can access the spatial data set or service under the particular conditions developed for emergency use. If appropriate, examples should be included in this description.

<u>Where licences exist they include processes for emergency use</u>
If a licence has already been concluded for access to a particular spatial data set or service, this licence includes specific arrangements for emergency use, if such use would require such specific arrangements, e.g. if regular use as agreed upon in the licence would not be sufficient or not quick enough. This might be relevant for frequently updated data or for services in general, which clearly can be used only over the internet. In these cases it is important that the user knows how to get access in an emergency situation. Possible agreements might include an access guaranteed 24/7 or an emergency phone number.

<u>Where licences do not exist there is a mechanism in place to allow emergency access and use</u>
If access to a spatial data set or service is needed in an emergency situation, but no licence has been concluded yet and is normally required, the user must be able to access the spatial data set or service immediately if necessary. In any case the user has to be able to find out easily how he can get access in the case of an emergency (e.g. a contact address where quick access can be requested).

<u>Clear emergency procedures and regular tests of the process</u>
Clearly defined procedures for emergency access have to be available in advance, in order to guarantee a smooth functioning in case of emergency. These procedures should include data formats and access mechanisms (e.g. ftp, delivery of digital copies on CD/DVD via a delivery service). These mechanisms should be developed in consultation with the user in order to assure their usefulness. The public authority providing the spatial data set or service should check at least once a year whether the procedure for obtaining quick access for emergency use still provides sufficient assistance in the case of an emergency.

<u>An effective communications to advertise the emergency process</u>
The arrangements that are taken to ensure emergency access are available on the website of the public authority providing the data or service, and on the national portal website or any other relevant website, e.g. emergency services website). Proactive communication is undertaken with those likely to require the emergency supply of data.

<u>Short of response times for emergencies</u>
In cases where emergency use is required, the regular response times are shortened if needed in a way that enables a quick response to the emergency.

<u>Easy post-emergency licensing (if required)</u>
In case a licence is normally needed and there is no time to conclude it in an emergency situation, access to the dataset or service is given first, and it is possible to conclude the licence afterwards without any unnecessary additional formalities.

3.7.3. Examples

Topic	**Emergency Use**			
Example	**The International Charter - Space and Major Disasters**			
Scope		☐ Sub-national		☐ National
		☒ International		☐ Global
	Provision	☒ Data		☐ Services
	Organisational context	☒ Many organisations		☐ Bi-lateral
		☐ One organisation		
	Legal framework	☐ Legislation applies		☐ Policy / guidance applies
		☐ Contractual basis		☒ Voluntary basis
	Status	☒ Operational		☐ In development
		☐ Pilot		☐ Concept
Date	*Source: 21/03/2010, Last change: 21/03/2010*			
General context *(related to the example)*	The International Charter aims at providing a unified system of space data acquisition and delivery to those affected by natural or man-made disasters through Authorized Users. Each member agency has committed resources to support the provisions of the Charter and thus is helping to mitigate the effects of disasters on human life and property. Since the Charter became operational in 2000, civil defence organisations may enlist support from Space by calling a confidential telephone number, 24 hours a day, 365 days a year. Rescue and civil defence bodies of the country to which the participating agencies belong – currently ESA member states, France, UK, Canada, India, Argentina, USA, China and Japan – are registered authorised users. Civil protection authorities of other countries may also submit requests by contacting their partner organisations through existing cooperation mechanisms.			
Positive aspects (related to the topic)	The "International Charter - Space and Major Disasters" is a good example because it improves collaboration between space agencies with rescue and civil defence bodies on an international level: ➢ The charter contains clearly defined emergency terms to provide data in a very short time frame when it is needed. ➢ The terms, the organisational network and the procedures for providing and processing space data is clearly defined and also guarantees 24/7 availability through the whole year. The procedures guarantee that data can easily be made available. This includes the consideration of quality requirements and the selection for locations depending on the individual incident. ➢ It includes an effective communication workflow between partner organisations, project manager, on-duty-operator, Emergency-on-call-officer with availability of 24h/day, 7 days/week. Terms and workflow are published through a website. Further organisations can easily join the network of the "The Charter Organisations". ➢ Altogether it provides a significant reduction of response time, bundled with a mash-up of distributed data in way which they are needed.			
More information	http://www.disasterscharter.org/web/charter/home			

Topic	Emergency use		
Example	Ordnance Survey's Mapping for Emergencies service		
Scope	Geographic	☒ Sub-national ☐ International	☐ National ☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☐ Many organisations ☒ One organisation	☐ Bi-lateral
	Legal framework	☐ Legislation applies ☐ Contractual basis	☐ Policy / guidance applies ☒ Voluntary basis
	Status	☒ Operational ☐ Pilot	☐ In development ☐ Concept
Date	Source: 15/12/2009 Last change: 18/12/2009		
General context (related to the example)	Ordnance Survey (OS) is the national mapping agency for Great Britain. OS captures, stores and supplies geographic information to the public and private sectors to underpin business in Great Britain. As part of its remit it provides a 'Mapping for Emergencies' (MFE) service. If there is a major or civil emergency in Great Britain, those dealing with it can contact OS who provides paper maps, digital data or services as requested in a matter of hours. OS staff are 'on call' 24 hours a day, 365 days a year to deal with requests and co-ordinate the response as appropriate.		
Positive aspects (related to the topic)	*'Emergency' and any related terms clearly defined:* Emergencies covered by the MFE scheme are considered to be: Major or Civil Emergencies for example life-threatening disasters such as fire, flood, transport accidents or terrorism, disease outbreaks such as foot and mouth, and police-led incidents such as searches for missing people or murder investigations. The responding Incident Controller will use their judgement when a call is received in order to establish whether the request is an emergency. *Where licences exist they include emergency use:* If an organisation licenses OS data it is allowed to use that data for any purpose, including emergency use. The MFE Scheme allows supplied data to be used to respond only to the emergency. OS' primary concern is supplying the required data quickly and efficiently. Licensing arrangements are not considered as part of the supply. After the emergency has ended, the user is asked to either destroy or purchase the data. *Where licences do not exist there is a mechanism to allow emergency access and use:* Anyone can call the service, whether a licensed customer or not. However, the Service is normally used by the recognised civil emergency services, government civil contingency operations, local government civil response operations and security/military services many of whom already have licences. *Clear emergency procedures and regular tests of the process:* The procedures are set out clearly in internal documents. Those receiving the calls are trained, tests are run and all real callouts are assessed afterwards for learning points. *An effective communications to advertise the emergency process:* The existence of the service is promoted through briefings by external facing staff, posters advertising the service, conferences and through partner organisations such as Mapping and Data Centres. *A reduction of response times:* The MFE incident responder will return a call, conduct an initial assessment and establish customer requirements within 20 minutes of the initial contact. The majority of emergencies within business hours are now responded to within 3 hours.		

	Easy post-emergency licensing: After the emergency has ended, and no license is already held, the customer can decide whether they would like to purchase it (with appropriate licensing) or destroy the data. This is followed up by a relevant account manager who collaborates with the customer to establish the end of the emergency.
More information	More information is available on the Ordnance Survey website http://www.ordnancesurvey.co.uk/oswebsite/site/contact/mapping-for-emergencies.html or by contacting the Business Risk and Continuity Manager at john.lewis@ordnancesurvey.co.uk All material is in English and the poster available in English and Welsh..

3.8. Third party data

3.8.1. Introduction

Public authorities often hold third party data as part of their datasets. The Directive foresees (Art 4.5) that for spatial data sets covered by the scope of the Directive for which a third party holds intellectual property rights, a public authority may take action under this Directive and make the data available through the INSPIRE services to INSPIRE specifications, although this must, of course, be with the consent of that third party.

In practice there are two situations in which this might apply. Firstly, the public authority may hold, or include within a larger dataset, data items which have been sourced from another organisation. An example might be the inclusion of a postcode in an address dataset where IPR in the postcode belongs to the mail company. A second scenario is what is known as volunteered information in which members of a group – the general public or a subset of them, provide data which goes to create a dataset, or part of one. Examples of this might be OpenStreetMap or TomTom's MapShare and HD Traffic services which use information from users of the navigation devices.

In both cases, the use and value of the dataset to INSPIRE will be greater if the third party data can be included. It is good practice to take steps to get the consent of the third party in advance. This could be done by actions such as developing a policy on third party data and including potential INSPIRE use in any negotiations with the third party. Ideally these arrangements would not unduly or unnecessarily restrict its use and ensure that the IPR owners' rights are not infringed but at the least they must be clear on the arrangements necessary for INSPIRE use.

Note that this section is not about third party access to the network services provided by Member States as Article 12 anyway guarantees access to this network to third parties who's spatial data sets and services comply with implementing rules laying down obligations with regard, in particular, to metadata, network services and interoperability..

3.8.2. Criteria

These are the criteria for having a good practice on third party data:

➢ There is a policy in place on third party data
➢ There are use rights and conditions in place for INSPIRE use of all third party data

There is a policy in place on third party data
The issue of third party data should be addressed by the public authorities up front rather than left until a request for INSPIRE data is made. Good practice would be a policy which states that the default for third party data should be that it is made available for INSPIRE use with the minimum additional restrictions.

There are use rights and conditions in place for INSPIRE use of all third party data
In some cases, there will already be use rights agreed with the third party which pre-date INSPIRE. These should be re-visited to include potential INSPIRE use. New negotiations on third party data should always include the possibility of INSPIRE use and the arrangements for it. While safeguarding IPR, an arrangement for third party data should guarantee that it can be effectively used for environmental policies. This includes the use of derived data sets and the need to publish results of findings.

3.8.3. Examples

Topic	**Third Party Data**			
Example	**Belgium – Flemish SDI (Samenwerkingsverband GDI-Vlaanderen)**			
Scope	*Geographic*	☒ Sub-national	☐ National	
		☐ International	☐ Global	
	Provision	☒ Data	☐ Services	
	Organisational context	☒ Many organisations	☐ Bi-lateral	
		☐ One organisation		
	Legal framework	☒ Legislation applies	☐ Policy / guidance applies	
		☐ Contractual basis	☐ Voluntary basis	
	Status	☒ Operational	☐ In development	
		☐ Pilot	☐ Concept	
Date	*Source: 18/09/2009* *Last change: 14/12/2009*			
General context	The objective of the "Samenwerkingsverband GIS-Vlaanderen (cooperation GIS-Flanders) is to optimise the elaboration, the use, the exchange and the maintenance of GI between participants from regional, provincial and local public authorities in the Flemish region. The cooperation is based on a regional Decree of 17 July 2000. Recently, by the regional Decree of 20 January 2009, it has been expanded to the "Samenwerkingsverband GDI-Vlaanderen" (cooperation SDI-Flanders), which will incorporates all public bodies in the Flemish region, and include data sets and services from INSPIRE and other data considered to be needed in the Flemish SDI. The participants of the cooperation can use each other's data free of charge or at marginal cost.			
Positive aspects (related to the topic)	*There is a policy in place for third party data.* The executive agency of the cooperation structure, the Agency for Geographic Information Flanders (AGIV) has concluded agreements on behalf of the members of the structure with data providers from the public and private sector, entailing that AGIV can redistribute those data to its members. The conditions of use may differ between the different data sets, but generally the users may use the data for the performance of their public tasks or for public interest purposes. The partners of the cooperation structure are not charged separately for each use, but one general charge is agreed upfront between AGIV and the third party. The conditions for each data set are clearly indicated on the AGIV website.			
More information	www.agiv.be (general website – in Dutch, only a part of the website is translated in English) http://giraf.agiv.be/ (application for ordering data – in Dutch) http://metadata.agiv.be/ (application for searching data – in Dutch) contact: info@agiv.be			

Topic	Third party data		
Example	Saccess		
Scope	Geographic	☐ Sub-national	☒ National
		☐ International	☐ Global
	Provision	☒ Data	☒ Services
	Organisational context	☐ Many organisations	☐ Bi-lateral
		☒ One organisation	
	Legal framework	☐ Legislation applies	☒ Policy / guidance applies
		☒ Contractual basis	☐ Voluntary basis
	Status	☒ Operational	☐ In development
		☐ Pilot	☐ Concept
Date	Source: 27/09/09		
General context (related to the example)	This service gives the public in the Nordic countries, including the business sector, free access and right to use satellite images covering Sweden; historical coverages from the 1970s, 1980s, millennium and 2005 and yearly coverages as of 2007. There are plans to enlarge the system to encompass also other Nordic countries. The background is the societal needs to study changes in the Swedish landscape over time, to analyse appropriate responses and monitor the effects of the actions taken. The service includes images from three satellite companies which own the IPR to the images. The end-user licence allows the user to use the products as they are or to process them for personal or internal use. Certain restrictions apply to processing and distribution of the data outside the end-users own organisation. The rights offered to the end-users are a result of negotiations between Lantmäteriet and the three satellite companies with the goal to harmonize the end user licences. The service is financed through a government grant covering the acquisition and processing of the images. Lantmäteriets running costs are covered through an agreement with a user consortium. As a result, it is possible to offer the service free of charge.		
Positive aspects (related to the topic)	This is good example on • A public policy on access to third party data. • An example of licenses giving the citizen and the professional user the right to use third party data. • A service in operation, with click wrap licenses and delivery via the Internet.		
	http://saccess.lantmateriet.se/map_viewer?map=27&maplevelindex=0 Language: Swedish/English		

Topic	Third Party data		
Example	Environment Agency for England and Wales		
Scope	Geographic	☐ Sub-national	☒ National
		☐ International	☐ Global
	Provision	☒ Data	☐ Services
	Organisational context	☐ Many organisations	☐ Bi-lateral
		☒ One organisation	
	Legal framework	☐ Legislation applies	☒ Policy / guidance applies
		☐ Contractual basis	☐ Voluntary basis
	Status	☒ Operational	☒ In development
		☐ Pilot	☐ Concept
Date	Source: Jul 2009 Last change: March 2010		
General context (related to the example)	The Environment Agency (EA) is responsible for protecting and improving the environment of England and Wales. It also has responsibility for protecting communities from the risk of flooding and managing water resources. It holds a variety of datasets relating to environmental themes many of which contain, or are created using, third party data.		
Positive aspects (related to the topic)	EA receives 50,000 requests a year for information, all of which need to be licensed. These requests come from a variety of external commercial and non-commercial users and local and national organisations. In addition, data that contains or has used third party data is frequently published (e.g. on their web mapping service 'What's In Your Backyard') or supplied pro-actively, usually to other public authorities. There are a number of legislative frameworks – the Environmental Information Regulations 2004, the Freedom of Information 2000, and the Reuse of Public Sector Information Regulations 2005. Although they have developed a harmonised licensing structure to cover them all, they have to be aware that they also hold and use third party data. *There is a policy in place on third party data*: They are proactively working through all their national datasets looking at whether they can be pre-approved for access. This is done on a field by field basis, not dataset by dataset as there may be only some fields in a dataset which cannot be approved for access. The result of this is a completed template, and corresponding metadata record, for each dataset which identifies any third party data or contractual restrictions within the dataset, and for each field whether it has been approved for access. At the same time other issues of confidentiality, national security, legality or public interest that could impact on a decision to disclose are examined. They are still working through their existing datasets and are now involved earlier on in the process of creating a dataset so that limitations or constraints can be minimised from the outset. *There are use rights and conditions in place for INSPIRE use of all third party data*: Where a data field has been identified as having IPR belonging to a third party, and has been approved for access, the terms and conditions are laid out in the standardised licence agreement. (See example under Licences).		
More information	Further information is in English. The EA website: http://www.environment-agency.gov.uk/ Information on licences: http://www.environment-agency.gov.uk/35684.aspx Contact – see website.		