

Dansk Inspire Følgegruppe

5. februar 2009



Dagsorden

1. Godkendelse af dagsorden.
2. Praktiske forhold
3. Lov om Infrastruktur for Geografisk Information (GI-loven)
4. Status for gennemførelsesbestemmelserne
 - metadata, godkendt
 - søgning og visning
 - overvågning og rapportering
5. Høringsprocessen for dataspecifikationerne for bilag I data
 - Overordnet status og om muligt foreløbige konklusioner på de forskellige temaer.
 - Foreløbige tanker om hvad dataspecifikationerne vil betyde for FOT og Miljøportalen.
6. Høringsprocessen for "datasharing".

Introduktion til gennemførelsesbestemmelserne herunder mulig påvirkning.
7. Identificering af myndigheder der administrerer data der er omfattet af direktivet.
8. Meddelelser
9. Evt. og næste møde

GI *loven*

Jes Ryttersgaard



GI-loven sikrer

- at data, som er omfattet af loven, bliver harmoniseret og stillet til rådighed via internettet.
 - at vi får mulighed for at søge- hente og vise data knyttet til et bestemt sted via netbaserede tjenester.
 - at de, der administrerer data skal stille dem til rådighed for sagsbehandling.
 - periodisk overvågning af udviklingen
 - mulighed for at lade loven omfatte andre data end dem som er omfattet af direktivet
 - Mulighed for at bestemme hvilke data som bør være obligatoriske i forbindelse med digital forvaltning
 - at der nedsættes en samordningsudvalg for GI
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ÆNDRING I LOV OM KMS

§ 2, stk. 1, affattes således:

»Kort- og Matrikelstyrelsen skal

1. varetage den geodætiske opmåling og den topografiske kortlægning af Danmark, herunder Færøerne og Grønland, samt kortlægning af farvandene heromkring,
 2. forestå matrikel- og landinspektørvæsenet i overensstemmelse med lovgivningen herom
 3. **forestå infrastrukturen for geografisk information i Danmark.**
 4. udføre udviklingsarbejder inden for de nævnte fagområder, når det er hensigtsmæssigt af hensyn til styrelsens virksomhed.«
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GENNEMFØRELSEN

Kort & Matrikelstyrelsen har ansvar for udvikling af

- de forskellige fælles tjenester,
 - det centrale tilslutningspunkt,
 - geoportalen og
 - en metadataløsning.
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Dataejernes har ansvar for

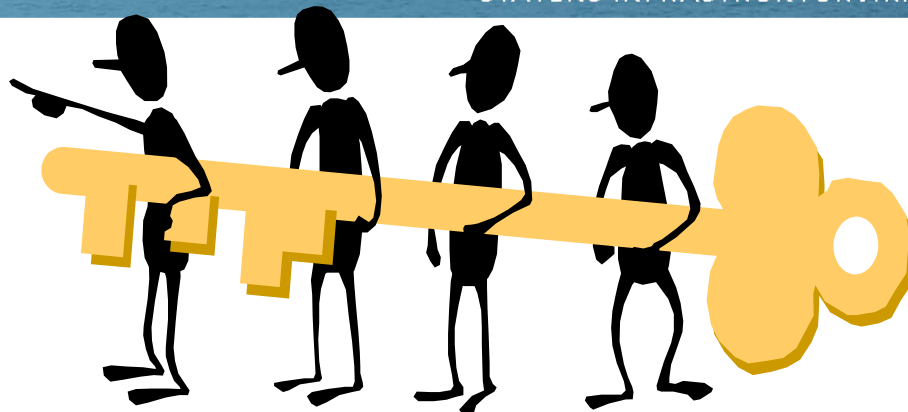
- Metadata
 - data-harmonisering
 - teknisk adgang (som for viewing)
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BEKENDTGØRELSE

- Hvilke data er omfattet
 - Gebyrer
-

Høringsprocessen for "datasharing".

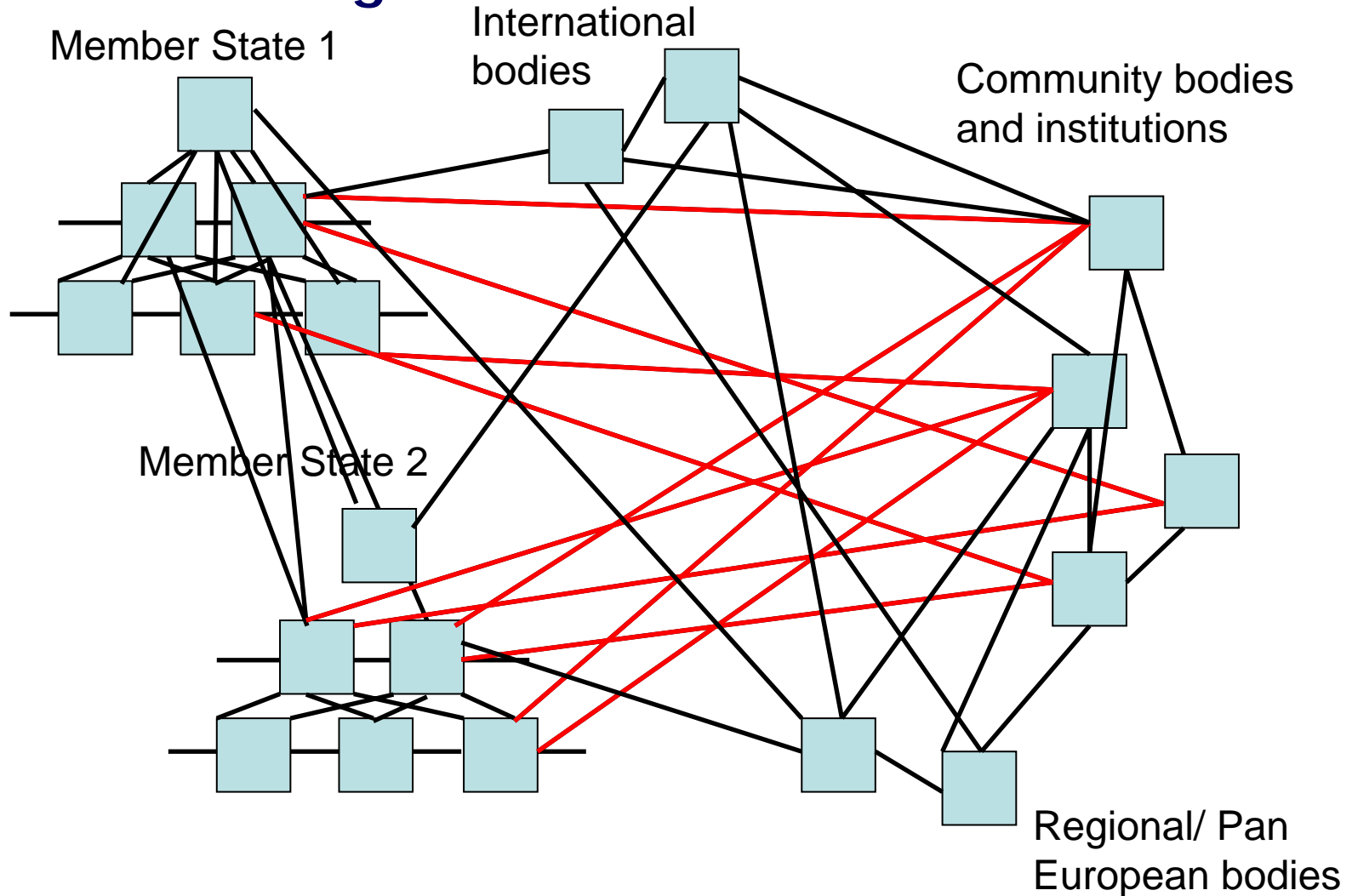
Introduktion til gennemførelsesbestemmelserne
herunder mulig påvirkning.



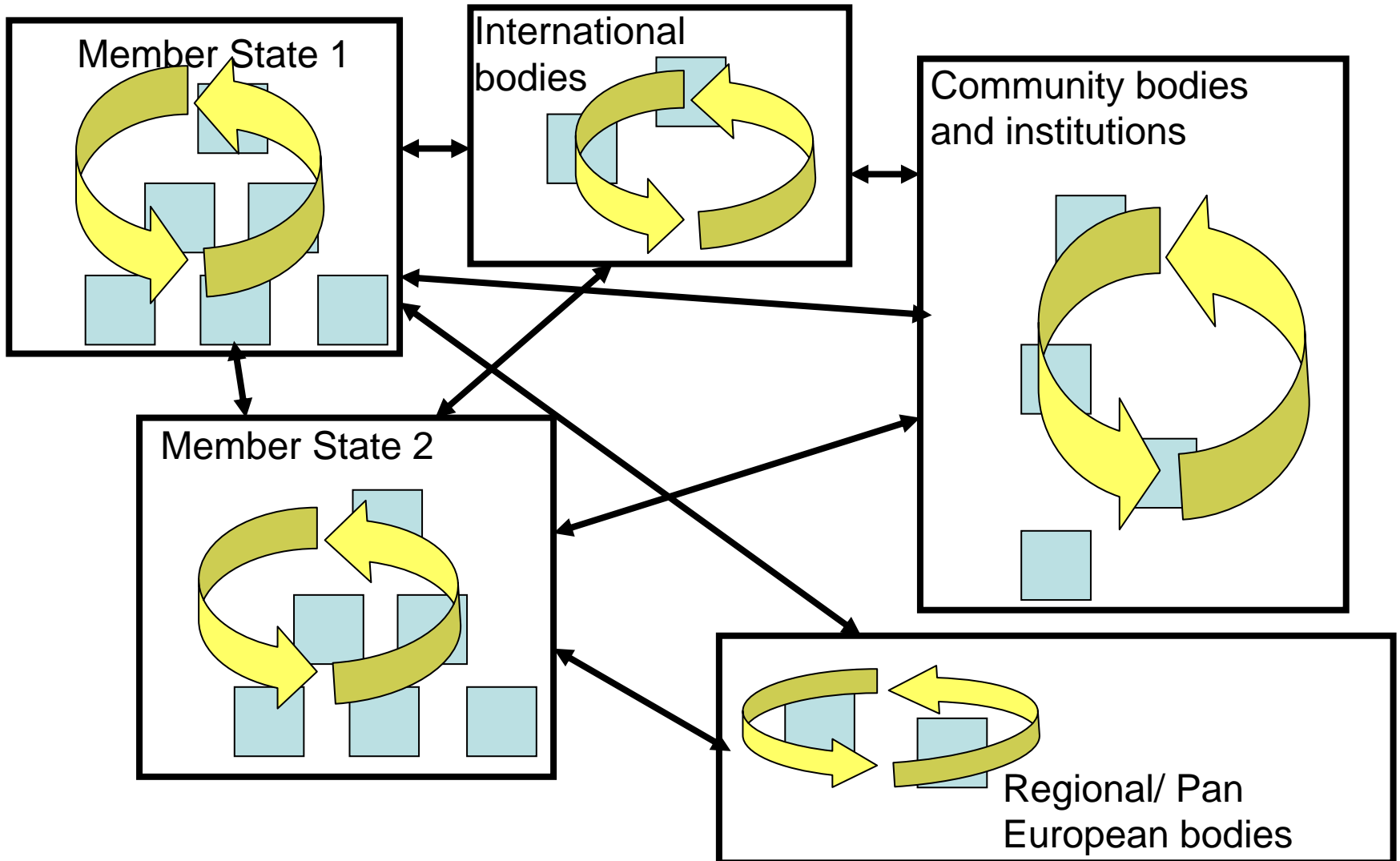
INSPIRE Data and Service Sharing

Draft Implementation Rules (IR) December 2008 –
SDIC and LMO hearing

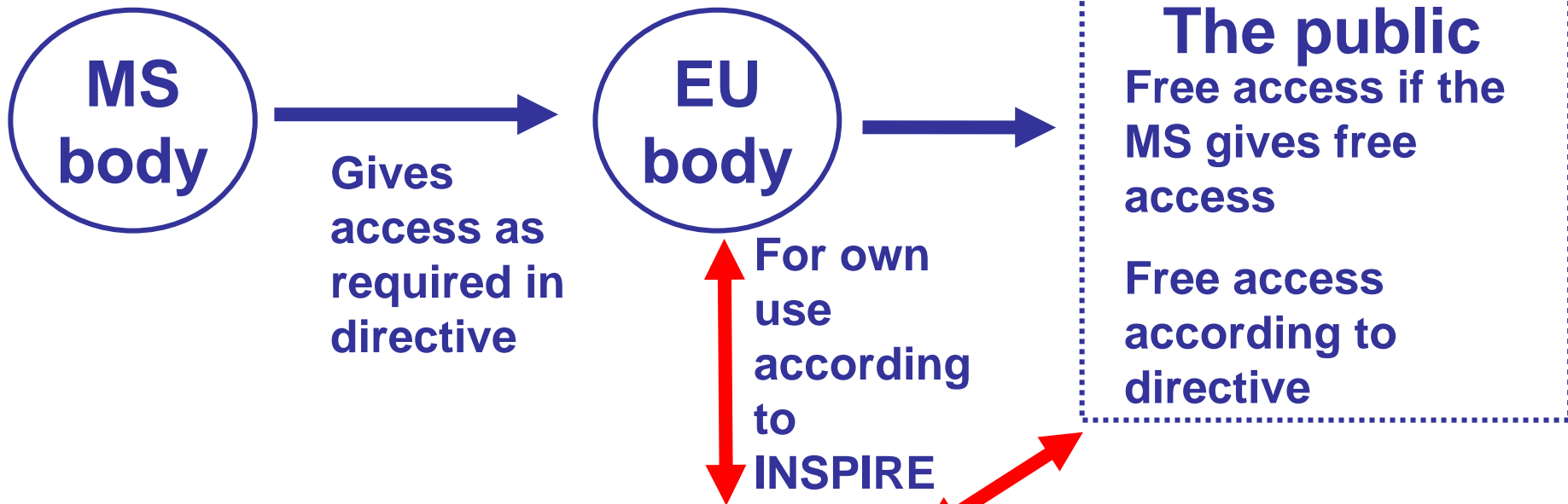
Data Sharing and the INSPIRE Directive



With framework agreements



An illustration



Definition of what is allowed use under Directive

Licence agreements

Article 17

- 17 (1) Each Member State shall adopt measures for the sharing of spatial data sets and services between its public authorities...for the purposes of public tasks that may have an impact on the environment.
- 17 (2) The measures... shall preclude any restrictions likely to create practical obstacles, occurring at the point of use, to the sharing...
- 17 (3) Member States may allow public authorities that supply spatial data sets and services to license them to, and/or require payment from, the public authorities or institutions and bodies of the Community that use these spatial data sets and services...
- 17 (4) The arrangements for the sharing of spatial data sets and services provided for in paragraphs 1, 2 and 3 shall be open to public authorities...of other Member States and to the institutions and bodies of the Community...
- 17 (8) Member States shall provide the institutions and bodies of the Community with access to spatial data sets and services in accordance with harmonized conditions... **These implementing rules shall fully respect the principles set out in paragraphs 1 to 3.**

Data and Service Sharing - IR

- Pragmatic approach - accept that total harmonisation is not possible
- Be technology neutral
 - Allow for paper licences, click-use and digital rights management
- Define allowed use by purpose, not activity
 - As long as it is internal
- Keep it to a minimum
 - Guidance including template licences

Basic
Specific license
Framwork license

Final provisions

- Data and services that exists, must be provided from when the Directive comes into force in the MS
 - Even if the data not yet meets the requirements
- 6 months after the IR is in force, all access and licensing for EC bodies must meet with the IR requirements
- When existing sharing arrangements are renewed, they must meet with IR requirements

- **HOVEDINDTRYK**
- Bestemmelserne gælder kun for INSPIRE data til brug ved miljørelaterede opgaver
- Data til rapportering eller andre opgaver bliver håndteret efter andre regler
- Uanset disse regler kan EU institutionerne I al fremtid vælge at få adgang til data via art. 17.4
- Reglerne fortrænger ikke bestående aftaler
- Hvis der laves nye aftalegrundlag gælder reglerne (inden 6. mdr.)
- Det nationale kontaktpunkt skal have oversigt over data med tilhørende aftaler
- Kommissionen anbefaler at de samme regler gælder internt i landene og mellem landene
- Kommissionen vil købe hvor det er billigst

Udfordringer

Fælles kontrakter

Prissætning

Selve reglerne

id	Problem	Proposal
1	All mentions of procurement exercise and call for tender.	Omit the passages or if this is not possible then rethink when and how to use the rules so that they do not make the purpose of the INSPIRE directive impossible to achieve.
3	The objective does not reflect all the principles in art. 17.8 of the directive	Add “These implementing rules shall fully respect the principles set out in paragraphs 1 to 3” (of art 17) to the last sentence.
4	<p><i>“These rules shall only apply if the institution or body of the Community requiring the data or services states that they shall apply.”</i></p> <p>The institution or body should also be required to explain why they think it is INSPIRE data if the request seems to not be related to a public task that may have a direct or indirect impact on the environment.</p>	Add “If the Member State asks the institution or body are required to explain what use the data is for.”

Id	Problem	Proposal
7	<p>2. c) reads “other public authorities”. This statement is unnecessary because “other public authorities” do have access to the same data and information via the geoportal..</p>	<p>Omit 2.c) Omit the explanatory text to paragraph 2.</p>
10	<p><i>“When charges apply, requests for provision of access to spatial data sets or services under INSPIRE use will be made according to the Financial Regulation.”</i> might not be able to use them together with data from another source.</p>	<p>Omit the section, or replace it with <i>“When charges apply, requests for provision of access to spatial data sets or services under INSPIRE use will be made according to the Financial Regulation in cases where charges exceeds xx Euros.</i></p>
11	<p><i>“If the request is part of a call for tender, the response time above will start from the conclusion of the contract.”</i></p>	<p>Omit this part</p>
13	<p>The timeframes in the final provision implies an unnecessary burden on the public authorities in the member states and the contact points,</p>	<p>All timeframes should relate to the timeframes in the implementing rules for metadata and network services.</p>