

ePSIplus: Towards the 2008 review of the PSI Directive on PSI Use
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Public Sector Information

**Extracts from the
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Country Reports
(Fact Sheets)
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PSI extracts from ePractice.eu (IADBC) eGovernment Fact Sheets 2009

Introduction

The following extracts that relate to the *Re-use of Public Sector Information Directive* have been copied from the *eGovernment in the European Countries* Factsheets as published on the 28th February 2009.

The reports have been compiled by the eGovernment Observatory Editorial Team of European Dynamics for the IDABC eGovernment Observatory.

IADBC: *Interoperable Delivery of European eGovernment Services to public Administrations, Businesses and Citizens.*

The complete country report for each Country maybe downloaded from:

<http://www.epractice.eu/document/3090>

Ref:	Country	December 2006	June 2007	September 2007	March 2008	February 2009
1	Austria	V6 Sept 06	V7 Jan 07	V8 June 07	V9 Jan 08	V11.0 Jan 09
2	Belgium	V6 Sept 06	V7 Jan 07		V8.1 Feb 08	V10.1 Jan 09
3	Bulgaria	V6 Sept 06	V2 Mar 07		V3 Sept 07	V5.0 Aug 08
4	Cyprus	V6 Sept 06	V7 Feb 07		V8 Sept 07	V10.0 Sept 08
5	Czech Republic	V6 Sept 06	V7 Mar 07		V8 Oct 07	V10.1 Dec 08
6	Denmark	V6.1 Dec 06	V7 Apr 07		V8 Oct 07	V10.0 Oct 08
7	Estonia	V6 Sept 06	V7 Apr 07		V8 Oct 07	V10.0 Oct 08
8	Finland	V6 Sept 06	V7 Apr 07	V7.1 Aug 07	V8 Nov 07	V10.0 Nov 08
9	France	V6 Sept 06	V7.1 May 07	V8 July 07	V9 Jan 08	V11.0 Dec 08
10	Germany	V6 Sept 06	V7 Dec 06	V8 June 07	V9 Jan 08	V10.0 July 08
11	Greece	V7 Dec 06	NA	V8 May 07	V9 Dec 07	V11.0 Jan 09
12	Hungary	V6 Sept 06	V7.1 May 07		V8 Sept 07	V10.0 Oct 08
13	Ireland	V6.1 Dec 06	V7 Jan 07	V8 June 07		V10.1 Oct 08
14	Italy	V6 Sept 06	V7 Feb 07	V8.1 Aug 07		V10.0 Sept 08
15	Latvia	V6 Sept 06	V7 Mar 07	V7.1 Sept 07	V8.1 Feb 08	V10.0 Oct 08
16	Lithuania	V7 Dec 06	V7 Nov 07	V8.1 July 07	V9.0 Dec 07	V11.0 Jan 09
17	Luxembourg	V6 Sept 06	V7 Feb 07		V8 Oct 07	V10.0 Oct 08
18	Malta	V6 Sept 06	V7 Apr 07		V8.1 Jan 08	V10.0 Nov 08
19	Netherlands	V6 Sept 06	V7 Jan 07	V8 June 07	V9 Jan 08	V11.0 Dec 08
20	Poland	V6.1 Dec 06	V7 Jan 07	V8 June 07		V11.0 Jan 09
21	Portugal	V6 Sept 06	V7 Mar 07	V8 Aug 07		V10.0 Sept 08
22	Romania	V6 Sept 06	V2 Apr 07		V3 Oct 07	V5.1 Jan 09
23	Slovakia	V7 Dec 06	V7 Dec 06	V8 May 07	V9 Dec 07	V11.0 Dec 08
24	Slovenia	V7 Dec 06	V7.1 May 07	V8 May 07	V9 Dec 07	V11.0 Dec 08
25	Spain	V6.1 Dec 06	V7 Feb 07	V8 July 07		V10.0 Sept 08
26	Sweden	V7 Dec 06	V7 Nov 06	V8 May 07	V9 Jan 08	V10.0 July 08
27	UK	V6 Sept 06	V7 Feb 07	V8 July 07		V10.0 Oct 08
	EFTA					
28	Iceland	V6 Dec 06	V2 Jan 07	V3 June 07	V4 Jan 08	V6.0 Jan 09
29	Liechtenstein	V7 Dec 06	V2 Nov 06	V3 May 07	V4 Dec 07	V6.0 Dec 08
30	Norway	V6 Sept 06	V2 Feb 07		V3 Sept 07	V5.0 Sept 08
31	Switzerland					V2.0 Nov 08
	Accession					
32	Turkey	V6 Sept 06	V2 Apr 07	V2.1 Sept 07	V3 Nov 07	V5.1 Feb 09
	Candidate					
33	Croatia	V6 Sept 06	V2 Feb 07	V3 July 07		V5.0 Aug 08
34	Macedonia					V2.0 Aug 08
35	European Commission					V1.0 Nov 08

European Union Member States

Austria

January 2009. Version 11.0

(Copied from page 15)

Re-use of Public Sector Information (PSI)

[Re-use of Information Act](#)

The Directive 2003/98/EC on reusing public sector information, which was adopted by the Council of Ministers on 5 July 2005, has been transposed into national law at federal level through the Re-use of Information Act (Informationsweiterverwendungsgesetz; IWG), which was published on 18 November 2005 on the Federal Law Gazette. In order to achieve the complete transposition of the PSI Directive, [pertinent legislation](#) was passed in all of the nine Austrian Länder. On 7 September 2007 Austria notified the last pending implementation ([State Law of Salzburg](#)), thereby **completing transposition of the PSI Directive**.

Belgium

January 2009. Version 10.1

(Copied from page 16)

Re-use of Public Sector Information (PSI)

[Law transposing the directive 2003/98/EC on the re-use of public sector information](#)

This law of 7 March 2007 adopted at federal level transposes into Belgian law the general principles governing the re-use of public sector information in line with the provisions of the relevant EU Directive [2003/98/EC](#).

[Royal Decree establishing the procedures and time limits for the handling of requests for public sector information re-use](#)

This Royal Decree of 29 October 2007 regulates formal aspects related to the procedure and timelines for handling requests for public sector information re-use. It is worth adding that Regional and Community Governments had to equally transpose the Directive on the re-use of public sector information. Flanders, the Brussels-Capital Region and two Communities (French and German-speaking) also have their own legal texts (decrees) which are greatly inspired from the relevant federal legislation.

Bulgaria

September 2008. Version 5.0

(copied from page 14)

Re-use of Public Sector Information (PSI)

[Access to Public Information Act](#) Bulgaria has completed the transposition of the Directive [2003/98/EC](#) on the re-use of public sector information with the approbation a [decree](#) amending the Access to Public Information Act. This amendment came into force in June 2007.

Cyprus

September 2008. Version 10.0
(Copied from page 11)

Re-use of Public Sector Information (PSI)

[Law N. 132\(I\)/2006](#)

The Cypriot transposition of [European Directive 2003/98/EC](#) is Law N. 132(I)/2006 that was passed by the House of Representatives on 12 October 2006 and published in the Cyprus Official Gazette on 20 October 2006. The European Commission was notified on 20 October 2006 that the transposition had been completed.

Czech Republic

December 2008. Version 10.1

Freedom of Information Legislation.....Act on Free Access to Information

(Copied from page 16)

The Act on Free Access to Information was last amended in May 2005 in order to transpose the European directive on the re-use of public sector information.

Re-use of Public Sector Information (PSI)

(Copied from page 18)

[Act on Free Access to Information](#)

An amendment to the Act on Free Access to Information was adopted by the Government on 12 May 2005 with a view to transpose the [EU Directive 2003/98/EC on the re-use of public sector information](#) (PSI-directive).

Among other things, this amendment sets out the obligation for Public Administrations to **provide online access** to information in **open data formats** (e.g. XML). The amendment came into force on 1 January 2006. The Czech Republic has therefore notified full transposition of the PSI-directive.

Denmark

October 2008. Version 10.0
(Copied from page 16)

[Re-use of Public Sector Information \(PSI\)](#)

[Act on the re-use of public sector information](#)

The Act on Public Sector Information (PSI) of 24 June 2005 implements the [EU Directive 2003/98/EC](#) on the re-use of public sector information. Denmark has notified full transposition of the PSI directive. The [EN version](#) of the Act is available.

Estonia

October 2008. Version 10.0

Re-use of Public Sector Information (PSI)

(Copied from page 16)

[Public Information Act](#)

The Public Information Act covers the provisions of the [EU Directive 2003/98/EC](#) on the re-use of public sector information (PSI). Estonia has thus notified full transposition of the PSI-directive.

Finland

November 2008. Version 10.0

Examples of proposed measures:

(Copied from page 11)

- Reform of the grounds for determining fees related to the release of information within public administration; This work will notably take into account the regulations of the EU directive (2003/98/EC) on the re-use of public sector information;

Re-use of Public Sector Information (PSI)

(Copied from page 15)

Existing laws of Finland met the requirements of the Directive 2003/98/EC on the re-use of public sector information (PSI) prior to its adoption. Among those laws is the Act on the Openness of Government Activities mentioned above.

France

December 2008. Version 11.0

(Copied from page 13)

Re-use of Public Sector Information (PSI)

[Law on access to administrative documents](#)

The Law on access to administrative documents of 17 July 1978 was amended by a [Government ordinance of 6 June 2005](#) implementing the provisions of the EU Directive on the re-use of public sector information (2003/98/EC).

Germany

July 2008. Version 10.0

(Copied from page 15)

Re-use of Public Sector Information (PSI)

[Law on re-use of Public Sector Information \(Informationsweiterverwendungsgesetz, IWG; 2006\)](#)

The law on the re-use of Public Sector Information came into force on 19.12.2006 transposing the pertinent EU Directive [2003/98/EC](#). The huge public sector information volume accumulated across Europe constitutes an enormous economical potential with an estimated market value of € 68 Billion. The law regulates the information re-usage of this information beyond the public-administrative scope, e.g. for shaping of new information-products and related services. The law specifies that **re-usage of public sector information has to be non discriminative, contemporary, and not exclusive**.

Greece

January 2009. Version 11.0

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Re-use of Public Sector Information (PSI)

[Law 3448/2006](#)

A working group was set up in Greece to prepare the transposition of the European Directive [2003/98/EC](#) of 17 November 2003 on the re-use of public sector information. This resulted in [Law 3448/2006](#) (15.05.2006) which implements the Directive and addresses the conditions and requirements concerning sharing and reuse of public sector information by citizens and businesses. The law targets prohibitions on exclusive rights, while providing safeguards for privacy, national security and intellectual rights.

Hungary

October 2007. Version 10.0
(Copied from page 14)

Re-use of Public Sector Information (PSI)

Act on the freedom of information by electronic means

Article 7 of the Act on the freedom of information by electronic means (adopted in 2005, defines the Central Electronic List of Public Information and the Single Public Information Retrieval System) and its Annex (General Publication Scheme) serves the purpose of complying with Directive [2003/98/EC](#) of 17 November 2003 on the re-use of public sector information (PSI).

Government decree 305/2005 (XII. 25.) on specific provisions relating to the electronic publication of Public Sector Information (PSI), the single PSI search service, on inventory and data integration.

Ireland

October 2008. Version 10.01
(Copied from page 16)

Re-use of Public Sector Information (PSI)

European Communities (Re-Use of Public Sector Information) Regulations 2005

This statutory instrument (secondary legislation, S.I. No. 279 of 2005) transposes the EU Directive 2003/98/EC of 17 November 2003 on the re-use of public sector information (PSI) into Irish Law. It came into effect on 1 July 2005.

Italy

September 2008. Version 10.0
(Copied from page 18)

Legislative decree no. 36

Approved on 24 January 2006 and in force since 24 January 2006, this legislative decree transposed the EU Directive on the re-use of public sector information (Directive [2003/98/EC](#)).

Latvia

October 2008. Version 10.

eGovernment Legislation.....

(Copied from page 14)

The law was first amended in 2003 to give the [State Data Inspectorate](#) oversight authority, starting in January 2004. It was lastly modified in 2005 and in 2006 to transpose the Directive on the re-use of Public Sector Information into national law. The amendments further clarified and strengthened the right of access by fixing the restriction duration to one year (subject to renewals). The law also states that public authorities shall also create information registers to be made available online at the relevant body website. Lastly, requesters are now allowed to obtain information in the format of their choice.

Re-use of Public Sector Information (PSI)

(Copied from page 16)

Law on Freedom of Information

Transposition of the re-use of public sector information directive ([2003/98/EC](#) of 17 November 2003) was operated with the adoption of amendments to the Law on Freedom of Information as approved in December 2005 and entered into force on 1 February 2006. This act was lastly amended on 5 October 2006.

Lithuania

January 2009. Version 11.0
(Copied from page 14)

Re-use of Public Sector Information (PSI)

Law on Obtaining Information from Central and Local Government Institutions

The 2000 ‘Law on the Right to Obtain Information from State and Local Government Institutions’ needed amendment in order to comply with the PSI directive (2003/98/EC).

The PSI directive was transposed by the ‘Law on Obtaining Information from Central and Local Government Institutions’ (Nr. X-383 of 10 November 2005). This law regulates the right of private companies and citizens to **obtain information from central and local Government and to re-use it**. It defines the modalities for the use of the public sector’s information resources and determines the obligation of central and local Government to provide this type of information to all those concerned. Lithuania has thus notified full transposition of the PSI directive.

Law on State Registers

Lastly amended on 15 July 2004, the law on State Registers defines the modalities of establishing, creating, managing, and liquidating state registers as well as the distribution and dissemination of data from such registers. **This Law complies with the provisions of the PSI Directive**. A list of state registers managed as specific registers “Registru saršas” covers most data from every register. This list is available via the Internet: www.registrai.lt. The initiative on establishing and implementing an information asset register is being considered.

Luxembourg

October 2008. Version 10.0
(Copied from page 10)

Re-use of Public Sector Information (PSI)

Transposition of the EU Directive 2003/98/EC of 17 November 2003 on the re-use of public sector information (PSI) is expected to take place by secondary legislation (règlement grand-ducal). A bill is currently pending before Parliament.

Malta

November 2008. Version 10.0
(Copied from page 14)

Re-use of Public Sector Information (PSI)

Re-use of Public Sector Information Order

Together with the circular No. 31/2006 of the office of the Prime Minister on re-use of PSI, the Re-use of Public Sector Information Order of 2007 transposes into Maltese law the general principles governing the re-use of public sector information, in line with the provisions of the relevant EU Directive 2003/98/EC.

The Netherlands

December 2008. Version 11.0
(Copied from page 14)

Re-use of Public Sector Information (PSI)

The **existing legislation** has been amended through the respective **law** in order to implement the Public Sector Information (PSI) directive. The Netherlands has notified full transposition.

Poland

January 2009. Version 11.0
(Copied from page 15)

Re-use of Public Sector Information (PSI)

Poland has notified full transposition into national law of the [Directive 2003/98/EC](#) of 17 November 2003 on the re-use of public sector information (PSI).

The relevant national legislation in this regard consists of the Code of Administrative Procedure of 14 June 1960, the Constitution of the Republic of Poland of 2 April 1997, the [Act on Access to Public Information](#) of 6 September 2001, as well as the Act on Freedom of Economic Activity of 2 July 2004.

Portugal

September 2008. Version 10.0
(Copied from page 15)

Re-use of Public Sector Information (PSI)

[Law no. 46/2007](#)

Article 268.º n.º 2 of the Portuguese Constitution establishes the fundamental right of access to administrative archives and registries, except for information related to state security, criminal investigation and personal privacy. A further law regulates the right of access to public documents ([Law no. 65/93](#), of 26 August, republished by [Law no. 94/99](#), of 16 July). On 7 September 2007 Portugal notified full transposition of the [European Directive 2003/98/EC](#) of 17 November 2003 on the reuse of public sector information, accomplished by [Law no. 46/2007](#).

Romania

January 2009. Version 5.1
(Copied from page 51)

Re-use of Public Sector Information (PSI)

[Romanian Public Sector Information Law no. 109](#)

Romania has notified the full transposition of the Directive on the re-use of public sector information (2003/98/EC). The transposition is realised by [law no. 109/2007](#), published in the Official Journal of Romania (Monitorul Oficial) on the 5th May 2007 in edition number 300.

Slovakia

December 2008. Version 11.0
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Re-use of Public Sector Information (PSI)

Slovakia has notified full transposition of Directive [2003/98/EC](#) of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information (PSI Directive).

Slovenia

December 2008. Version 11.0
(Copied from page 19)

Re-use of Public Sector Information Legislation (PSI) **Access to Public Information Act**

The Directive [2003/98/EC](#) of 17 November 2003 on the re-use of public sector information (PSI) was implemented into the Slovenian legal system with an amendment to the Act on Access to Public Information which was passed in July 2005. The resulting Act contains provisions on PSI licencing, transparency on contracts and penal provisions, and consolidates general and specific principles on access.

Furthermore, a **Decree on Communication and Reuse of Information of Public Character** passed in August 2005 defines the conditions for providing information of public character to applicants and over the Internet, charging for such provision, re-using the information of public character (including price and other conditions of such use), as well as reporting on assurance of the access to the information of public character.

Slovenia has thus notified **full transposition** of the PSI-directive.

Spain

September 2008. Version 10.0
(Copied from pages 18)

Law on the re-use or public sector information

The Law on the re-use of public sector information (Law 37/2007) of 16 November 2007 implements the EU Directive [2003/98/EC](#) on the re-use of Public Sector Information into Spanish law. Spain thus notified **full transposition** of this Directive to the European Commission.

Sweden

July 2008. Version 10.0
(Copied from page 13)

Re-use of Public Sector Information (PSI)

Sweden has notified full transposition of the EU Directive on the re-use of public sector information ([2003/98/EC](#)) by means of legislation amendments to several acts, including: Freedom of the Press Order, Secrecy Act, Administrative Procedures Act, Government Agencies and Institutes Order, etc. No new legislation has therefore been adopted.

UK

October 2008. Version 10.0

2007

(Copied from page 8)

In June 2007, the Power of Information Review is published, in order to assess how the Government can harness the phenomenon of internet advice sharing sites and empower people with information that could help improve their lives. The Review looks at how non-personal public sector information can be re-used and reinvigorated outside of government to generate public and economic value. The Government's response to the publication of the independent Review was presented to parliament by the Chancellor of the Duchy of Lancaster in June.

Re-use of Public Sector Information Regulations 2005

(Copied from page 22)

[Re-use of Public Sector Information Regulations 2005](#)

The Re-use of Public Sector Information Regulations 2005, which came into force on 1 July 2005, implements in UK law the EU Directive 2003/98/EC of 17 November 2003 on re-use of public sector information (PSI Directive). In May 2005 the UK Government established an [Office of Public Sector Information \(OPSI\)](#), with responsibility for the coordination of policy standards on the re-use of public sector information. Attached to the Cabinet Office, the new body has an extended remit to advise on and regulate the operation of the re-use of public sector information, and will set standards and provide a practical framework to increase transparency and remove obstacles to re-use. According to the government, the OPSI will lead the UK public sector to provide consistent and transparent processes for potential re-users to gain access to public sector information.

European Economic Area

Iceland

January 2009. Version 6.0
(Copied from page 12 & 13)

Conditions on the re-use of public sector information are partly covered by the [Access to Information Act \(No. 50/1996\)](#). The Act defines public access to information and the restrictions on the right to information. In relation to the European Directive on the re-use of Public Sector Information ([PSI Directive](#)), the Act includes almost all items with the exception of access and re-use of information through electronic means such as data bases. A working group is currently dealing with this issue. Other legislative needs include specific acts of some 4-6 institutions (such as Statistics Iceland, the Icelandic Meteorological Office and the National Land Survey of Iceland), which must be changed so as to ensure public access to their data basis through electronic means under certain defined exceptions.

Source: [Europa - PSI Implementation Status](#).

Liechtenstein

December 2008. Version 6.0
(Copied from page 10)

Re-use of Public Sector Information (PSI)

In 1998, a new Law of Information was introduced in Parliament and published in the National Law Gazette as the [Law on Information](#) (July 1999) and the [Regulation on Information](#) (November 1999). The main objective is to promote an open information policy for the Public Administration.

The **Joint Committee Decision for incorporation of European Directive on the re-use of public sector information (2003/98/EC) into the EEA Agreement** entered into force on 1 September 2006. Liechtenstein has not yet implemented the Directive, but the preparations for doing so are underway. It has been initially foreseen that the necessary legislation would have come into force by 1 January 2007.

Norway

September 2008. Version 5.0
(Copied from page 12 & 13)

Re-use of Public Sector Information (PSI)

Much of the collaboration among agencies in Norway is based on the joint exchange of information contained on individual data registers. Some large agencies have developed large central registers and have

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used them as a basis for the delivery of service to citizens and business (e.g. the Population Register developed and owned by the Tax Inspectorate). A prerequisite and a target in Norway for eGovernment, however, has been the existence of a comprehensive central data registers system to allow increased and better use of data contained in these registers. This need has forced the Government to assign interministerial and inter-agency working groups with responsibilities to find common solutions in the area of **re-use, standardisation and pricing of public data**.

An important infrastructure offering significant amounts of public sector information is the cooperation around geographic data called **Digital Norway**. Established in 2005, it is the administration and technical support site for the www.geonorge.no geo-portal, the focal point for content overview of available data and services supported by the infrastructure. Data is disseminated as web map services and is available on standard formats. Municipalities and regional organisations are important providers and users, along with businesses which can create value through geo-data services. As mentioned in the **eNorway 2009** plan, the Government wants all public bodies with responsibility for geo-data, or which are major users, to collaborate in the establishment, operation and maintenance of this common national spatial data infrastructure (NSDI).

The Norwegian Transposition of the European Directive on re-use of Public Sector Information (**PSI Directive**), will be part of the new Freedom of Information (FOI) law, currently in preparation. The full implementation date is now scheduled for 1 January 2009.

Switzerland

November 2008, Version 2.0
(Copied from page 14)

Re-use of Public Sector Information (PSI)

Law of Free Access to Information of Public Character

Several aspects of the re-use of public sector information are contained in this law.

Acceding Countries

Turkey

February 2009. Version 5.1
(Copied from page 13)

Re-use of Public Sector Information (PSI)

Re-use of Public Sector Information (PSI) is partly covered by the **Right to Information Act** (Law no. 4982). In addition, the **e-Transformation Turkey 2005 Action Plan** includes facilitating reuse of public sector information as one of its targets. A document, identifying eGovernment metadata standards enabling access to information kept in public agencies is to be prepared and become available on the web. Moreover, data elements and data structures used in providing public services and necessary mechanisms for sharing this data are to be formed. There is a further attempt in this regard in the Information Society Strategy Action Plan relating Determination of Principles for the Exchange and Reuse of Digital Information in the Public Sector.

Candidate Countries

Croatia

August 2008. Version 5.0

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There is no specific legislation yet. Re-use of electronic content is addressed by the **Electronic Document Act (OG 150/2005)**, enacted in December 2005. In there, legal procedures are defined relating to the development, trade, use and storage of the information of an electronic document. Moreover, the **Croatian Information and Documentation Referral Agency (HIDRA)** assures the availability of public official data, information and documents, and furthermore promotes their use.

Former Yugoslav Republic of Macedonia

August 2008 Version 2.0

(Copied from page 11)

Re-use of Public Sector Information (PSI)

Law of Free Access to Information of Public Character

Several aspects of the re-use of public sector information are contained in this law.

European Commission

November 2008, Version 1.0

(Copied from page 10)

Re-use of Public Sector Information (PSI)

Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information The term Public Sector Information (PSI) refers to documents, databases and other information produced, collected and stored by public sector bodies. With the aim of modern information and communication technologies, PSI can now be processed in an efficient, effective and user friendly way, creating a variety of new opportunities for its exploitation. The Directive 2003/98/EC sets out a **framework** for the conditions of its reuse and aims to ensure equal treatment for commercial editors within the internal market. Public sector organizations authorising this type of reuse continue to hold copyright and related rights. They are, however, invited to exercise their copyrights in a way that facilitates reuse.

General information source: [Europa](#), [SCADPlus](#)