

# “Legal Framework for Contributing Data”

## RE-USE OF PUBLIC SECTOR INFORMATION

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**Presentation by Khalid CHOUKRI**

## EU Action 3: Open up public data resources for re-use

- Public authorities produce large amounts of data that could become the raw material for new, innovative cross-border applications and services. Examples of products and services based on the re-use of Public Sector Information (PSI) are GPS, weather forecasts, financial and insurance services.
- **What about Data expressed in Words !!**



- Need for:
  - a clear and easy to follow regime for data re-use across the EU
  - legal and technical interoperability
  - simple redress mechanisms
- Objective:
  - To develop a single European market for innovative apps based on public data
- Privileged Framework
  - Public Sector Initiative (PSI)
  - Directive 2003/98/EC / revised by Directive 2013/37/EU
- Italian context
  - ***Legislative Decree No 36 of 24 January 2006 implementing the Directive 2003/98 on the re-use of public sector information***
  - ***Amended through Article 45 of Law No 96 of 4 June 2010***
  - ***Legislative decree no 102 of 18 May 2015 implementing Directive 2013/37/EU***

# Does the PSI Directive make a difference?



- Yes!
- The new Public Sector Information Directive (PSI) solves a number of issues:
  - Amends the existing PSI Directive
  - Emphasis on open data
  - Clearer cost rules
  - Includes Cultural Institutions (Museums, Libraries and Archives) within the scope of the Directive
  - Introduces a clear regime for exclusive agreements
  - Emphasis on standard and machine readable licences



PSI Rules

Copyright rules

Data Protection rules

Excluded Subject matter

PSI rules sit on the top of other legal regimes and ensure that, when the right conditions are met, **public sector information is available to third parties for re-use** with the minimum possible frictions



PSI Rules

Copyright rules

Data Protection rules

Excluded Subject matter

- PSI regimes are complemented by sector specific regimes, such as INSPIRE or statistical data regulations. Such regimes assist the re-use of data in specific areas.



PSI Rules

Copyright rules

Data Protection rules

Excluded Subject matter

- PSI has to be made available for re-use (both for commercial and non-commercial purposes)
- *Licences have to be standard and interoperable*
- MLA and all Public bodies are within the scope of PSI



PSI Rules

Copyright rules

Data Protection rules

Excluded Subject matter

- The Public Sector Information has to be owned by a **Public Sector Body**; or
  - If it is 3<sup>rd</sup> party Copyright, the PSB needs to have the necessary licences
  - If it is in the Public Domain they can be re-used





PSI Rules

Copyright rules

Data Protection rules

Excluded Subject matter

- Just because a data set contains personal data it does not mean that it can not be re-used:
  - You could obtain **consent** in order to process it
  - You could **anonymize** it
  - You could have a legal base for lawful processing
  - **Otherwise leave it out**

PSI Rules

Copyright rules

Data Protection rules

Excluded Subject matter

- It includes material that cannot be distributed (e.g. trade secrets, confidential information etc).
- This will be the exception rather than the rule.
- It should normally be designated as such



- Data are not to be re-used as such
- Data is used in order to produce new models to help automatically generate translations of new texts
- Individual data are used; not long texts

- Now let us move to the italian expert

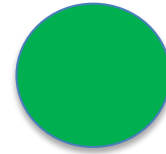
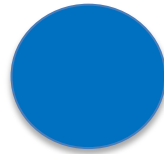
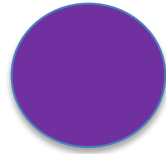
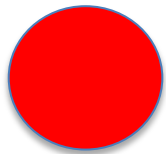
**Gabriele Ciasullo,**  
Agenzia per l'Italia Digitale

# What are the stages for releasing my data?

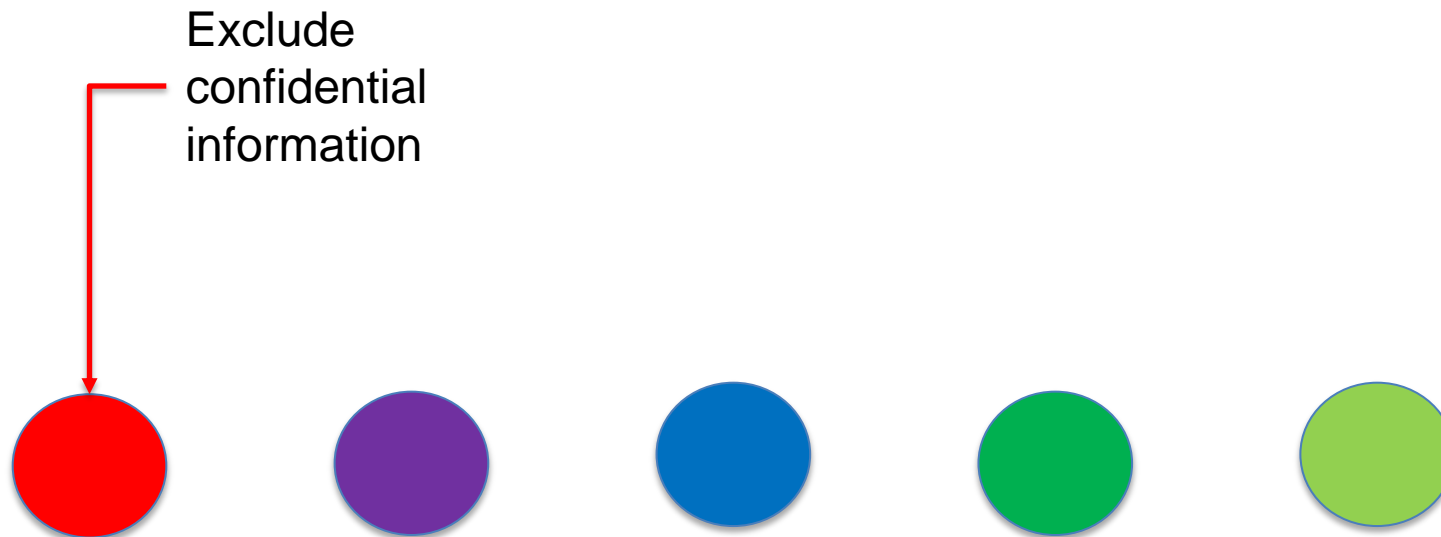


Releasing data under the PSI Directive is simple and easy

Just follow these stages



# What are the stages for releasing my data?



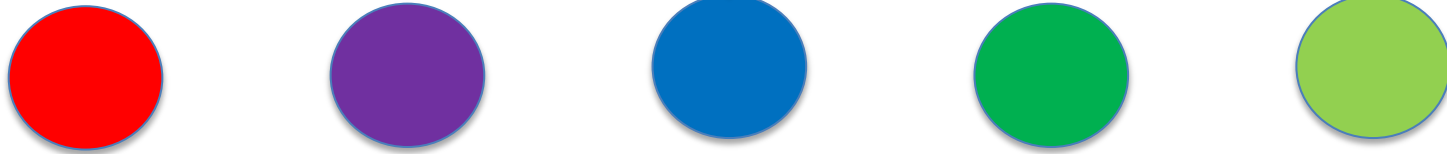
# What are the stages for releasing my data?



# What are the stages for releasing my data?



Ensure there is no 3<sup>rd</sup> party copyrights, that the material is in the Public Domain or that the necessary licences have been obtained

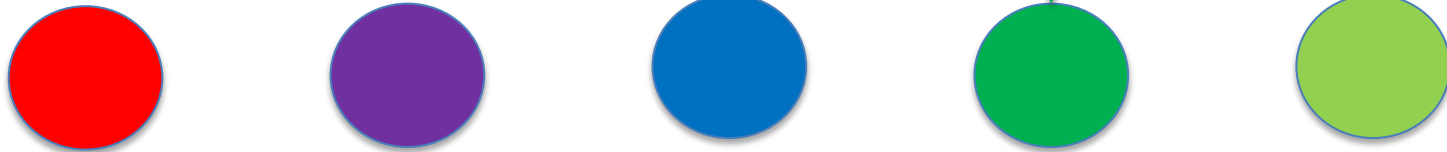




# What are the stages for releasing my data?



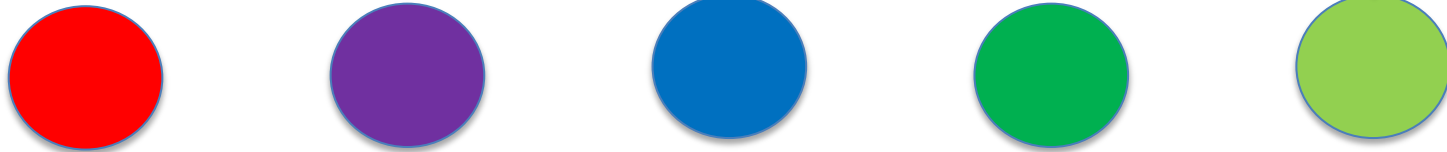
Follow the national PSI  
transposition rules (e.g. use the  
national Open Government  
Licences or the standard  
procedure for releasing PSI)



# What are the stages for releasing my data?



Use a standard Open Government Licence, Open public licence or re-use licence.  
Follow the national or organisational PSI re-use policy





...  
**Agenzia per l'Italia Digitale**  
*Presidenza del Consiglio dei Ministri*



**dati.gov.it**

*I dati aperti della Pubblica Amministrazione*

- la promozione delle politiche di **valorizzazione del patrimonio informativo pubblico nazionale**, ivi compresa la definizione della strategia in materia di open data, lo sviluppo e la gestione del **portale nazionale dei dati aperti**;
- **Data from Italy**
  - Nazionali (353) / Regionali (512) / Provinciali (203) / Comunali (629)



- Capo V - Dati delle pubbliche amministrazioni e servizi in rete
- Sezione I - Dati delle pubbliche amministrazioni
- Art.50
- **1. Gli addetti alle operazioni di trasmissione per via telematica di atti, dati e documenti formati con strumenti informatici non possono prendere cognizione della corrispondenza telematica, duplicare con qualsiasi mezzo o cedere a terzi a qualsiasi titolo informazioni anche in forma sintetica o per, estratto sull'esistenza o sul contenuto di corrispondenza, comunicazioni o messaggi trasmessi per via telematica, salvo che si tratti di informazioni per loro natura o per espressa indicazione del mittente destinate ad essere rese pubbliche.**
- **2. Agli effetti del presente codice, gli atti, i dati e i documenti trasmessi per via telematica si considerano, nei confronti del gestore del sistema di trasporto delle informazioni, di proprietà del mittente sino a che non sia avvenuta la consegna al destinatario.**



- LINEE GUIDA NAZIONALI PER LA VALORIZZAZIONE DEL PATRIMONIO INFORMATIVO PUBBLICO (ANNO 2014)
  - <http://www.dati.gov.it/content/documenti>
  - [More details](#)

- Licensing:

- <http://www.dati.gov.it/n-open-data-license-domande-e-risposte>

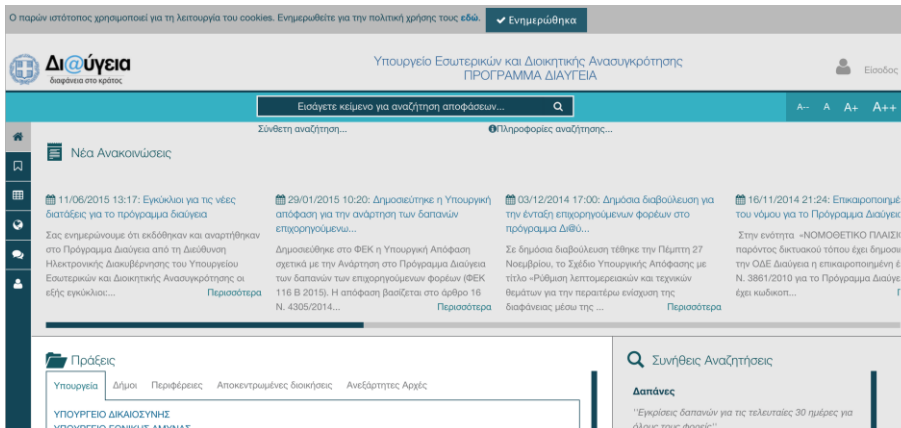


[n-open-data-license-domande-e-risposte](http://www.dati.gov.it/n-open-data-license-domande-e-risposte)

LINEE GUIDA NAZIONALI PER LA VALORIZZAZIONE DEL  
PATRIMONIO INFORMATIVO PUBBLICO  
(ANNO 2014)



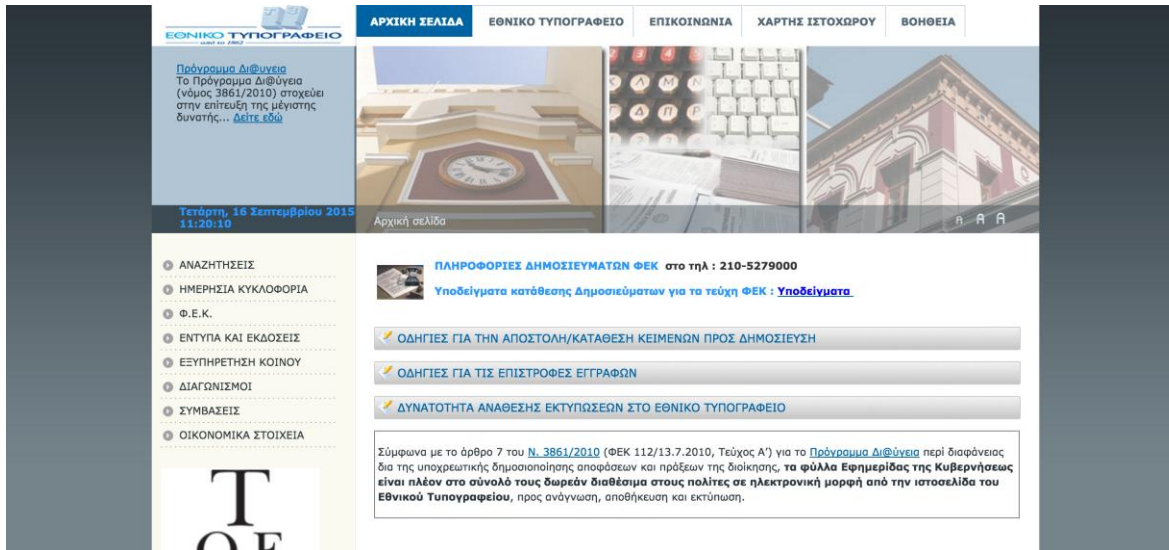
allegato alla Determinazione Comunitaria n. 92/2014 del 26.06.2014



The screenshot shows the Diavgeia website interface. At the top, there is a search bar with the text "Εισάγετε κείμενο για αναζήτηση αποφάσεων...". Below the search bar, there are several search results cards. Each card contains a date, a title, and a brief description of the decision. For example, one card dated 11/06/2015 mentions "Εγκρίσεις για τις νέες διατάξεις για το πρόγραμμα διαλογής". Another card dated 29/01/2015 mentions "Δημοσιεύθηκε η Υπουργική απόφαση για την ανάκτηση των δαπανών επιχορηγούμενα...". The website also features a navigation menu on the left with options like "Νέα Ανακοινώσεις", "Πρόξεις", and "Δαπάνες".

## Transposition:

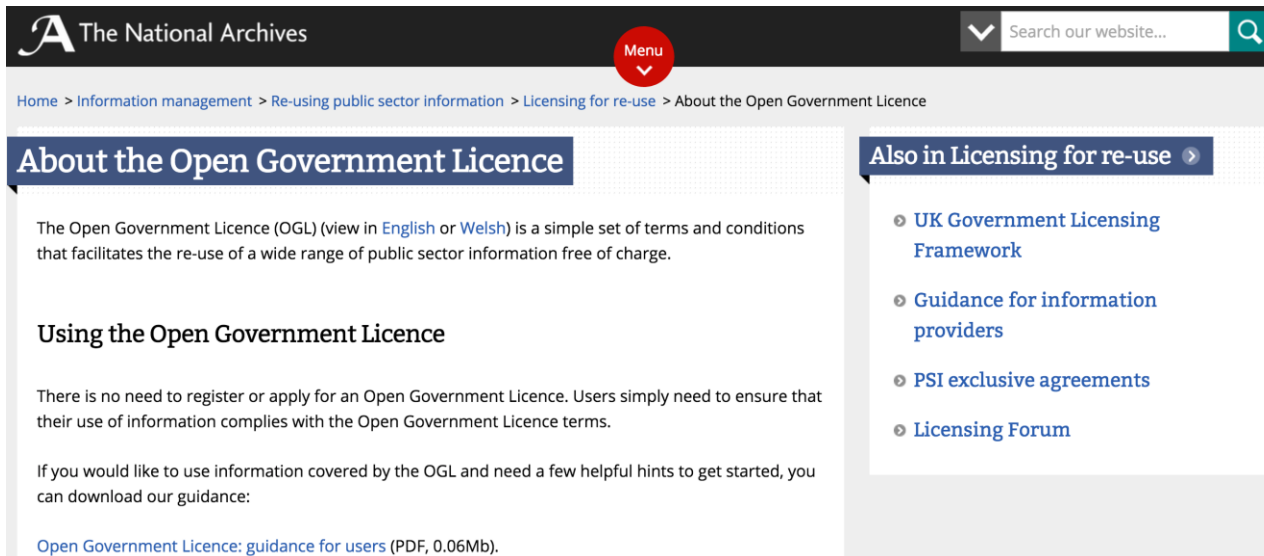
- Law 4305/2014
- Administrative Decisions/  
decrees
- Open by default
- Creative Commons  
Attribution Licence



The screenshot shows the homepage of the National Publishing House (Εθνικό Τυπογραφείο). The navigation menu includes: ΑΡΧΙΚΗ ΣΕΛΙΔΑ, ΕΘΝΙΚΟ ΤΥΠΟΓΡΑΦΕΙΟ, ΕΠΙΚΟΙΝΩΝΙΑ, ΧΑΡΤΗΣ ΙΣΤΟΧΩΡΟΥ, ΒΟΗΘΕΙΑ. The main content area features a large image of the building and a keyboard, with the text 'Πρόγραμμα Δι@ύγεια' and 'Υποδείγματα κατάθεσης Δημοσιεύματων για τα τεύχη ΦΕΚ : Υποδείγματα'. The sidebar on the left contains a menu with items like ΑΝΑΖΗΤΗΣΕΙΣ, ΗΜΕΡΗΣΙΑ ΚΥΚΛΟΦΟΡΙΑ, Φ.Ε.Κ., ΕΝΤΥΠΑ ΚΑΙ ΕΚΔΟΣΕΙΣ, ΕΞΥΠΡΕΤΗΣΗ ΚΟΙΝΟΥ, ΔΙΑΓΩΝΙΣΜΟΙ, ΣΥΜΒΑΣΕΙΣ, ΟΙΚΟΝΟΜΙΚΑ ΣΤΟΙΧΕΙΑ. At the bottom, there is a legal notice regarding the transposition of Law 4305/2014.

## Transposition:

- Law 4305/2014
- All official publications
- Open by default
- No licence required

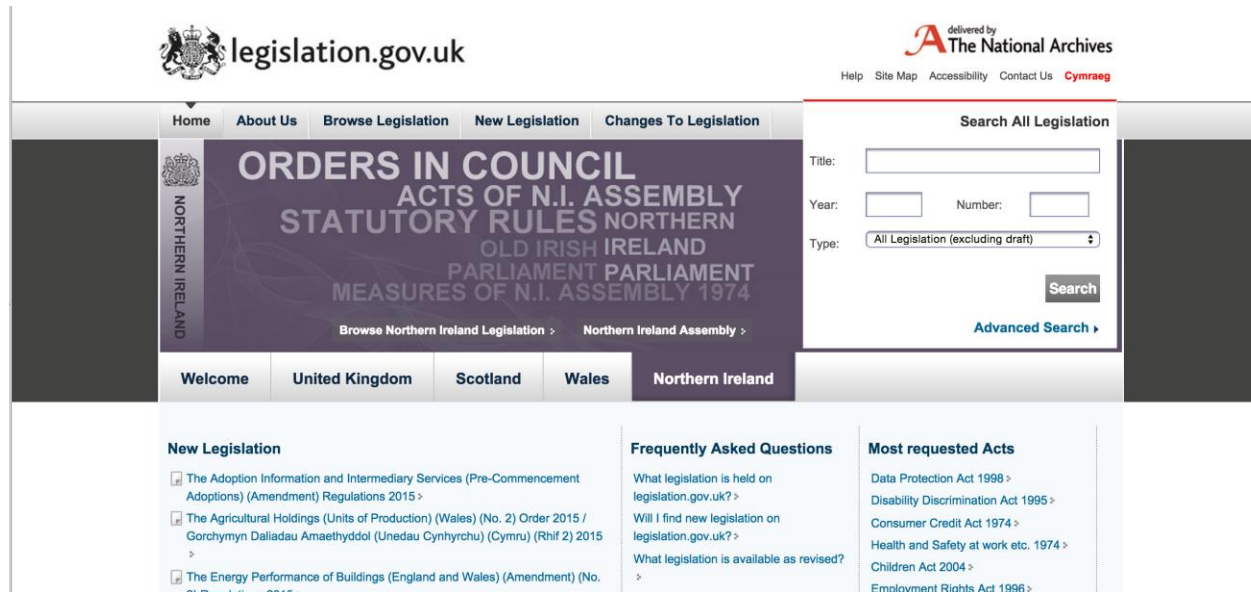


The screenshot shows the National Archives website. The header includes the logo, a search bar, and a menu icon. The breadcrumb trail is: Home > Information management > Re-using public sector information > Licensing for re-use > About the Open Government Licence. The main content area has a title 'About the Open Government Licence' and a paragraph: 'The Open Government Licence (OGL) (view in [English](#) or [Welsh](#)) is a simple set of terms and conditions that facilitates the re-use of a wide range of public sector information free of charge.' Below this is a section 'Using the Open Government Licence' with two paragraphs: 'There is no need to register or apply for an Open Government Licence. Users simply need to ensure that their use of information complies with the Open Government Licence terms.' and 'If you would like to use information covered by the OGL and need a few helpful hints to get started, you can download our guidance:'. A link is provided: 'Open Government Licence: guidance for users (PDF, 0.06Mb)'. On the right, a sidebar titled 'Also in Licensing for re-use' contains a list of links: 'UK Government Licensing Framework', 'Guidance for information providers', 'PSI exclusive agreements', and 'Licensing Forum'.

## Transposition:

- PSI Regulations (2015 No. 1415)
- UK Government Licensing Framework
- Model Licences (Open and Re-use)
- Licensing Forum

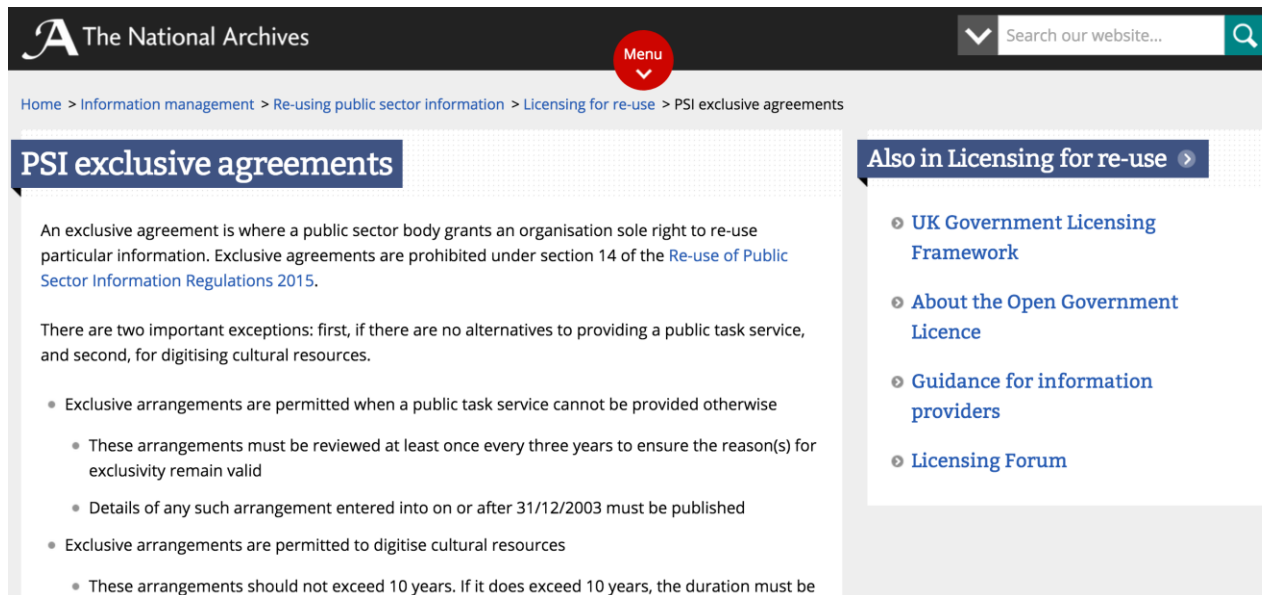




The screenshot shows the homepage of legislation.gov.uk. At the top left is the Royal Coat of Arms and the text 'legislation.gov.uk'. To the right, it says 'delivered by The National Archives' with a logo. Below this are links for 'Help', 'Site Map', 'Accessibility', 'Contact Us', and 'Cymraeg'. A navigation bar contains 'Home', 'About Us', 'Browse Legislation', 'New Legislation', and 'Changes To Legislation'. A large banner for Northern Ireland legislation is visible, listing 'ORDERS IN COUNCIL', 'ACTS OF N.I. ASSEMBLY', 'STATUTORY RULES NORTHERN IRELAND', 'OLD IRISH IRELAND', 'PARLIAMENT PARLIAMENT', and 'MEASURES OF N.I. ASSEMBLY 1974'. Below the banner are tabs for 'Welcome', 'United Kingdom', 'Scotland', 'Wales', and 'Northern Ireland'. On the right, there is a search box titled 'Search All Legislation' with fields for 'Title:', 'Year:', 'Number:', and 'Type:' (set to 'All Legislation (excluding draft)'). A 'Search' button and a link to 'Advanced Search' are also present. The main content area is divided into three columns: 'New Legislation' (listing 'The Adoption Information and Intermediary Services (Pre-Commencement Adoptions) (Amendment) Regulations 2015', 'The Agricultural Holdings (Units of Production) (Wales) (No. 2) Order 2015 / Gorchymyn Daliadau Amaethyddol (Unedau Cynhyrchu) (Cymru) (Rhif 2) 2015', and 'The Energy Performance of Buildings (England and Wales) (Amendment) (No. 2) Regulations 2015'), 'Frequently Asked Questions' (with links like 'What legislation is held on legislation.gov.uk?', 'Will I find new legislation on legislation.gov.uk?', and 'What legislation is available as revised?'), and 'Most requested Acts' (listing 'Data Protection Act 1998', 'Disability Discrimination Act 1995', 'Consumer Credit Act 1974', 'Health and Safety at work etc. 1974', 'Children Act 2004', and 'Employment Rights Act 1996').

## Transposition:

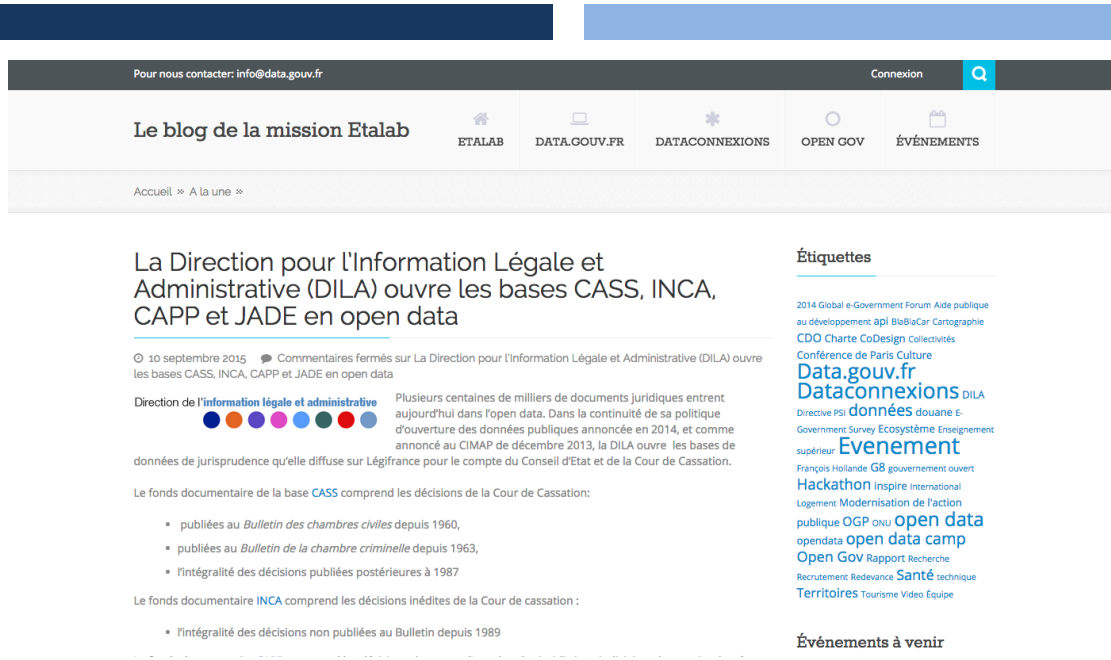
- PSI Regulations (2015 No. 1415)
- UK Government Licence (OGL v 3.0)
- Contains all up-to-date legislation as open linked data



The screenshot shows the National Archives website page for 'PSI exclusive agreements'. The page has a dark header with the National Archives logo, a search bar, and a menu button. Below the header is a breadcrumb trail: Home > Information management > Re-using public sector information > Licensing for re-use > PSI exclusive agreements. The main content area is titled 'PSI exclusive agreements' and contains a definition of an exclusive agreement, followed by two paragraphs of text and a bulleted list of exceptions. A sidebar on the right titled 'Also in Licensing for re-use' contains links to 'UK Government Licensing Framework', 'About the Open Government Licence', 'Guidance for information providers', and 'Licensing Forum'.

### Transposition:

- PSI Regulations (2015 No. 1415)
- Custom Licences
- Types of Data: audiovisual, geodata, textual
- Reasons:
  - Falling outside the public scope
  - Main source of funding for the PSB
  - Continuity and Service Level



Pour nous contacter: [info@data.gouv.fr](mailto:info@data.gouv.fr) Connexion

Le blog de la mission Etalab

ETALAB DATA.GOUV.FR DATACONNEXIONS OPEN GOV ÉVÉNEMENTS

Accueil » A la une »

## La Direction pour l'Information Légale et Administrative (DILA) ouvre les bases CASS, INCA, CAPP et JADE en open data

© 10 septembre 2015 Commentaires fermés sur La Direction pour l'Information Légale et Administrative (DILA) ouvre les bases CASS, INCA, CAPP et JADE en open data

Direction de l'information légale et administrative

Plusieurs centaines de milliers de documents juridiques entrent aujourd'hui dans l'open data. Dans la continuité de sa politique d'ouverture des données publiques annoncée en 2014, et comme annoncé au CIMAP de décembre 2013, la DILA ouvre les bases de données de jurisprudence qu'elle diffuse sur Légifrance pour le compte du Conseil d'Etat et de la Cour de Cassation.

Le fonds documentaire de la base CASS comprend les décisions de la Cour de Cassation:

- publiées au *Bulletin des chambres civiles* depuis 1960,
- publiées au *Bulletin de la chambre criminelle* depuis 1963,
- l'intégralité des décisions publiées postérieures à 1987

Le fonds documentaire INCA comprend les décisions inédites de la Cour de cassation :

- l'intégralité des décisions non publiées au Bulletin depuis 1989

Étiquettes

2014 Global e-Government Forum Aide publique au développement api BlaBlaCar Cartographie CDO Charte CoDesign Collectivités Conférence de Paris Culture Data.gouv.fr Dataconnexions DILA Directive PSI données douane E-Government Survey Ecosystème Enseignement supérieur Evènement François Hollande GB gouvernement ouvert Hackathon inspire International Logement Modernisation de l'action publique OGP ONU open data opendata open data camp Open Gov Rapport Recherche Recrutement Redevance Santé technique Territoires Tourisme Vidéo Equipe

Événements à venir

### Transposition:

- PSI Transposition (CIPAC 2013) - (CASS- INCA-CAPP)
- Open by Law
- Types of Data: Legal and jurisprudence (State Council and Court de Cassation decisions)



ELRA European Language Resources Association

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- Written Resources
- Terminological Resources
- Multimodal/Multimedia Resources

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**Catalog Reference : ELRA-W0036-01**

**"Le Monde Diplomatique" Text corpus in French - archives 1980-1998**

Electronic archiving of "Le Monde Diplomatique" articles in French from 1980 to 1998. The corpus is available in HTML. Each HTML file contains one article.

Number of articles available per year :

- 1980: 575 articles (500,088 words)
- 1981: 560 articles (462,611 words)
- 1982: 604 articles (497,383 words)
- 1983: 643 articles (474,786 words)
- 1984: 599 articles (485,067 words)
- 1985: 617 articles (466,953 words)
- 1986: 766 articles (419,875 words)
- 1987: 784 articles (446,527 words)
- 1988: 906 articles (440,871 words)
- 1989: 859 articles (428,119 words)
- 1990: 902 articles (403,175 words)
- 1991: 907 articles (416,662 words)
- 1992: 879 articles (414,308 words)
- 1993: 935 articles (402,399 words)
- 1994: 986 articles (399,892 words)
- 1995: 1046 articles (391,945 words)
- 1996: 916 articles (397,254 words)
- 1997: 814 articles (412,820 words)
- 1998: 843 articles (394,842 words)

**ISLRN : 232-619-161-765-9**

**Technical Information**

Distribution medium : CD-ROM

**Contents**

▶ written corpus [Click on the arrow to display content.](#)

**Members Prices**

Academic - Research 171.00 EUR  
Commercial - Research 171.00 EUR

**Non Member Prices**

Academic - Research 295.00 EUR  
Commercial - Research 295.00 EUR

### Transposition:

- PSI Transposition
- ELRA licence
- Types of Data: Newspaper Archive
- Three types of licence: (a) Research (b) Commercial use (c) Evaluation



**Ask our Legal experts through the Helpdesk**