

## Presentation Outline for ELRC Workshop, Section 10:

# Legal Framework for Contributing Data

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- 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

# Does the PSI Directive make a difference?



- Yes!
- Directive 2013/37/EU solves a number of issues:
  - Amending Directive 2003/98/EC
  - Emphasis on open data
  - Clearer cost rules
  - Including 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



Public Sector Information  
is like an aspirin:

- It helps you to get rid of your headache
- But you need instructions
- And it is always helpful to ask a doctor how to use it

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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
- MLAs 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



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



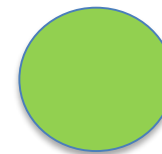
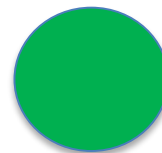
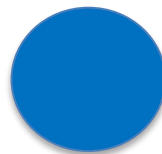
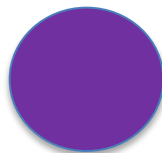
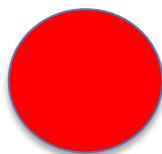
- Data are not to be re-used as such
- Data is used in order to produce new models to help automatically generate translations of new texts
- Individual data are used; not long texts

# What are the stages for releasing my data?

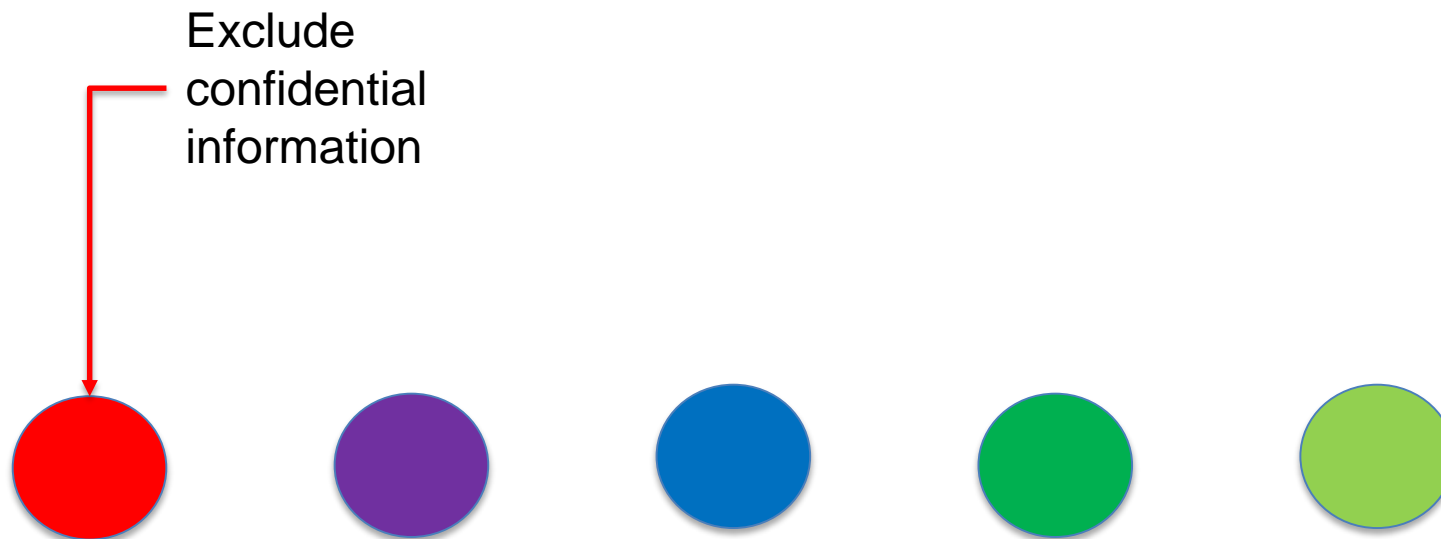


Releasing data under the PSI Directive is simple and easy

Just follow these stages



# What are the stages for releasing my data?



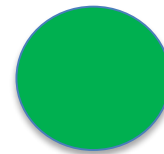
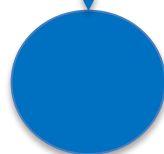
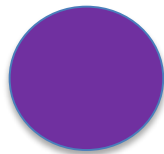
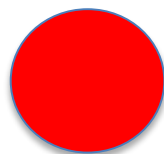
# What are the stages for releasing my data?



# What are the stages for releasing my data?



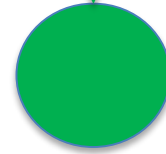
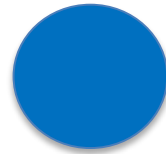
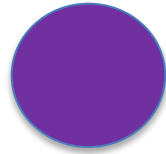
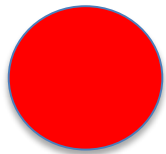
Ensure there is no 3<sup>rd</sup> party copyrights, that the material is in the Public Domain or that the necessary licences have been obtained



# 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)

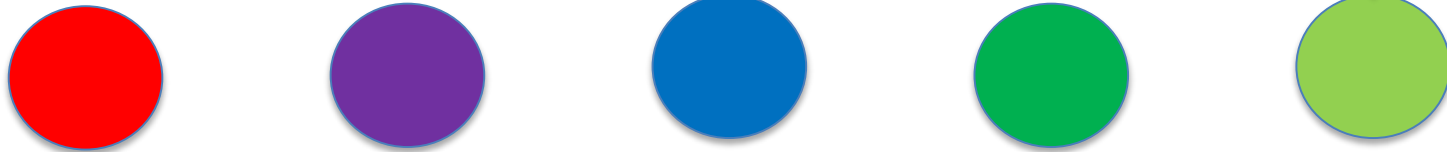




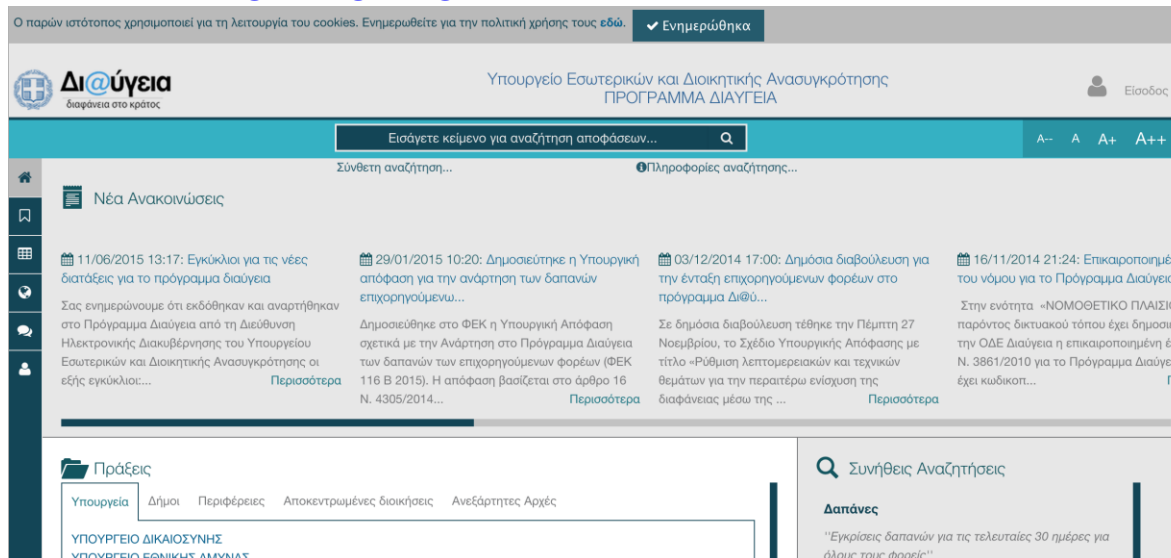
# What are the stages for releasing my data?



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



<https://diavgeia.gov.gr/>

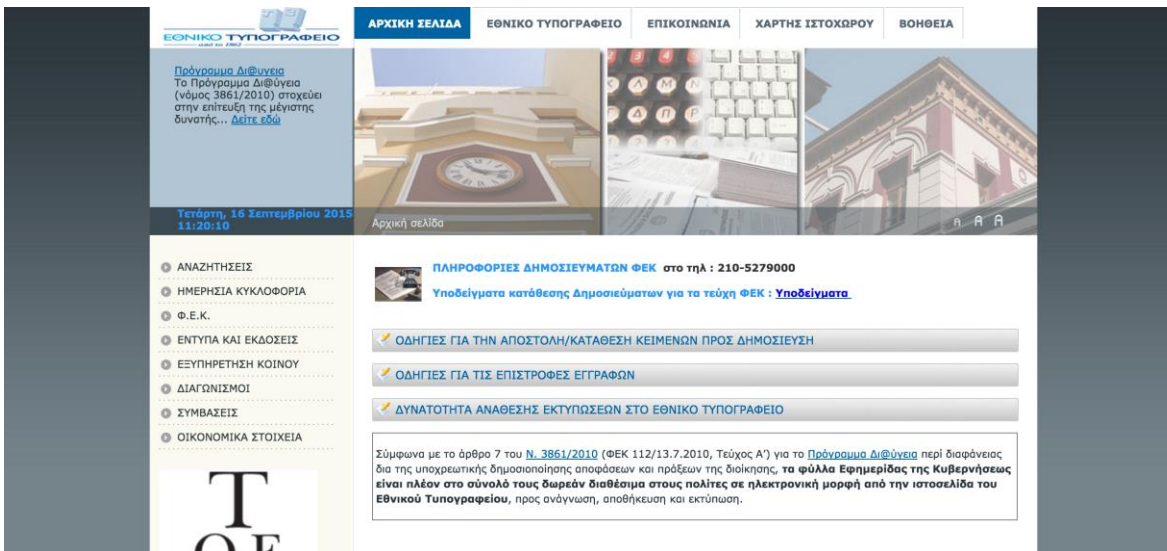


The screenshot shows the Diavgeia website interface. At the top, there is a navigation bar with the Diavgeia logo and the text "Υπουργείο Εσωτερικών και Διοικητικής Ανασυγκρότησης ΠΡΟΓΡΑΜΜΑ ΔΙΑΥΓΕΙΑ". Below this is a search bar with the text "Εισάγετε κείμενο για αναζήτηση αποφάσεων...". The main content area displays a list of news items under the heading "Νέα Ανακοινώσεις". The first item is dated 11/06/2015 13:17 and is titled "Εγκύκλιοι για τις νέες διατάξεις για το πρόγραμμα διαύγεια". The second item is dated 29/01/2015 10:20 and is titled "Δημοσιεύτηκε η Υπουργική απόφαση για την ανάρτηση των δαπανών επιχορηγούμενων...". The third item is dated 03/12/2014 17:00 and is titled "Δημόσια διαβούλευση για την ένταξη επιχορηγούμενων φορέων στο πρόγραμμα Δι@ύγεια...". The fourth item is dated 16/11/2014 21:24 and is titled "Επικαιροποιημέ του νόμου για το Πρόγραμμα Διαύγειας". Below the news items, there is a section for "Πράξεις" with a list of ministries: Υπουργεία, Δήμοι, Περιφέρειες, Αποκεντρωμένες διοικήσεις, and Ανεξάρτητες Αρχές. On the right side, there is a section for "Συνήθειες Αναζητήσιες" with a sub-section for "Δαπάνες" and a quote: "Εγκρίσεις δαπανών για τις τελευταίες 30 ημέρες για όλους τους φορείς".

Transposition:

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

<http://www.et.gr/>

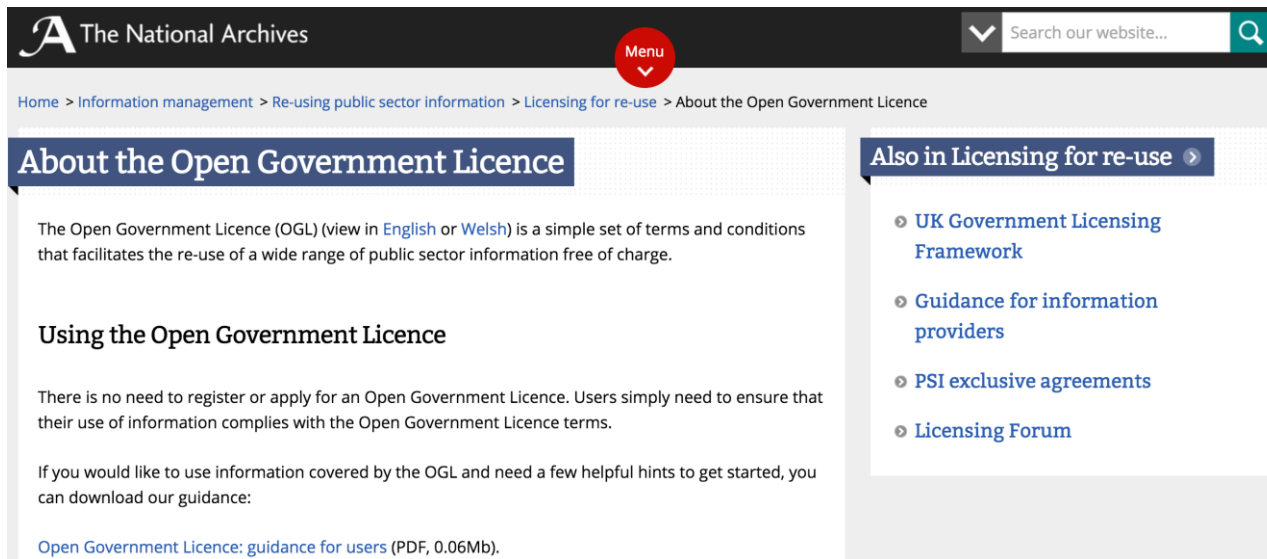


The screenshot displays the homepage of the National Publishing House (Εθνικό Τυπογραφείο). The navigation bar includes links for 'ΑΡΧΙΚΗ ΣΕΛΙΔΑ', 'ΕΘΝΙΚΟ ΤΥΠΟΓΡΑΦΕΙΟ', 'ΕΠΙΚΟΙΝΩΝΙΑ', 'ΧΑΡΤΗΣ ΙΣΤΟΧΩΡΟΥ', and 'ΒΟΗΘΕΙΑ'. The main banner features a collage of images related to publishing and printing. A sidebar on the left contains a menu with categories such as 'ΑΝΑΖΗΤΗΣΕΙΣ', 'ΗΜΕΡΗΣΙΑ ΚΥΚΛΟΦΟΡΙΑ', 'Φ.Ε.Κ.', 'ΕΝΤΥΠΑ ΚΑΙ ΕΚΔΟΣΕΙΣ', 'ΕΞΥΠΗΡΕΤΗΣΗ ΚΟΙΝΟΥ', 'ΔΙΑΓΩΝΙΣΜΟΙ', 'ΣΥΜΒΑΣΕΙΣ', and 'ΟΙΚΟΝΟΜΙΚΑ ΣΤΟΙΧΕΙΑ'. The main content area includes a section for 'ΠΛΗΡΟΦΟΡΙΕΣ ΔΗΜΟΣΙΕΥΜΑΤΩΝ ΦΕΚ' with a phone number and a link to 'Υποδείγματα κατάθεσης Δημοσιεύματων για τα τεύχη ΦΕΚ'. Below this are three highlighted sections: 'ΟΔΗΓΙΕΣ ΓΙΑ ΤΗΝ ΑΠΟΣΤΟΛΗ/ΚΑΤΑΘΕΣΗ ΚΕΙΜΕΝΩΝ ΠΡΟΣ ΔΗΜΟΣΙΕΥΣΗ', 'ΟΔΗΓΙΕΣ ΓΙΑ ΤΙΣ ΕΠΙΣΤΡΟΦΕΣ ΕΓΓΡΑΦΩΝ', and 'ΔΥΝΑΤΟΤΗΤΑ ΑΝΑΘΕΣΗΣ ΕΚΤΥΠΩΣΕΩΝ ΣΤΟ ΕΘΝΙΚΟ ΤΥΠΟΓΡΑΦΕΙΟ'. A legal notice at the bottom states that, according to Article 7 of Law 3861/2010, all official publications are made available online for free.

Transposition:

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

<http://www.nationalarchives.gov.uk/information-management/re-using-public-sector-information/licensing-for-re-use/what-ogl-covers/>



The screenshot shows the 'About the Open Government Licence' page on The National Archives website. The page includes a navigation menu, a search bar, and a list of related links under 'Also in Licensing for re-use'.

**The National Archives** Menu Search our website...

Home > Information management > Re-using public sector information > Licensing for re-use > About the Open Government Licence

### About the Open Government Licence

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.

#### Using the Open Government Licence

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.

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:

[Open Government Licence: guidance for users \(PDF, 0.06Mb\)](#)

#### Also in Licensing for re-use

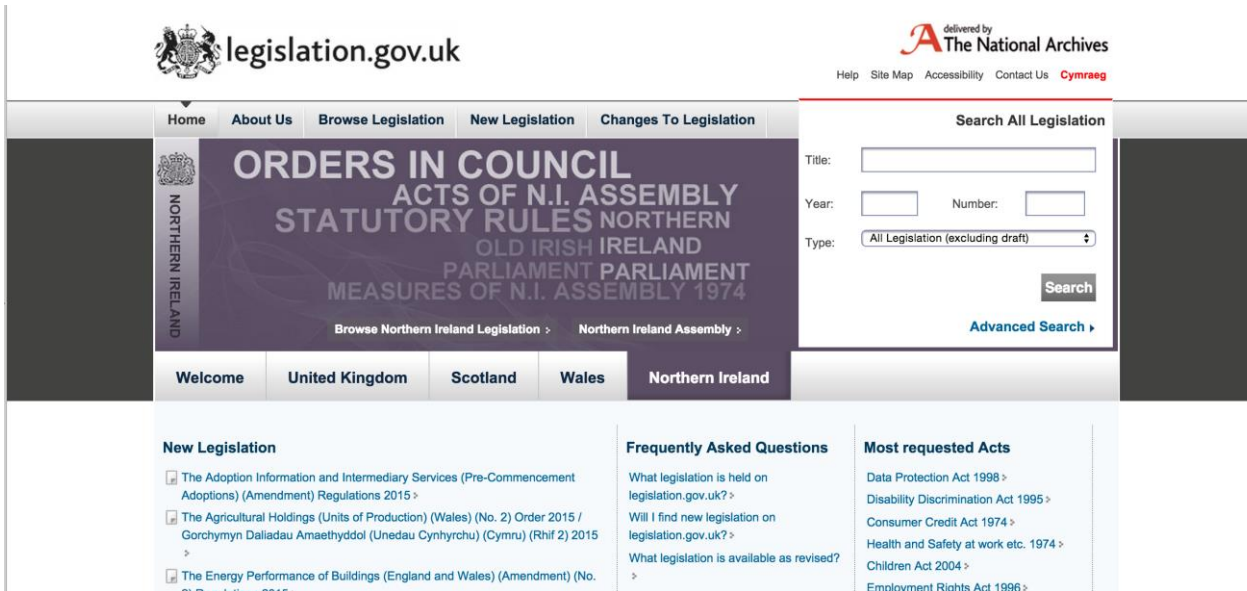
- UK Government Licensing Framework
- Guidance for information providers
- PSI exclusive agreements
- Licensing Forum

### Transposition:

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



<http://www.legislation.gov.uk/>

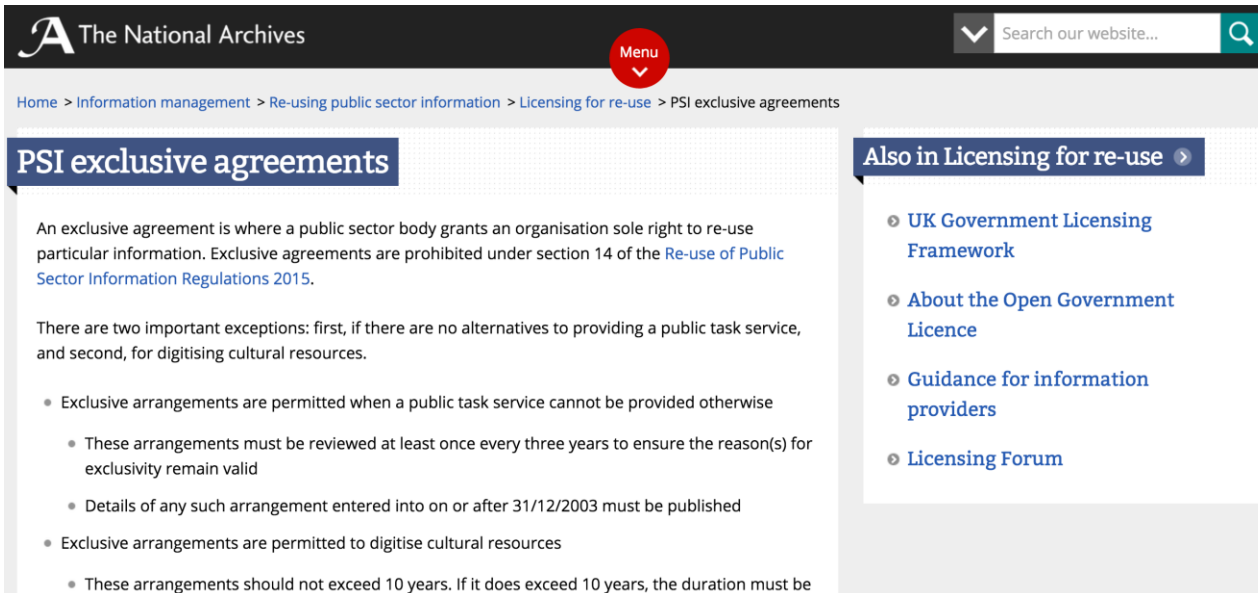


The screenshot shows the homepage of the UK Legislation Portal. At the top left is the Royal Coat of Arms and the text 'legislation.gov.uk'. To the right, it says 'delivered by The National Archives' with links for 'Help', 'Site Map', 'Accessibility', 'Contact Us', and 'Cymraeg'. Below this is a navigation bar with 'Home', 'About Us', 'Browse Legislation', 'New Legislation', and 'Changes To Legislation'. A large central banner features the text 'ORDERS IN COUNCIL', 'ACTS OF N.I. ASSEMBLY', 'STATUTORY RULES NORTHERN IRELAND', 'OLD IRISH IRELAND', 'PARLIAMENT PARLIAMENT', and 'MEASURES OF N.I. ASSEMBLY 1974'. To the right of the banner 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'. Below the banner is a navigation bar with 'Welcome', 'United Kingdom', 'Scotland', 'Wales', and 'Northern Ireland'. The main content area is divided into three columns: 'New Legislation' with three items, 'Frequently Asked Questions' with three questions, and 'Most requested Acts' with six items.

## Transposition:

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

<http://www.nationalarchives.gov.uk/information-management/re-using-public-sector-information/licensing-for-re-use/psi-exclusive-agreements/>



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 icon. 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, two important exceptions, and a list of conditions for exclusive arrangements. 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'.

**PSI exclusive agreements**

An exclusive agreement is where a public sector body grants an organisation sole right to re-use particular information. Exclusive agreements are prohibited under section 14 of the [Re-use of Public Sector Information Regulations 2015](#).

There are two important exceptions: first, if there are no alternatives to providing a public task service, and second, for digitising cultural resources.

- Exclusive arrangements are permitted when a public task service cannot be provided otherwise
  - These arrangements must be reviewed at least once every three years to ensure the reason(s) for exclusivity remain valid
  - Details of any such arrangement entered into on or after 31/12/2003 must be published
- Exclusive arrangements are permitted to digitise cultural resources
  - These arrangements should not exceed 10 years. If it does exceed 10 years, the duration must be

**Also in Licensing for re-use**

- [UK Government Licensing Framework](#)
- [About the Open Government Licence](#)
- [Guidance for information providers](#)
- [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

<https://www.etalab.gouv.fr/la-direction-pour-linformation-legale-et-administrative-dila-ouvre-les-bases-cass-inca-capp-et-jade-en-open-data>



The screenshot shows the website interface for the article 'La Direction pour l'Information Légale et Administrative (DILA) ouvre les bases CASS, INCA, CAPP et JADE en open data'. The page includes a navigation bar with 'Le blog de la mission Etalab' and various menu items like 'ETALAB', 'DATA.GOUV.FR', 'DATACONNEXIONS', 'OPEN GOV', and 'ÉVÈNEMENTS'. The main content area features the article title, a date of '10 septembre 2015', and a list of tags such as '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', 'Evenement', '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', 'Video', and 'Équipe'. A section titled 'Étiquettes' lists these tags, and another section 'Événements à venir' is partially visible at the bottom.


### Transposition:

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



<http://catalog.elra.info/index.php?language=en>

ELRA European Language Resources Association

<p><b>Language Resources</b></p> <p>Spoken Resources</p> <p>Written Resources</p> <p>Terminological Resources</p> <p>Multimodal/Multimedia Resources</p> <p><b>Bug reports</b></p> <p><a href="#">Send us your bug reports.</a></p> <p><b>Search Catalogue</b></p> <p>Use keywords to find the product you are looking for. <a href="#">Advanced Search</a></p> <p><b>Languages</b></p> <p></p> <p><b>Informations</b></p> <ul style="list-style-type: none"> <li><a href="#">Purchase procedure &amp; Conditions</a></li> <li><a href="#">Pricing &amp; user licences</a></li> <li><a href="#">How to promote your resources ?</a></li> <li><a href="#">Contact Us</a></li> </ul>	<p><b>Catalog Reference : ELRA-W0036-01</b></p> <p><b>"Le Monde Diplomatique" Text corpus In French - archives 1980-1998</b></p> <p>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.</p> <p>Number of articles available per year :</p> <ul style="list-style-type: none"> <li>• 1980: 575 articles (500,088 words)</li> <li>• 1981: 560 articles (462,611 words)</li> <li>• 1982: 604 articles (497,383 words)</li> <li>• 1983: 643 articles (474,786 words)</li> <li>• 1984: 599 articles (485,067 words)</li> <li>• 1985: 617 articles (466,953 words)</li> <li>• 1986: 766 articles (419,875 words)</li> <li>• 1987: 784 articles (446,527 words)</li> <li>• 1988: 906 articles (440,871 words)</li> <li>• 1989: 859 articles (428,119 words)</li> <li>• 1990: 902 articles (403,175 words)</li> <li>• 1991: 907 articles (416,662 words)</li> <li>• 1992: 879 articles (414,308 words)</li> <li>• 1993: 935 articles (402,399 words)</li> <li>• 1994: 986 articles (399,892 words)</li> <li>• 1995: 1046 articles (391,945 words)</li> <li>• 1996: 916 articles (397,254 words)</li> <li>• 1997: 814 articles (412,820 words)</li> <li>• 1998: 843 articles (394,842 words)</li> </ul> <p><b>ISLRN : 232-619-161-765-9</b></p> <p><b>Technical Information</b></p> <p style="text-align: center;">Distribution medium : CD-ROM</p> <p><b>Contents</b></p> <p>▶ written corpus <span style="float: right;"><a href="#">Click on the arrow to display content.</a></span></p>	<p><b>Members Prices</b></p> <p>Academic - Research 171.00 EUR Commercial - Research 171.00 EUR</p> <p><b>Non Member Prices</b></p> <p>Academic - Research 295.00 EUR Commercial - Research 295.00 EUR</p>
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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 during the coffee break