



Ministry of Science  
Technology and Innovation

**European Commission**  
**Information Society and Media Directorate-General**  
**Unit E4 – "Access to Information"**  
**Att: Mr. Andrej Osterman**

### **Public Consultation on the evaluation of the PSI Directive**

Among its first key actions, the Digital Agenda for Europe lists the revision of the Directive 2003/98/EC on the reuse of public sector information (PSI Directive).

The agenda highlights that governments can stimulate content markets by making PSI available on transparent, effective and non-discriminatory terms. This is an important source of potential growth of innovative online services.

In that context the European Commission launched a public online consultation on the PSI Directive a couple of months ago.

The Danish Government finds that the public sector information (PSI) plays a very important role in achieving growth in general as well as new innovative online services, but that the PSI Directive alone cannot fulfil the economic potential of the reuse of public sector information.

A study made by Gartner Group estimates that the business potential in the reuse of public data in Denmark alone could be worth at least a yearly DKK 600 million (more than EUR 80 million).

### **The Revision of The PSI Directive**

The Danish Government finds that regulation is not the main driver for increased reuse of public sector information in Denmark. However, to the extent that the PSI Directive is amended, article 6 concerning the principles governing charging should be changed.

High charges are a barrier for reuse of public sector information. Public sector bodies collect, produce, reproduce and disseminate data (public data) to fulfil their public tasks. Activities falling outside the definition "public data" will typically include data that are produced and charged for exclusively on a commercial basis and in competition with others in the market. The Danish Government finds that e.g. the innovation potential in SMEs (small and medium sized enterprises) could be improved significantly if the cost for getting access to public data were set with marginal cost as an upper limit.

Consequently, "reasonable return on investment" should not be included in the making of charges.

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## **The Danish 'Open Data Innovation Strategy'**

The Danish Government sees guidelines and sharing of good practise as the main driver for the reuse of public data and henceforth the keys to deliver the economic potential of this area.

The Danish 'Open Data Innovation Strategy' (ODIS) is about creating easier and more uniform access to public data as raw material for the private sector in the development of innovative digital products and services, useful analyses, data visualisations and data journalism. The initiative was launched in May 2009 by the Ministry of Science, Technology and Innovation and is managed by the National IT and Telecom Agency (NITA).

Access to government data provides the basis for new services and different analyses, new information and better insights that are useful to citizens and businesses alike. ICT companies are able to create new business in developing digital services and advanced content based on public data, and citizens can convert ideas and creativity into practical solutions to everyday problems. Open and available government data is a key resource in this process to benefit competitiveness and strengthen openness, participation and democracy.

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However, the lack of uniform practice when it comes to access to public data constitutes a significant barrier for innovative businesses and creative citizens looking to reuse data. This means, among other things, that many businesses and entrepreneurs do not know that specific data exist and that many public authorities are not aware of the potentials of private reuse of their data.

Under the auspices of the Ministry of Science, Technology and Innovation, NITA is working on developing a vision and a concept for how a business, an entrepreneur or a citizen can access government data in a uniform way – possibly creating a “one entry to public data reuse” policy and service, where legal, economic and practical aspects are dealt with in a uniform and efficient manner. A common European solution, for instance an internet portal with basic information on public authorities, which give access to data, could be analysed further. Such an initiative could increase awareness and transparency for businesses. The use of the existing European Business Register (EBR) as a basis for further development may be considered. In any rate, the development and the operation of the EBR may provide valuable experiences for future initiatives.

## **Previous And Planned Activities**

At the time of the launch of the 'Open Data Innovation Strategy' the National IT and Telecom Agency (NITA) held seminars for PSI reusers and public authorities in order to determine what key issues needed attention at that point and began building relationships with key stakeholders. In general, the PSI re-users and the public authorities had no previous contact and had little knowledge about each other, and the seminars thus served the purpose of bringing these stakeholder groups together and encourage dialogue between them.

In the Summer of 2009 NITA launched a Public Data Catalogue listing approximately 950 public data sets. The Data Catalogue was hosted at the public collaborative platform for digitisation, Digitaliser.dk.

In September 2009 NITA launched a data contest, inviting private businesses, NGOs, entrepreneurs and citizens to enter ideas for products and services based on public sector data. Three winners were selected and a prize ceremony was held as part of a conference on PSI reuse, organised by NITA in February 2010.

During the Summer of 2010, NITA established a small unit of “Data Hunters” responsible for locating interesting public data, helping public authorities publish their data, and assisting PSI reusers to request data from public authorities.

NITA recently published simple and easy-to-use technical, practical and legal guidelines on how to publish public data to help public authorities initiate open data projects.

Currently, NITA is working on guidelines and simple software tools to be used when publishing or reusing data.

In November 2010 NITA plan to launch a new and optimised version of the Public Data Catalogue which will help data reusers locate and access public data. The catalogue will be a directory, not a repository, in the sense that data will remain on the public authorities own servers or chosen host servers.

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## **Conclusion**

Realisation of the potential of public data depends on a variety of parameters and not just regulation. Thus the European Commission should play an active role in promoting reuse of public data. It may be necessary to amend the PSI Directive, but it is equally critical that the European Commission actively promotes knowledge sharing between Member States. Furthermore, it is important that the European Commission initiates other concrete initiatives to highlight and illustrate the necessity of public data reuse.

Prior to the adoption in the European Commission of a revised proposal, Denmark suggests that the Commission conducts an in-depth study of barriers and challenges and socio-economic benefits of a more targeted focus in the field on a European level.