

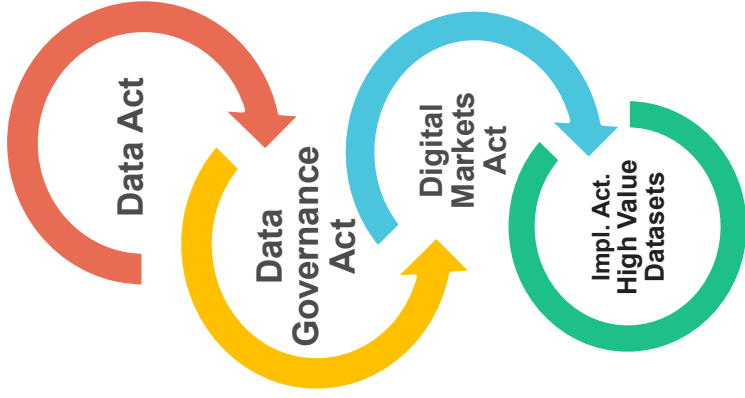


Open Data Directive & High Value Datasets

INSPIRE MAINTENANCE AND IMPLEMENTATION EXPERT GROUP (MIG) meeting
24 November 2022

Jiri PILAR, European Commission
DG for Communications Networks, Content and Technology, unit G1

Cross-sectoral legislation to enable the EU Data Strategy



Aim
Ensure FAIRNESS in the allocation of data value among the actors of the data economy
Ensure TRUST in data transactions
Tackle imbalances caused by the MARKET POWER of gatekeepers
Unleash the socio-economic potential of data as a raw material for INNOVATION , in particular for SMEs

Sectoral legislation: Further requirements on technical aspects, limits on the rights of data holders and aspects going beyond data access and use can be specified.

High Value Datasets and Data Spaces

Common European data spaces



Health



Industrial & Manufacturing



Agriculture



Finance



Mobility



Green Deal



Energy



Public Administration



Skills

High Value Datasets from public sector

- Driven by stakeholders
- Rich pool of data of varying degree of openness
- Sectoral data governance (contracts, licenses, access rights, usage rights)
- Technical tools for data pooling and sharing

Data Spaces Support Centre

- Coordinating the development of data spaces
- Assuring common standards and interoperability

Technical infrastructure for data spaces



Edge & cloud Services

Smart Middleware solutions

Marketplace

High-Performance Computing

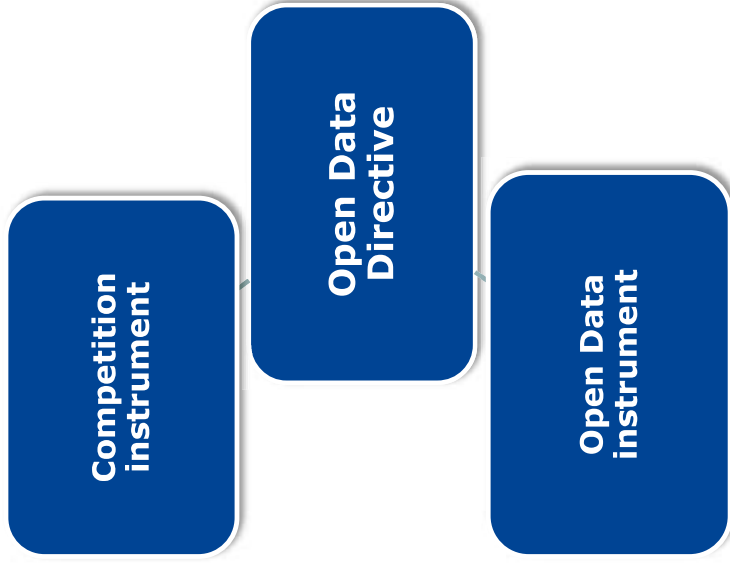
AI on demand platform

AI Testing and Experimentation Facilities

Key characteristics of a data space

- A **secure and privacy-preserving IT infrastructure** to pool, access, process, use and share data.
- A **data governance mechanism**, comprising a set of rules of administrative and contractual nature that determine the rights to access, process, use and share data in a trustful, transparent manner and in compliance with existing legislations.
- **Data holders are in control** of who can have access to their data, for which purpose and under which conditions it can be used.
- Presence of vast amounts of data that are **made available on a voluntary basis** and can be reused against remuneration or for free, depending on the data holder's decision.
- Participation by an **open** number of organisations/individuals in full respect of competition rules and ensuring non-discriminatory access for all participants.

Open Data Directive – basic facts



- Introduces a minimal set of rules to make more data from the public sector easier and cheaper to use for innovation
- The Directive only applies to *data publicly accessible** under national access to information regimes
- Application of the Directive must fully respect the Union and the national data protection rules
- **Latest revision in 2019:** entitled 'Directive on Open Data and the re-use of public sector information'

**Access rules are set by the MS. The Open Data Directive regulates the re-use of already accessible information held by public sector bodies and public undertakings, including documents to which Directive 2007/2/EC applies.*

Open Data directive (2019/1024 of 20/6/2019) => Implementing Act : list of high value datasets

Geospatial

*Earth observation
and environment*

Meteorological

Statistics

*Companies and
company ownership*

Mobility

- Datasets listed in the implementing act to be made available:
 - for free
 - in machine-readable formats
 - via APIs and (where relevant) as bulk downloads
- [Impact Assessment](#): RSB positive opinion 2021
- Inter-service consultation in April 2022
- Public consultation of in May-June
- Open Data Committee opinion: November 2022
- Expected adoption: by end 2022



Overview of developments in 2022

- **24 May:** Publication of draft Implementing Act and Annex for [public consultation](#)
- **21 June:** Public consultation ended
 - 130 contributions
 - Mainly public authorities, NGOs as well as citizens and companies
 - 15 Member States and Norway
 - EDPS
- **June, September:** 3rd and 4th OD Committee meetings
- **October-November:** OD Committee vote gave a positive opinion on the draft
- **November-December:** preparation for adoption (EC internal procedure) of the Commission Implementing Regulation
- Latest draft available in the [Comitology Register](#)

Main Act

- Subject matter
- Definitions
- Arrangements for publication (e.g. details on APIs)
- Arrangements for reuse (e.g. charging exception, time series, licences, personal data issues)
- Reporting by Member States
- Applicability: 16 months after entry into force

Annex:

- Datasets or their description and arrangements for the publication and re-use for individual categories

Geospatial – draft Implementing Regulation

Datasets	Administrative units	Geographical Names	Addresses	Buildings	Cadastral parcels	Reference and Agricultural parcels
Granularity	All levels of generalisation available with a granularity up to the scale of 1:5000. From municipalities to countries; maritime units.	N/A	N/A	All levels of generalisation available with a granularity up to the scale of 1:5000.	All levels of generalisation available with a granularity up to the scale of 1:5000.	A level of accuracy that is at least equivalent to that of cartography at a scale of 1:10 000 and, as from 2016, at a scale of 1:5 000, as referred to in Article 70(1) of Regulation (EU) 1306/2013.
Geographical coverage	Single or multiple datasets that shall cover the entire Member State when combined.					
Key attributes	<p>Unique identifier; Unit type (administrative or maritime unit); Geometry; Boundary status; National identification code;</p> <p>Identification code of the upper administrative level;</p> <p>Official name;</p> <p>Country code;</p> <p>Name in multiple languages (only for countries with more than one official language)</p> <p>Latin characters, when feasible.</p>	<p>Unique identifier; Geometry; Name in multiple languages (only for countries with more than one official language) including a language with Latin characters, when feasible;</p> <p>Type.</p>	<p>Unique identifier; Geometry;</p> <p>Address locator (e.g. house number);</p> <p>Thoroughfare (street);</p> <p>Name; Administrative units (e.g. municipality, province, country; Postal descriptor (e.g. post code);</p> <p>Date of last update.</p>	<p>Unique identifier; Geometry (footprint of the building);</p> <p>Number of floors;</p> <p>Type of use.</p>	<p>Unique identifier; Geometry (boundary of cadastral parcels or basic property units);</p> <p>Parcel or basic property unit code;</p> <p>A reference to the administrative unit of lowest administrative level to which this parcel or basic property unit belongs.</p>	<p>Reference parcels</p> <p>Unique identifier; Geometry (boundary and area); Land cover; organic; Stable landscape elements (“EFA-layer”); areas with natural/specific constraints.</p> <p>Agricultural parcels</p> <p>Unique identifier; Geometry (boundary and area of each agricultural parcel);</p> <p>Land uses (crops or crop groups);</p> <p>Organic; Individual landscape element; Permanent grassland.</p>

Earth observation and environment - draft

Implementing Regulation

Datasets	
Earth observation data sets: INSPIRE data themes	Environmental (including legal acts laying down the key variables)
Hydrography (I)	Air
Protected sites (I)	Climate
Elevation (II)	Emissions
Geology (II)	Nature preservation and biodiversity
Land cover (II)	Noise
Orthoimagery (II)	Waste
Area management / restriction / regulation zones & reporting units (III)	Water
Bio-geographical regions (III)	
Energy Resources (III)	
Environmental monitoring Facilities (III)	
Habitats and biotopes (III)	
Land Use (III)	
Mineral Resources (III)	
Natural risk zones (III)	

Meteorological – draft Implementing Regulation

Datasets	Observations data measured by weather stations	Climate validated data: observations	Weather alerts	Radar data	NWP model data
Granularity	Per weather station, full temporal resolution	Per weather station, full temporal resolution	Alerts, 48 hrs or more ahead	Per radar station in the MS and national composite	Minimum 48 hrs ahead in 1hr steps, national, at 2.5km/best available grid
Key attributes	All observation variables measured	All validated measured observation variables; daily average per		Reflectivity, Backscatter, polarization. Precipitation, wind, and echotops	Deterministic and/or ensembles if available, for meteorologically relevant parameters and levels
Format	BUFR, NetCDF, ASCII, CSV, JSON	NetCDF, JSON, CSV	XML (Cap or RSS / Atom), JSON	HDF5, BUFR	GRIB (or NetCDF)
Update frequency and timeliness	Every 5-10 minutes in real time for automated stations, hourly unvalidated for all stations, for the last 24 hrs	Daily validated hourly (and better temporal resolution) and daily average observations data; all digitised historical data	As issued or hourly	Near real time in 5 minute intervals (or available shortest interval)	Every 6 hrs, or better temporal resolution, from the last 24 hrs.

Statistics – draft Implementing Regulation

A number of socio-economic indicators described in legislation or directly in the Implementing Regulation.

Arrangements for the publication and re-use

- a) The datasets shall be made available for re-use:
 - as frequently as required by the corresponding legislation referred to under 4.1. (e.g. monthly, quarterly, yearly);
 - under the conditions of the Creative Commons BY 4.0 licence or any equivalent or less restrictive open licence;
 - in CSV, XML (SDMX), JSON or another publicly documented, Union or internationally recognised open, machine-readable format;
 - through APIs and bulk download;
- b) The metadata describing the data set shall be available as a well-developed structured file containing at least a description of the statistical data, the statistical concepts, methodologies and information on data quality.
- c) The datasets shall be described in a complete and publicly available online documentation describing at least the data structure and semantics.
- d) Datasets shall use Union or internationally recognised and publicly documented controlled vocabularies and taxonomies, where available.

Company information - draft Implementing Regulation

Datasets	Basic company information: key attributes	Company documents and accounts
<ul style="list-style-type: none"> - Name of the company (full version; alternative names when applicable); - Company status (such as when it is closed, struck off the register, wound up, dissolved (as well as the date of these events), economically active or inactive as defined in national law); - Registration date; - Registered office; - Legal form; - Unique identifiers (such as registration number and company identifier); - Member State where registered; - Activity/activities that are the object of the company, such as the NACE code. 	<ul style="list-style-type: none"> - Accounting documents, which include: <ul style="list-style-type: none"> o Financial statements (incl. the list of participating interests, subsidiary undertakings and associated undertakings, their registered office and proportion of capital held), audit reports. o Non-financial statements, management reports and other statements or reports. o Annual financial reports. 	<p>The descriptions of the datasets and their key attributes shall be understood in accordance with the wording of Directive 2013/34/EU of the European Parliament and of the Council and Directive 2004/109/EC of the European Parliament and of the Council.</p>



Mobility – draft Implementing Regulation

- Datasets within the scope of the INSPIRE data theme Transport Networks as defined in Annex I to Directive 2007/2/EC. Road, rail, air and water transport networks and related infrastructure.
- All levels of generalisation available with a granularity up to the scale of 1:5000;
- National coverage (where available);
- Including national identification code;
- Longitude and latitude as well as links with cross-border networks, where available.
- For those Member States to which the Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community (RIS Directive) applies, this category also includes the datasets in the table below; the datasets are understood as described in the RIS Directive

Digital Europe Programme call 2 closed in May 2022: Public Sector Open Data for AI

- Grants will support increasing semantic, technical and legal interoperability and data portability of the free high-value datasets;
- Targeted stakeholders: Public Administrations addressed by the Open Data Directive as data providers;
- Simple grants: 50% funding rate;
- Indicative budget: EUR 20 million in total, for 24-36 months. Between EUR 4 million and EUR 6 million per project.



The Data Governance Act: some intervention areas will concern public sector data -> Re-use of categories of protected public data

Adopted and published as Regulation (EU) 2022/868 of the European Parliament and of the Council of 30 May 2022 on European data governance

➤ **Complementary to Open Data Directive** (last revised 2019):

Shall cover data that can only be **used under certain conditions**, because others have rights on that data (personal data, trade secrets, confidential business information, IP)

➤ Building on national access regimes: where re-use happens, it should do so in a harmonised manner, **subject to conditions**

➤ Leaves room for MS, but aims to **create at least one contact point (single information point)** for liaison between re-users and public sector bodies/competent bodies

EVIDENCE:

More than 75% of stakeholders considered that public authorities should make a broader range of sensitive data available for R&I purposes for the public interest



**Thank you very much for
your attention**

For further questions:

email: CNECT-G1@ec.europa.eu

Unit G1 of DG CONNECT

**Websites with more
information:**

<https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=celex:32019L1024>

https://ec.europa.eu/info/strategy/priorities-2019-2024/europe-fit-digital-age/european-data-strategy_en

<https://ec.europa.eu/digital-single-market/en/open-data>