

# Implementation of the revised re-use Directive in Poland

Timisoara, 17 March 2015

Ministry of Administration and Digitisation



# Challenges

- June 2013/37/EU Directive amending the 2003/98/EC Directive on the re-use of public sector information;
- July 2015 deadline for implementing the directive;
- Biggest change is the extension of the scope of the Directive to libraries, archives and museums.



# Current situation

- Re-use is currently regulated by the act on access to public information;
- Access regime to public information is not the same as access to resources held by libraries, archives, museums;
- Access to public information is, in principle, free whereas the new directive foresees possibility to charge for re-using the aforementioned resources.



# What we want to achieve

- Re-use moved to a new act of law and based on access regimes regulated by specific acts;
- The re-use of documents held by public administration, libraries and archives will be, in principle, free of charge (possible direct costs);
- Museums will be allowed to calculate charges beyond direct costs (with a reasonable return on investment).



# Basically we want to do this

2014

Act on access to public information (chapter 2a  
– re-use)



2015

Act on the re-use of public sector information



# Why a separate act

- More precise and understandable (for re-users) distinction between access and re-use
- More convenient – re-use regulated in one act and not 4 separate ones;
- Re-use – considered economic right whereas access is civil right (specified in the Polish Constitution).



# Re-use conditions

- One option is to make PSI available free of charge and without conditions;
- Possible conditions that can be imposed:
  - inform about the source and time of creating, obtaining information from public institution;
  - inform whether information was modified/processed;
  - responsibility of the obliged entity for the information made available.



# Re-use conditions (II)

- Libraries, archives and museums will be able to impose other re-use conditions than the aforementioned;
- These conditions may not, however, completely prevent the re-use of public sector information.





# Where are we now?

- Draft legislative guidelines on the re-use of public sector information went through two rounds of public consultations;
- Recently passed by the Council of Ministers' Committee on Digitisation and Committee on European Affairs.



# Further steps (legislative guidelines)

- The Council of Ministers;
- Work on the legislative guidelines ends here.



# Further steps (bill)

- The Governmental Legislation Centre will draft bill on the re-use of public sector information based on the final version of the guidelines;
- Consultation phase of the bill;
- The Parliament;
- Signature by the President.



# When will it be ready

- Act on the re-use of public sector information ready before the deadline;
- Considering the *vacatio legis*, the new regulation should come into force early 2016.
- Manual for employees of cultural institutions explaining the new regulation.



# How to get information for re-use

- File a request;
- Public Information Bulletins – maintained by each obliged entity;
- DanePubliczne.gov.pl – open data portal launched in May 2014;





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WHAT IS THE  
CENTRAL  
REPOSITORY  
OF PUBLIC  
INFORMATION

1 2 3 4 5

narodowe strategiczne ramy odniesienia, **biuletyn**, narodowa strategia spójności, 2007-2013, pozwolenia radiowe, fundusze strukturalne, programy operacyjne, zakład ubezpieczeń społecznych, rolnictwo, **ZUS**, żywność, cena, **fundusze europejskie**, skup, sprzedaż





# Thank you

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