

Pricing of PSI - is the pendulum swinging?

Chris Corbin
ePSIplus Analyst

When the European Commission introduced the PSI re-use Directive back in June 2002 it referred to the fact that some public sector bodies were self-financing from the sales of the information that they held and that this had been recognised in Article 6.

*European Parliament ITRE
Committee 29th October 2002*

Article 6

Where charges are made, the total income from allowing access to or the re-use of information shall not exceed the cost of reproducing and disseminating this information. The burden of proving that charges do not exceed marginal costs of reproduction and dissemination shall lie with the public sector body charging for the re-use of the information.

At the time the European Commission had chosen a pragmatic route as it was clear that a small number of Member States would not change their position on self financing so rather than delay the introduction of the Directive it would be better to bring the Directive through onto the European statute book with a review after 3 years. During the co-decision process Article 6 and its supporting recital 14 were constantly amended until a compromise position was found.

The European Parliament at its very first reading of the draft Directive in the Industry, External Trade, Research and Energy Committee in October 2002

recommended that ALL information that support the democratic processes should be made available at no financial charge - for example constituency boundaries whether they be digital or otherwise; and that all other information where a financial charge is made should not exceed the marginal cost of reproducing and disseminating the information to the re-user.

To facilitate the pragmatic approach of the Commission and the desire of the European Parliament the European Commission offered to provide a guide on how to determine the financial charge as referred to in Article 6, which included the phrase "a reasonable return on investment", however the Council turned down this offer.

Directive: Article 6

Principles governing charging

Where charges are made, the total income from supplying and allowing re-use of documents shall not exceed the cost of collection, production, reproduction and dissemination, together with a reasonable return on investment. Charges should be cost-oriented over the appropriate accounting period and calculated in line with the accounting principles applicable to the public sector bodies involved.

The ePSIplus Thematic Network when it came into being reflected the issue identified by the co-decision process

and noted that a review of the Directive would take place during the network's life time and made *financial impact: pricing and charging* one of the key themes of the network's activity. Three two days meetings have been held and a PSI Pricing survey is currently underway. A considerable amount of information has also been gathered and reported upon on the ePSIplus one-stop-shop to information service about PSI, from European Member States and other countries across the world with regard to the charges made for PSI. The evidence gathered shows for example that:

- Where financial charges are applied they remain an issue and as such are an impediment to re-use.
- There are strong calls for Article 6 of the Directive to be revised to that of the European Parliament's ITRE Committee's stated position on the 29th October 2002.
- Member States that supported self-financing public bodies during the co-decision process such as the UK for example have undertaken research and initiatives, which have clearly demonstrated that the self-financing policy may have far more negative impacts than positive impacts and that as a consequence the policy is under review.
- A number of public bodies within Europe and elsewhere in the world have either drastically reduced their charges or implemented the cost of reproducing and dissemination of the information model and the impact has been positive on both the public sector body itself and the re-use of the information held.

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Pricing of PSI - is the pendulum swinging?

- Public Sector bodies that have changed over to the cost of reproducing and dissemination model that have placed their information online together with an easy licence regime such as click-use-licence or Creative Commons have managed to further reduce the costs of supply as well as the resources needed to service the re-use of their information.
- Commercial re-users of PSI have constantly stated at meetings that they do not expect the public body to incur the cost of providing the information to them. In fact they prefer the cost of reproduction and dissemination model rather than the no charge model. The reasons for this are sound as the commercial entity has established a market for its products and services and in order to continue to supply their customers they are dependent upon a sustainable information flow from the public sector bodies. Also different sectors have different needs - some need very large volumes of data delivered frequently such as the meteorological sector whilst others need small amounts of information as and when it changes for example legal and business information sectors. As such the cost of supply maybe different in each case.
- Where the charges and conditions are high alternative substitute data sets are appearing especially in the geographic information sector and now also in the meteorological sector. Such substitutes also have the advantage that they are cross-border and as such they eliminate the need to deal with many different bodies in order to obtain the information needed. This applies not just at the pan European level but also within Member States that have a federal structure. The substitute data sets in effect have harmonised the conditions and are in accord with the Directive. Furthermore they

demonstrate that the public sector by taking a parochial approach to the implementation of the PSI Directive have missed the opportunity offered by the Directive to harmonise within Europe!

As part of the review process the European Commission commissioned two studies. The first MEPSIR at the time the Directive came into force in Member States on 1st July 2005 and the second the MICUS study three years later at the 1st July 2008. The MICUS study reports that in the geographic and meteorological sectors the financial charges and the associated terms and conditions remain an impediment to the re-use of PSI within these sectors.

In June 2008 the OECD Ministerial Conference adopted the OECD PSI policy principles which include an article on *Pricing* that recommends the marginal cost model and that this be harmonised across a Member States public sector bodies.

During the third United Nations Internet Governance Forum held in Hyderabad in India during December 2008 PSI pricing was considered in several of the sessions organised by the OECD and UNESCO. Interestingly a comparison was made between Article 6 of the EU Directive on PSI and the OECD PSI Policy recommendation on Pricing and the view expressed was that the OECD recommendation was the preferable of the two. Of course the world has moved on since 2002 and the OECD PSI policy principles have been formulated with the benefit of hindsight of the EU PSI Directive. The point worthy of note here is that the issue is becoming a worldwide issue and that the preference is for the marginal cost model.

The European Commission is currently passing through the internal processes of adopting the Commissions' communication on the review of the PSI Directive, which is expected within the next two months and only then will it become apparent what the Commission review has revealed!

So where does this leave us on PSI Pricing?

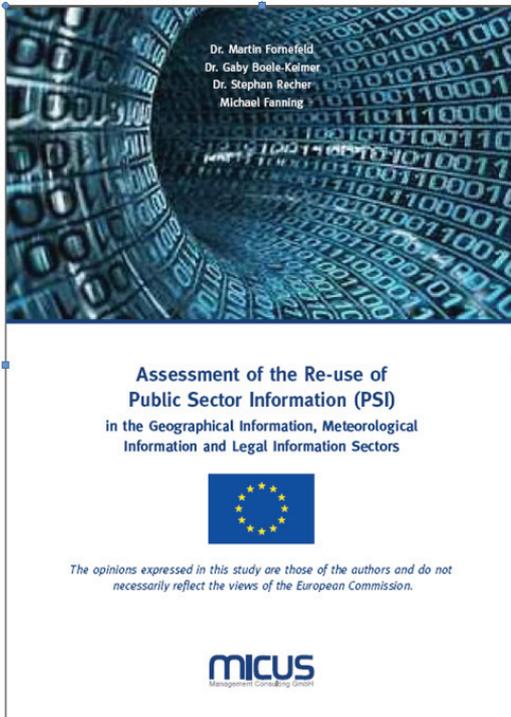
It is clear from all the evidence gathered by the European Commission, OECD, ePSIplus and numerous other bodies including the PSI Re-use Associations that have appeared over the past five years that:

- The PSI pricing policy pendulum is moving in the direction of the marginal cost model and towards the original position of the European Parliament.
- Article 6 has added extra complexity to the processes adopted within public sector bodies when handling PSI re-use requests and as such will need to be reviewed at some point in the near future.
- The pragmatic approach of the European Commission back in June 2002 was justified as the Directive has brought the issue into focus within Member States and all the stakeholders with an interest in PSI and as a result has raised the awareness of the issues and also built up a growing evidence base.
- The Member States are reviewing their PSI pricing policy and the need to ensure that the policy is in the interest of all of society and maximises both the democratic processes of Government as well as the use of the information that the public sector holds.
- Society is going around the problem through the development of alternative data sets wherever possible and that this process often starts within the Member States that operate a cost-recovery financing model.

The final step that the ePSIplus Thematic Network will undertake before it ends on the 28th February 2009 will be to develop and recommend an action plan most likely with a horizon of two years – but more on this in the next ePSIplus Update.

Chris Corbin
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Gilles Delaunay, MICUS Management Consulting GmbH



On behalf of the European Commission, MICUS Management Consulting has carried out a study to assess the re-use of PSI and the effects of the PSI Directive. Conclusion from the research is undoubtedly positive. Although the PSI Directive was not fully transposed into all Member States until 2008, it has already sparked positive effects. The re-use of PSI is increasing in all three sectors of public information, which have been individually scrutinized in this study. However, the impact of the Directive varies within the sectors.

The PSI Directive has had its strongest impact in the sector of geographical information (GI). The GI market is growing all across Europe; the income of GI re-users is increasing (for 66% of respondents) and the market is enriched by new re-user groups which offer innovative applications for geographical information.

Re-users of GI confirm that holders have improved their delivery services in recent years. It is particularly the speed of delivery and the formats offered that have improved, in their eyes. Although they still complain about restrictive licensing and high prices, they have also highlighted some positive changes referring to pricing and licensing (34% and 28% of positive replies respectively).

The large majority (79%) of private re-users of GI would like to access more public GI, but some do not take it up, primarily because of unfavourable pricing and licensing conditions. In recent years, GI has

been made increasingly available by private sources. This leads to a substitution of public sector information. When stable markets for a certain kind of geographical information are established, PSI holders should consider reviewing their range of public tasks.

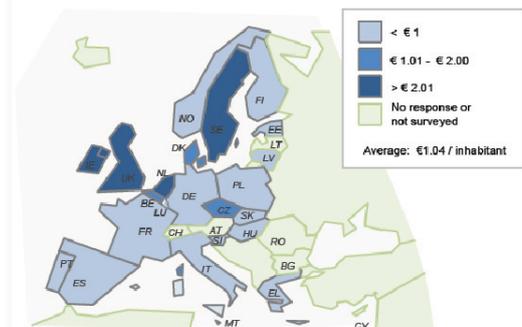
The study also reveals an impact of the Directive in the sector of legal and administrative information. The majority of holders have indicated that they have made noticeable changes in their data policy since 2002. The majority of them (79%) offer legislative and administrative information free of charge on the internet. In addition, several new online information portals have been set up which offer convenient search tools to access judicial information.

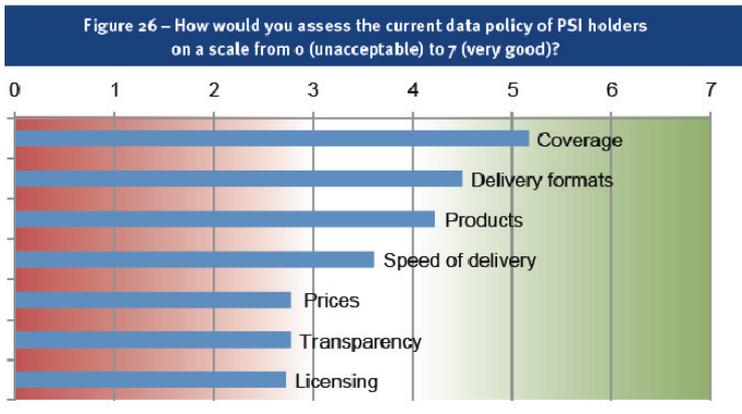
The market for legal and administrative information is growing; since 2002 an average increase level of 40% was reported by holders. However, the survey also highlights the continuing dissatisfaction expressed by companies about public authorities. In contrast to other sectors of PSI, in which re-user complaints are predominantly about pricing and licensing, in the legal sector most of the respondents criticize the lack of information on what PSI is accessible and where to find it for re-use.

In the sector of meteorological information, the results of the study suggest that the Directive has had little impact thus far. Although the National Meteorological Services (NMSs) have also introduced many changes in their data policy, only five of 25 NMSs have reported that they changed their data policies based on a change in their national legislation.

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Figure 7 – Income from public GI sales per inhabitant





Re-users complain first and foremost about pricing, transparency and licensing (see Figure 26 in the geographical information sector). Furthermore, in the meteorological sector complaints about discriminatory activities are particularly high. Many re-users express their wish for an efficient system providing free meteorological data and unrestrictive licences, as provided by the public authorities in the United States of America. Nevertheless, the market for private weather services is growing. Most of the respondents have recorded an increasing data volume download (for 74% of respondents) and from those that reported numbers related to income all confirmed significant increase in recent years.

The study reveals that most re-users in all three sectors are neither aware of the PSI Directive (79% in GI, 57% in MI and 71% in L&AI) nor know about existing rights concerning re-use requests. So far, there have been few formal complaints from re-users.

To raise awareness of the Directive within Member States, it is recommended that regular monitoring of key indicators should be introduced at a European level. The most important indicators of data delivery are on the one hand the income of PSI holders (under the condition that data is not made available for free) and on the other hand the volume of data delivered. In order to raise the comparability of this monitoring, indicators should be defined at product level. This would also help to develop a set of standardized products in Europe.

A great hope for an improved access to PSI lies in central bodies in charge of promoting PSI re-use at the national level. In most European public administrations, granting private organisations with access to public information for a commercial purpose represents a major cultural change. Such historical change requires a particular effort from Member States, and an adaptation of their organisation through the empowerment of a dedicated public body for the promotion of PSI re-use.

Access the full text of the study and annexes

Click in links below to view websites

- ▶ [MICUS](#)
- ▶ [European Commission](#)
- ▶ [ePSIplus Thematic Network](#)

Related News on ePSIplus

PSI promotion should be top Priority!

Commission publishes research report on PSI

Report Recommendation Highlights

- ▶ It is recommended that regular monitoring of key indicators should be introduced at a European level. (Ref: page 8)
- ▶ It is recommended that documents be made available at charges that do not exceed the marginal costs of their reproduction and dissemination. (Ref: page 10)
- ▶ It is strongly recommended that for the next two or three years the awareness and promotion of the Directive should be a high priority. (Ref page 22)
- ▶ It is recommended that regular monitoring of selected key indicators on a European level should be introduced. This monitoring should be aimed at measuring progress from year to year in each country. (Ref: page 72)



Assessment of the re-use of Public Sector Information in the Czech Republic

Dagmar Vránová, EPMA, Czech Republic

The Czech Government in January 2008 passed a resolution requiring the Ministry of the Interior to bring forward by the end of 2008 draft amendments to the Act 106/1999 Free Access to Information. The Act incorporates the articles that transposed the EU Directive 2003/98/EC that came into force during March 2006.

During 2008 the Ministry of the Interior initiated a number of actions that included a consultation and the commissioning of a study to:

- Assess the current economic activity from the re-use of public sector information;
- Propose a methodology that would enable the self-assessment of the market based on the re-use of public sector information;
- Make recommendations as to how the implementation of the economic framework arising from the EU Directive 2003/98/EC can be improved within the Czech Republic.

The study was undertaken by EPMA and the outcome of the study was delivered to the Ministry of the Interior at the beginning of December 2008. The report when published by the Ministry of the Interior will also contribute to raising the awareness of:

- The economic value to be gained from the facilitation of the re-use of public sector information;
- How the returns on the investment in the eGovernment and Smart Administration programmes can be further enhanced through enabling the re-use of the public sector information.

The study included online research and a survey (Mystery shopping) of public sector information holders. Students from Charles University supported by an analytical team undertook the survey. The survey included:

- Made requests to 15 public sector bodies for a list of available information, that is a catalogue of the information that they held.
- Undertook online research of 22 national public sector bodies and 14 regional public sector bodies web sites.
- Undertook 5 in-depth interviews with public sector bodies.

The results of the research showed the re-use of the public sector bodies information was not considered to be a priority in the majority of cases and that very few public sector bodies were able to provide a catalogue of the data and information that was available for re-use. The survey also revealed the lack of central co-ordination, which contributed to the low awareness within the public sector bodies.

The report includes a quantitative assessment of the PSI re-use market in the Czech Republic, that shows that the combined turn of over 190 companies that re-use public sector information in their products and services was in excess of Kč 6,850 million per annum.

The raw estimation of the number of economic bodies and revenues in PSI re-use based industry.

Re-use function	Category of information	Number of Companies	Total revenues per annum. Kč millions
Raw material	Economic	50	1 800
	Geographic	50	2 500
	Meteorological	20	600
	Legal	20	400
	Transport	20	1 200
	Social	10	150
	Other	20	200
	Total	190	6 850
Reference	Usage as a reference function (inside internal IS)	Thousands of companies	Not estimated

Source: EPMA estimation from the Czech Republic, 2008

The study identified the barriers that prevent the Czech Republic maximising the economic benefit from the re-use of public sector information as:

- **Legal:** Conflict between the laws that pertain to public sector information and the underlying ICT for example the Information law, the Author law, the Commercial code, the Administrative code, Personal data protection law, and the proposed "basic registers" law that is currently in process of preparation and due to come into effect on 2010.

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Assessment of the re-use of Public Sector Information in the Czech Republic

- **Public sector culture and technical implementation:** No central catalogue of information assets, lack of services on the Public Administration Portal, lack of data availability, the conditions for repeated access and downloading of bulk data processing, the issues of distribution channels, lack of single rules and habits, qualification level of civil servants, lack of education programmes, missing methodology of education, psychological barriers.
- **Private sector:** lack of awareness of the re-use laws and re-users rights, individual processes, fragmented approach, effort of companies to gain its individual competitive advantage against other players in the marketplace, no association or user group dealing with public sector information although thematic associations and user groups do exist.
- **Economic barriers:** pricing, price lists either do not exist or are not transparent, individual creation of prices according to applicant, very high prices in some selected institutions.
- **Information management:** poor data quality sometimes, missing catalogue and metadata system, data sources distributed over different departments, bad orientation in data sources, and lack of education programmes for public administration.

The study makes a number of recommendations for action in the short-term perspective:

- To reflect the needs of all stakeholders in the new Czech legislation – the eGovernment Act, the Act on Registers.
- To ensure practical steps towards simplification and standardisation of conditions that facilitate the re-use of public sector information by third parties whether for profit or not for profit.
- To establish the single/central methodology point of reference/contact for support, promotion and solving of questions related to the re-use of PSI.

Conclusion

The capability of the Private Sector - both profit and non-profit to transform public sector information into different information outputs, new information products or services need to be recognised, considered and supported by the Government in the overall context of the development of the Czech information society and knowledge economy. Furthermore the government needs to consider and implement processes that raise the understanding and awareness within the public sector bodies and public sector employees that permanent and transparent cooperation between the public and private sectors (supply and demand sectors) is vital for the overall development of the Czech economy.

Report Content

Preface

List of abbreviations

1. Introduction to issues
2. Questions of PSI in the context of information society
3. System condition for re-use of PSI in European Union
4. System condition for re-use of PSI in the Czech Republic
5. Survey of state-of-the-art on public authorities and institutions in the Czech Republic
6. Market of information services
7. Assessment of condition for re-use of PSI in the Czech Republic
8. Suggestions to solution

Conclusion

Executive Summary (English)

List of Annexes

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- ▶ ePSIplus Czech Republic Country Report



Hyderabad considers PSI Policy Principles



**Report by Chris Corbin, ePSIplus Analyst
on the 3rd Meeting of the Internet Governance Forum
3-6 December, 2008 Hyderabad, India**

During June 2008 the Organisation for Economic Co-operation and Development (OECD) Ministerial meeting ratified the recommendations of the Council for Enhanced Access and More Effective Use of Public Sector Information. The OECD recommend that when a Member country establishes or reviews their policies regarding access and use of public sector information and the implementation thereof, that they take due account OECD public sector information policy principles. An important difference between the OECD

PSI Policy Principles and the European Union (EU) re-use of public sector information is that the EU Directive is binding on all Member States whereas the OECD principles are recommendations to OECD Member Countries.

To help raise the awareness on the OECD PSI policy principles the OECD organised a Best Practice session within the third meeting of the United Nations Internet Governance Forum that took place in Hyderabad, India early in December. The objective of the forum was to explore and consider best practices to overcome the challenges to wider use of public sector information such as restrictive or unclear rules governing access and conditions of re-use; complex licensing procedures; inefficient distribution to final users.

To assist the forum debate the scene was first set by an introduction to the OECD PSI policy principles which was then followed by short statements made by the panel members on the experiences from Europe, Finland and India with respect to implementing policy on enhanced access and more effective use of PSI.

One of the points raised was the relationship between eGovernment and PSI policy and whether if a country scored highly on the implementation of eGovernment by International Assessors this implied that the country would score highly on PSI policy? The experience from Europe indicated that there was not a direct relationship.

OECD PSI Policy Principles embrace:

- Openness
- Access and transparent reuse conditions
- Asset lists
- Quality
- Integrity
- New technologies and long-term preservation
- Copyright
- Pricing
- Competition
- Redress mechanisms
- Public private partnerships
- International access and use
- Best practices

IGF 2008: PSI Forum Panel

Chair:

Graham Vickery, Head of Information Economy Group, OECD

Panelists

Chris Corbin

ePSIplus, UK

Rajeev Chawla

Commissioner, Survey Settlement and Land Records Department, Government of Karnataka, India

Ikka Lakaniemi

Nokia Siemens Networks, Finland

Dr. Govind, Director

Department of Information Technology, Ministry of Information and Communications Technology, Government of India

The report on Europe in response to the question what have we learnt so far reflected on the evidence that points to the need for:

- Leadership;
- Simplicity;
- Openness;
- Transparency; and
- Accountability

when implementing the PSI re-use framework and that where these points have been addressed the framework functions as intended.

References

Click on links below to view...

[OECD Ministerial Declaration](#)
[IGF Webpage of the Host Country India](#)
[IGF Website](#)

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[Third IGF a success](#)

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[Internet Governance Forum 2008
Enhanced Internet-enabled access and use of public sector information](#)

The heralding in of 2009 brought with it a new right of challenge with respect to the re-use of public sector information. The PSI re-use Directive Article 11 gave Member States until the 31st December 2008 to phase out existing exclusive arrangements that prevented the re-use of public sector information by third parties where they did not fit the permitted exemptions. Where exclusive arrangements exist they are required to have been made transparent.

Searching for the actions Member States have taken in complying with this simple requirement is like searching for a sewing needle in haystack! Can it be that there are no exclusive arrangements still in existence? Have Member States implemented measures that ensure new exclusive arrangements are not entered into by public sector bodies? If exclusive arrangements are still in existence that do not meet the permitted exemptions and are not transparent have the re-users raised the matter with the competent national authorities and the European Commission?

With respect to transparency one example that appeared just before the end of 2008 was that of the UK Office of Public Sector Information (OPSI) that has published the status of [exclusive arrangements](#) discovered after an extensive survey of central, regional and local government public sector bodies. The OPSI managed national Public Sector Information portal refers to the reason transparency is required and has presented the information in a standard format for each agreement referenced. The list currently includes nine agreements.

OPSI has set a good example, which provides a good base to build upon. Just imagine if such information was centrally provided in all Member States the information pages could be linked to form a pan European information one-stop-shop to information on exclusive arrangements that are in existence within Europe. Perhaps a small but simple example of how the development of pan European products and services based on the re-use of public sector

information could be encouraged! If the public sector does not wish to invest in such a one-stop-shop then perhaps there is a re-use service waiting to be provided! After all one of the principles behind the European Union Directive is that the public sector does not have to do it all as providing information is made available and transparent then society can play its role!

The Dutch government was quick off the starting line with respect to undertaking research into whether exclusive arrangements existed in Central government and if they did what would the consequences be of phasing each of them out? The research identified a small number. However the Netherlands government has not implemented a national public sector information service related to the re-use of public sector information and there is no transparency as to which of the exclusive arrangements identified still exist. The Netherlands government at the time indicated that they might undertake a similar exercise across the regional and local public sector bodies, but did they?

If all of the above is true then 2009 has highlighted the need for ACTION by both Member States and commercial & not for commercial re-users of public sector information! If some or all of the above is not true then share the information with us. If we receive no information then the default position must be that ACTION really is needed!

Public Sector Organisation	Coal Authority
Exclusive agreement details	
Material:	Coal Authority property search address data.
Rights:	Exclusive commercialization, sale and distribution.
Date:	20 September 2006
Term:	3 years from the date of execution of the Agreement.
Cancellation Period:	Termination of full contract by 12 months prior written notice, though simply by notice in writing in cases of material breach, etc.
Reason:	The initiative was subject to a full competitive tender exercise. This was deemed necessary because the overall commercial value was uncertain and exclusive arrangements were sought by the various third party companies interested in responding to the tender for the sale and distribution of the property search data.
OPSI assessment / action:	OPSI will be recommending to the Coal Authority that it serves notice of termination at the earliest opportunity.

Related ePSIplus News

[Exclusive Arrangements prohibited! Health Sector: Good practice](#)

Related ePSIplus Reports

[Netherlands study on exclusive agreements 2006](#)



European Legal e-Access Conference Journées européennes d'informatique juridique



Accessing Legal Information in the Digital Era

Ruth Martinez, **GfII**, General Delegate, (Groupement Français de l'Industrie de l'Information)

Several governmental and private initiatives were co-ordinated by the Secretariat-General of the French Government in order to organise under [France's Presidency of the European Union](#) the [European Legal e-Access Conference](#) (Paris, 10-12 December 2008). This highly successful event aimed to inform the public about the progress of European projects working towards improving access to law and legal information utilising new technologies. Highlighted and discussed were new developments that have emerged over the past ten years since Member States have started to publish laws and legal resources via the Internet.

300 persons from 45 countries participated in the Conference, including leading stakeholders involved in the development of the European knowledge economy through the exploitation of public sector information.

Conference Themes

- The European Official Gazettes: public, economic and social actors ([Wednesday, 10 December 2008](#))
- New treatments and new exchange and circulation modes of legal numerical information ([Thursday, 11 December 2008](#))
- The Legal information market in Europe under new rules imposed by network economy ([Friday, 12 December 2008](#))
- Les Journaux officiels européens, acteurs publics, économiques et sociaux (Mercredi 10 décembre 2008)
- Les nouveaux traitements électroniques de l'information juridique (Jeudi 11 décembre 2008)
- Le marché de l'information juridique en Europe (Vendredi 12 décembre 2008)

The economics of Public Sector Information were one of the main issues of the conference. For example, should the state finance new services for its own needs (links, search engines, versioning...) and offer them free of charge to citizens and / or the economic sector? Or should the state be limited to digital publishing of laws and rules of use and let the value added services coming from the private sector be guided by demand and the market? Who should pay to create and maintain it? Three options are possible.

1. Government: fund from general government revenues
2. Updaters: charge those who make changes to the dataset(s)
3. Users: charge those who use the dataset(s)

Cost-recovery is not any 'better/easier' than marginal cost. Governance and regulation are needed whatever charging policy is decided. Governance and regulation include the following.

- Transparency (for Competition)
- Independence (for Commitment and Competition)
- Empowering (for Effectiveness)
- A single clear source of authority and responsibility

Country Developments



In **Canada**, [CanLII](#) is a non-profit organisation managed by the [Federation of Law Societies of Canada](#). CanLII's goal is to make Canadian law accessible for free on the Internet. It offers a point-in-time system for legislation of all provinces, over 600,000 decisions from all Canadian courts and a hundred tribunals plus a powerful search tool. The next development step for CANLII is to offer more information to foreign users. It is noteworthy that in this case, the private editors did not disappear with the development of the free access to the law.



In the **United Kingdom**, the Government's aim is to deliver world-class online legislation services and wishes to encourage the re-use of legal information by other players. [OPSI](#) provides free access to the law and explanatory information as it is enacted and consolidated (revised and updated) legislation via the UK Statute Law Database. Individual courts publish their judgments. The Third sector, [BAILII](#), provides access to consolidated texts of the law and to all judgments. Private sector publishers provide access to value-added online databases of consolidated legislation with added-value commentary and links to case law and other materials. Other private sector publishers specialise in provision of services relating to specific areas of the law.

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European Legal e-Access Conference Journées européennes d'informatique juridique

UEJ2008.fr



Spain offers an example of balance between public and private roles: the agreement between El Consejo General del Poder Judicial and the Federación de Gremios de Editores de España.

The activity of **CENDOJ** stopped the monopoly of one publisher and allowed an intense revival of the publishing industry: there are now more products with better quality (more than 72 databases of case law, both general and specialised).



In **Germany**, in the legal sector, less than 10% of revenues generated by publishers and information providers in 2007 can be attributed to online products and services. The EU PSI Directive has been transposed into German law and the situation regarding both specialist

and general rights of access to official information has improved dramatically over the last 5 years.



In **France**, the new version of the website **Legifrance** and its future developments worries publishers. Based on the principle of free and universal access to a unique service, this website proposes tools

developed for government departments. In an industry where everything depends on investment, publishers are facing real competition with public sector.

Caselex was presented as an example of optimal synergy between private and public sectors, built on mutual understanding and shared interests.

The PSI Directive has already sparked positive effects. But there are other indications of the outstanding issues. For example, the **MICUS Management study (commissioned by the EC)** on impact analysis of the PSI Directive in the EU, reports that most of the respondents criticise the lack of information about what PSI is accessible and where to find it for re-use. The presentations and discussions during the Conference illustrated that here are still current barriers to PSI access, including legal information, and the debates during this conference pointed out the lack of a clear definition of "public task".

Read More about the Conference

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- ▶ [European Legal e-Access Conference](#)
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ePSIplus News

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European PSI Platform Announcement

The **European public Sector Information (PSI) platform contract** has been awarded to MDR Partners, ePSIplus Network Co-ordinator.

As a result of the two year contract award, the **ePSIplus one stop shop** on public sector information will transfer seamlessly from the current **ePSIplus platform** to the European PSI platform overnight between 28 February (the last day of ePSIplus) and 1 March 2009.

The European PSI platform will be redesigned but all the content currently held within the ePSIplus platform will transfer over to the new European PSI platform.

This new platform will work towards stimulating action and monitoring progress towards a stronger and more transparent environment for the growth of national and European markets in PSI re-use.

The new service will be an interactive web based portal (one-stop-shop) providing news on European PSI developments, emerging good practices, examples of new products and services and legal cases around PSI re-use.

Read Related News on the ePSIplus Web Portal

Click on links below to view...

- ▶ [EC publishes contract award for the European public sector information \(PSI\) platform](#)
- ▶ [European PSI Platform](#)
- ▶ [European PSI one stop](#)

Expanding the European Directory of PSI Re-use Products and Services

▶ The Directory of Cross Border Products and Services on the ePSIplus Portal is continuing, expanding and broadening the definition of content. The main purpose of the Directory is to encourage the development of PSI re-use business.

▶ Currently, the Directory documents and describes products and services which draw upon public sector information (PSI) from two or more Member States. There are 60 such entries included the Directory with information about:

- nature and intended audience;
- main source of the PSI which it has re-used;
- how the PSI fits within the product/service as a whole;
- value which it adds to the 'raw' PSI;
- overall business model; and
- what impact the Directive appears to have had on the business model and the provision of the service.

▶ Products and Services included in the Directory are classified according to the PSI sectors on which they draw and populated categories already include: Aeronautics, Agriculture, Companies and Finance, Energy, Geographic, Land and Property, Law and Regulation, Public Tenders, Traffic and Transport, Weather and Environment.

▶ By describing and classifying the products or services according to a common schema, it is intended to provide a means of assessing the demand for PSI-based products and services in such a way as to support inter-sectoral comparison and analysis of what makes some sectors more successful in PSI re-use business, what business models appear to work and what lessons can be transferred between sectors.

▶ The scope of this Directory is now expanding to include major products and services which draw on PSI from a single Member State. This approach is consistent with upcoming ePSIplus portal conversion to the European PSI Platform (contract awarded to the ePSIplus team for a period of two years March 2009 to February 2011). Thus, ePSIplus will continue to work under the new contract towards a comprehensive Directory of Products and Services which re-use PSI in Europe, whether 'cross-border' or otherwise.

Name of Product/Service	CASELEX (European Case-law exchange)
Company Name	Caselex s.a.r.l.
Company Location	Steinsel, Luxembourg
Company Website	http://www.caselex.com/pages/about.html
Product/Service Website	http://www.caselex.com/
Status	
Launch Date	01/06/2007
PSI Sector	Legal information, in particular court cases
Main Source of PSI Re-used	<ul style="list-style-type: none"> • Court judgements of all national courts (last instances) in the EU • Judgements of the European Court of Justice + the Court of First Instance + EFTA Court
Value Added to PSI	<ul style="list-style-type: none"> • Abstracts of the national court decisions • Translation of that abstract into English • Set of 50 metadata
Investment Costs and FTE (Full Time Equivalent) Staff Involved (in-house and outsourced)	<ul style="list-style-type: none"> • Around 5M euro (1.8 subsidized) • 5 FTEs in house, 50 FTEs outsourced
Description of the Business and Role of PSI	<p>Caselex's mission is to become the Internet-based one stop shop for national case law with a European dimension. Through Caselex, a lawyer in Paris can benefit from the decisions of the Supreme Court in Finland (for instance in respect of the interpretation of a term in a European Directive).</p> <p>Caselex gets its content – PSI per excellence: case law – in most cases directly from the source, being the Supreme Courts and national repositories. The core business process consists of identification, classification and enrichment (including translation) of summaries of court cases. It is a subscription-based service. Amongst its clients are law firms, ministries, courts and research institutes.</p>
Impact of the PSI Directive on the Business	<p>The PSI Directive has had a huge impact on the opportunities to source raw data. Where, some years ago, exploitation of court cases was an exclusive domain of a few oligarchic players, the opening up has led to a substantial increase of economic activities in this field. Caselex is one of the first to seize this opportunity at a pan European level.</p>
Public Funding	eContentPlus (European Commission)

Access the Directory

All PSI stakeholders are encouraged to pass on entries for the Directory (send an email) with the name and URL of the PSI re-use products and services which utilise PSI from one Member State or across Member States.

Send suggested content to Rob Davies, ePSIplus Network Co-ordinator
(Rob.Davies@ePSIplus.net)

Upcoming ePSIplus Meetings and Published Country Reports

Upcoming ePSIplus Meetings

Registration is Open for the Following ePSIplus Meetings

Click on the link below to view details



**Cross Border Meeting
Visegrad Countries**
11 February 2009
Beckov, Slovak Republic



**Italy Hosting ePSIplus
National Meeting**
13 February 2009
Rome, Italy

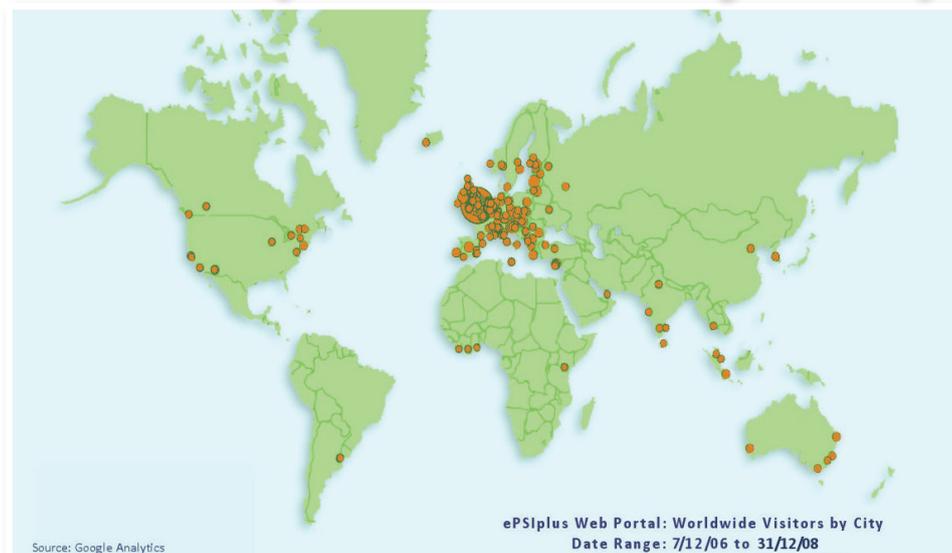
Read ePSIplus Country Reports

Comprehensive reports (countries represented in the ePSIplus Network) based on national meeting discussions focusing on Public Sector Information (PSI) re-use themes (Law and Regulation; Public Sector Culture; Re-use Business; Financial Impact; Data Standards).

Click on a country below to access a report

 Belgium	 Ireland
 Cyprus	 Latvia
 Czech Republic	 Lithuania
 Estonia	 Malta
 Finland	 The Netherlands
 France	 Poland
 Germany	 Slovak Republic
 Hungary	 Spain
 Iceland	 United Kingdom

ePSIplus reaches out to beyond Europe



Worldwide visitors to the ePSIplus web portal