Information market: re-use and commercial exploitation of public sector documents. 'PSI Directive'

2002/0123(COD) - 17/03/2003 - Modified legislative proposal

Of the 23 amendments adopted by the European Parliament, 10 amendments are accepted by the Commission and 8 amendments are accepted in part or in principle. As regards those accepted by the Commission, they refer to : - changing of the words 'document' and 'documents' into information' throughout the proposal for a directive; - further clarifying what types of information are collected by the public sector; - indicating that the tradition of the exploitation of public sector information by public sector bodies has developed in many different ways and that this should be taken into account; - clarifying that information which constitutes trade or business secrets falls outside the scope of the Directive; - giving the right to an applicant who considers that charges made by the public sector body exceed those allowed under the charging article of the directive to request of the charges; - taking out the words 'where re-use is allowed'; - taking out the words 'and appropriate'; - linking the review more clearly to the objectives of the directive. Concerning the amendments accepted in part of in principle by the Commission these concern: - the fact that presenting information both in graphic form and textual mode to enable people with sensory difficulties to use it cannot be accepted within the context of this directive. It imposes a burden on public sector bodies that cannot be justified in the light of the objectives of the directive; - the proposal to take into account the purpose of the reuse in determining the timeframes that are reasonable for treating requests for re-use; - the obligation for public sector bodies to provide information on the identity of the third party right-holder; - the obligation for Member States to make available lists of main content assets held by public sector bodies. The Commission accepts the first sentence of this amendment and proposes to reformulate the second sentence as follows: 'Such lists shall be made available for free and shall indicate which are the public sector bodies responsible for making the information available for re-use'.