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

2002/0123(COD) - 15/10/2003 - Commission opinion on Parliament's position at 2nd reading

The European Parliament adopted amendments to the Council's common position. These amendments were based on a compromise package agreed between Council and Parliament. The Commission can accept all the European Parliament's amendments in full. The amendments are as follows: - changing the word 'documents' into 'information' in the title of the Directive; - indicating that different administrative traditions in dealing with public sector information should be taken into account; - referring to the rights of citizens under the Charter of Fundamental Rights of the European Union; - giving attention to dynamic data, the economic value of which depends on its timely availability; - underlining the importance of formats that are independent of a specific software and the needs of people with disabilities; - drawing attention to the importance of transparent means of redress, in particular for SMEs; - indicating that public sector bodies should take into account interests of re-users when they discontinue the production of documents; - explaining the importance of practical tools that help re-users for cross-border use of public sector documents; - indicating that the directive is also about the practical means of facilitating re-use; - stipulating that public sector bodies have to indicate on request the calculation basis for their charges and that public sector bodies shall inform applicants for re-use on means of re-dress; - introducing an obligation for the Member States to ensure practical arrangements that facilitate the search for documents available for re-use; - reformulating the reference to self-financing needs of certain public bodies and the reference to the applicable accounting principles and the relevant cost of calculation method of the public sector bodies concerned; - linking the availability of information to the right to knowledge. This recital seems to be more about access to information than about re-use, but it is acceptable as part of the package agreed by Parliament and Council; - changing the formulation of the notion that this Directive is without prejudice to the national access regimes; - reintroducing the notion of use for commercial and non-commercial purposes in an article; - making the public sector bodies the direct addressees of the obligation and not the Member States.