

UK position on PSI Re-use Directive – update since November 2012

Carol Tullo, Director of Information Policy and Services at The National Archives and regular attendee at the Transparency Board, presented at the 21/11/2012 meeting on the UK negotiating position and the progress of the PSI Re-use Directive amendments in Europe. This item provides an update on progress.

The current PSI Re-use Directive was adopted on 17/11/2003 and implemented across the UK on 01/07 2005 by the Re-use of Public Sector Information Regulations 2005. The Directive established a minimum set of legal rules governing the re-use of PSI at the European level. In particular, it aimed to provide for transparency and consistency in the re-use of PSI to ensure a level playing field for all re-users of such information.

The proposal to amend the current Directive seeks to bring about a further degree of harmonisation at European level.

December 2012

- Appraisal stage impact assessment signed off by Helen Grant and circulated to relevant Parliament and Cabinet Committees
- Progress report at TTE Council (Telecommunications, Transport and Energy Council) 20/12/2012 – main areas for discussion during working group negotiations in Council:
 - Scope of Directive – the exclusion of certain documents types not suitable for re-use (personal information, crests, logos and insignia).
 - Charging above marginal costs - the flexibility of the text as to when and how public sector bodies could charge above marginal cost.
 - Exclusive arrangements – the duration of exclusive arrangements relating to the digitisation of cultural resources.
- 'Trilogue' process began – tripartite meetings between European Council, Parliament and Commission began in Europe. (First meeting took place 17/12/2012. See next steps below for forthcoming).

January 2013

- Irish Presidency until June 2013 begins – Digital Agenda for Europe priorities include PSI Directive (1 of 4 priorities)
- Working group meetings – next Council working group 31/01/2013
- PSI Group meeting 24/01/2013 – expert group with representatives from Member States chaired by the Commission

Next steps

- Tripartite meetings between European Council, Parliament and Commission
 - 2nd trilogue – 06/02/2013 (TBC)
 - 3rd and final trilogue – end March (TBC)
- European Parliament plenary vote – moved back to 17/04/2013
- Council adoption of text end April 2013 earliest / May 2013 (estimate) - (following Parliament consideration and trilogues and phases)
- Transposition - UK regulations in force by late 2014/early 2015