

PUBLIC HEARING ON DRAFT
AGREEMENT ON EXCHANGE, ACCES AND
USE OF SPATIAL DATA

- **REFERENCE TO AGREEMENT – THE REASONS FOR THE ADOPTION:**
- is one of the instruments of NSDI establishment in Croatia
- is defined in INSPIRE directive as such
- a basic purpose is enabling spatial data collected at one level to be shared between all others
- terms of use, duties and responsibilities should be set in advance without unreasonable limitations



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■ REFERENCE TO AGREEMENT – BASIC CONCEPT:

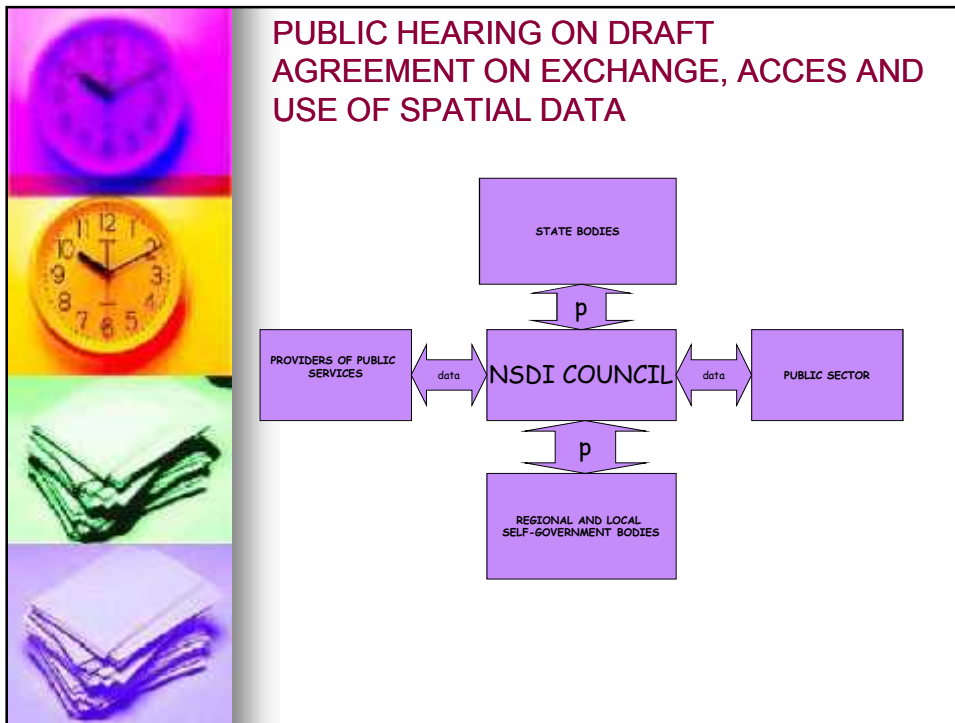
- standard framework agreement
- an offer addressed to unlimited number of stakeholders, but could be identified because the law defines subjects
- on the one side is the NSDI Council - responsible body for leading the establishment of the NSDI and the coordination of the activities of the NSDI participants
- on the other side each stakeholder, by itself




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■ REFERENCE TO AGREEMENT – THE SCOPE:

- enabling georeferenced spatial data, collected, stored and maintained by one stakeholder to be available to all agreement's parties, according to the terms, rights and obligations set in advance
- the acquired scope is for internal and uncommercial purposes, without transferring of ownership, denotes unlimited data viewing i.e. the minimum rights involving the right of discovery, view and print-out with a visible mark of the prohibition of further use (e.g. "not a public deed, water mark etc.), combination rights, merging rights, exchange by downloading or in another classical way.



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- **PUBLIC HEARING PROCEDURE:**
 - the text of the agreement was published on SGA web page on the 14th April 2011.
 - a letter had been sent to 121 stakeholders
 - infonipp@dgu.hr was available
 - public hearing closed on 30th May 2011.



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- CALL FOR PARTICIPATION IN PUBLIC HEARING SENT TO 121 STEAKHOLDERS:
- all ministries
- central state offices, state administrative organizations
- institues, agencies, chambers, assosiactions
- all counties and cities
- geodetic,civil engineering, arhitecture, forestry, agriculture,maritime faculties and to FOI
- Croatian Electricity Company, Croatian Motorways, Croatian Roads, woods, water, railways, telecom
- JANAf, PLINACRO ltd, VIP net



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- RESPONSE TO PUBLIC HEARING:
- ten (10) written comments had been received
- four (4) subjects supported the initiative and said that they have no objections to the text (ministry, state admin organization, local government, university)
- the other six (6) subjects gave reasoned comments and suggestions (a public institutions, government agencies, ministry)




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- COMMENT I:
- agreement is assessed as good, but it does not contain one of the fundamental parts of any business arrangements, and that is the **BUSINESS MODEL**
- it is therefore recommended to wait with the adoption, to include a business model in the text and thus facilitate the implementation of the agreement in the daily work



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- COMMENT II:
- subject responsible for the data that must be specially protected declares that can not accept to sign the provisions of Article 17. of the agreement
- Article 17 reads: "The stakeholders waive all responsibility for damage caused by using their data and services, including errors, omissions, computer viruses and similar deficiencies that may arise from using thr computer programs."



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- **COMMENT III:**
- subject considers that the land registry data are not spatial data.
- states that only the data from A sheet of the land registry book (i.e. property description) are spatial data and they already exists in the cadastral registers. As all land registry data are not SPATIAL data, as such should not be subject to the agreement.



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- **COMMENT IV:**
- the subject recommends:
- to harmonize the text in parallel with the progress of the adopted project "a framework for interoperability" led by the Central State Administrative Office for e-Croatia.
- consider the strategy of "open data government"
- encourage the creation of new data on the existing surfaces, without limitation to public and commercial use.
- expand the definition of the subject:"any natural or legal person using data and services covered by NSDI and providing public services on the basis of these data."



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■ COMMENT V:

- the subject quote:
- lack of detailed specifications according to which a metadata catalog should be created
- lack of clarification and information on the implementing rules, adopted specifications and protocols related to data sharing
- article 10 (special arrangements) is considered unfavorable
- definition of "data exchange" is in contradiction with the way the exchange and availability of data is stipulated by the Regulation on Environmental Information System (Official Gazette no. 68/2008)



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■ COMMENT VI:

- Subject quote:
- objections on some terms from introduction
- in the glossary there is no definition of "minimum set of data for free exchange"
- on what ground the Committee gives recommendations to Council for entering into the agreement? It is proposed to define a document under which the Committee proposes and to mention it in the agreement
- is there an application template created by SGA? If not it should be



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■ COMMENT VI:

- Do NSDI Council or SGA supervising “ special agreements” as well? It is proposed that while entering into "special agreement", it should be a clause whether in NSDI already exists a data that are part of "special agreement"
- What is meant by “available security measures”?
- What could be the costs that incurred from the implementation of the agreement?
- Is SGA an NSDI subject? Is it compatible that SGA perform many different tasks that may come into collision?



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- the working group will continue its work by analysing the received comments and results will be reported to Committee
- work continuously on agreement development



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**■ THANK YOU FOR YOUR
ATTENTION !**

