

National Spatial Data Infrastructure Law

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Sector of GIS
NSDI division

Overview

- **Activities on creating Law**
- **Law content**
- **Main objectives of Law**
- **Questions**

CROATIAN GOVERNMENT

January 2013.

Finalised Law on NSDI

NSDI Council

Final Proposal Law on NSDI

NSDI Board

NSDI Working groups

SGA Working Group for INSPIRE Transposition

April 2012.

17th February 2007

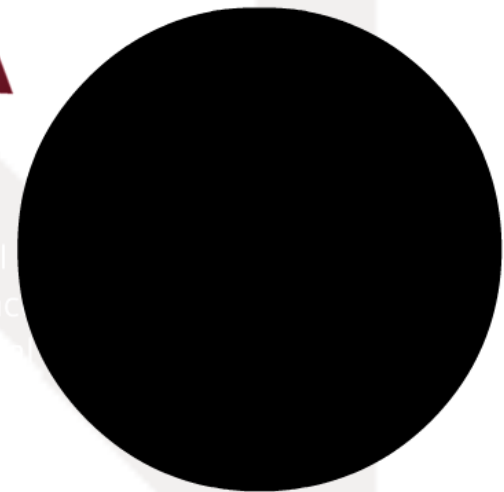
**Law on State Survey and Real Estate Cadastre
– the first regulation on NSDI in Croatia**

**15th May 2007 – INSPIRE Directive
2007/2/EC of the European Parliament
and of the Council entered into force.**

Access Directive: Directive 2003/4/EC
on public access to environmental information and repealing
Council Directive 90/313/EEC.

PSI Re-use Directive: Directive 2003/98/EC
of on the re-use of public sector information.

INSPIRE Directive: Directive 2007/2/EC
of establishing an Infrastructure for Spatial Information
in the European Community.



NSDI Law

2009 - INSPIRE directive was included in the National Program for Accession European Union – obligation to transpose it till joining EU

What is NSDI?

Who are NSDI subjects?

What is NSDI data?

NSDI subjects' obligations?

Spatial data services?

NSDI bodies and their tasks?

General information:
34 articles

I. GENERAL PROVISIONS

II. NSDI ORGANISATION

III. NSDI BODIES

IV. NSDI DEVELOPMENT

V. PENAL PROVISIONS

VI. TRANSITIONAL AND FINAL PROVISIONS

Glossary

1) National Spatial Data Infrastructure Geoportal (hereinafter: NSDI Geoportal) is an internet site or its equivalent enabling access to the search, view, download, transformation and discovery services for the NSDI data.

...

6) Spatial data is all the data directly or indirectly linked to a certain position in space or a geographic area.

Article 1

1) This Law regulates the establishment, maintenance and development of the national spatial data infrastructure in the Republic of Croatia (hereinafter: NSDI) as well as the establishment of the NSDI bodies.

Article 2

The NSDI is a set of measures, standards, specifications and services aimed at enabling to efficiently encompass, manage, distribute and use the spatial data determined by this Law.

Article 3

The NSDI encompasses the establishment of the following:

- a) metadata system,
- b) spatial data sets and series of sets,
- c) spatial data services,
- d) network services and technologies

as well as:

- e) agreements on spatial data exchange, access and sharing (licensing),
- f) coordination and supervision mechanisms
- g) processes and procedures.

Article 6.

This Law applies to the spatial data sources under the condition that:

a) they apply to the territory of the Republic of Croatia, territorial seas, epicontinental belt and its ecologically protected or economic areas,

b) they are in digital format,

c) they are under the authority of the NSDI stakeholders,

d) they apply to one or several topics under Article 9 of this Law.

Article 7

- 1) In case when there are several identical copies of the spatial data source, this Law applies only to the version serving as the basis for the copies.
- 2) This Law does not impose the collection of new spatial data.

I. Group:

1. Coordinate reference systems
2. Geographical grid systems
3. Geographical names
4. Administrative units
5. Addresses
6. Cadastral parcels
7. Transport networks
8. Hydrography
9. Protected sites
10. Land registry data
11. Minefields suspected areas

II. Group:

1. Elevation
2. Land cover
3. Orthoimagery
4. Geology

III. Group:

1. Statistical units
2. Buildings
3. Soil
4. Land use
5. Human health and safety
6. Utility and governmental services
7. Environmental monitoring facilities
8. Production and industrial facilities
9. Agricultural and aquaculture facilities
10. Population distribution — demography
11. Area management/restriction/regulation zones and reporting units
12. Natural risk zones
13. Atmospheric conditions
14. Meteorological geographical features
15. Oceanographic geographical features
16. Sea regions
17. Bio-geographical regions
18. Habitats and biotopes
19. Species distribution
20. Energy resources
21. Mineral resources

- 17. Bio-geographical regions
- 18. Habitats and biotopes
- 19. Species distribution
- 20. Energy resources
- 21. Mineral resources

Article 5

1) The subjects that are, pursuant to this Law, obliged to participate in the NSDI establishment, maintenance and development are as follows:

- a) State administrative bodies and other State bodies,
- b) local and regional government units,
- c) legal entities having public authority.

2) A third party may become an NSDI subject if it fulfils the conditions set out by this Law, after the NSDI Council passes a relevant decision about it at the proposal of the national contact point.

3) The preconditions for a third party to joint the NSDI are:

a) that the spatial data sources of a third party are included on the list of spatial data topics pursuant to Article 9, para.1,

b) that a third party takes on the obligation to harmonize its spatial data sources with the technical requirements or rather the NSDI Implementation Rules.

Article 13

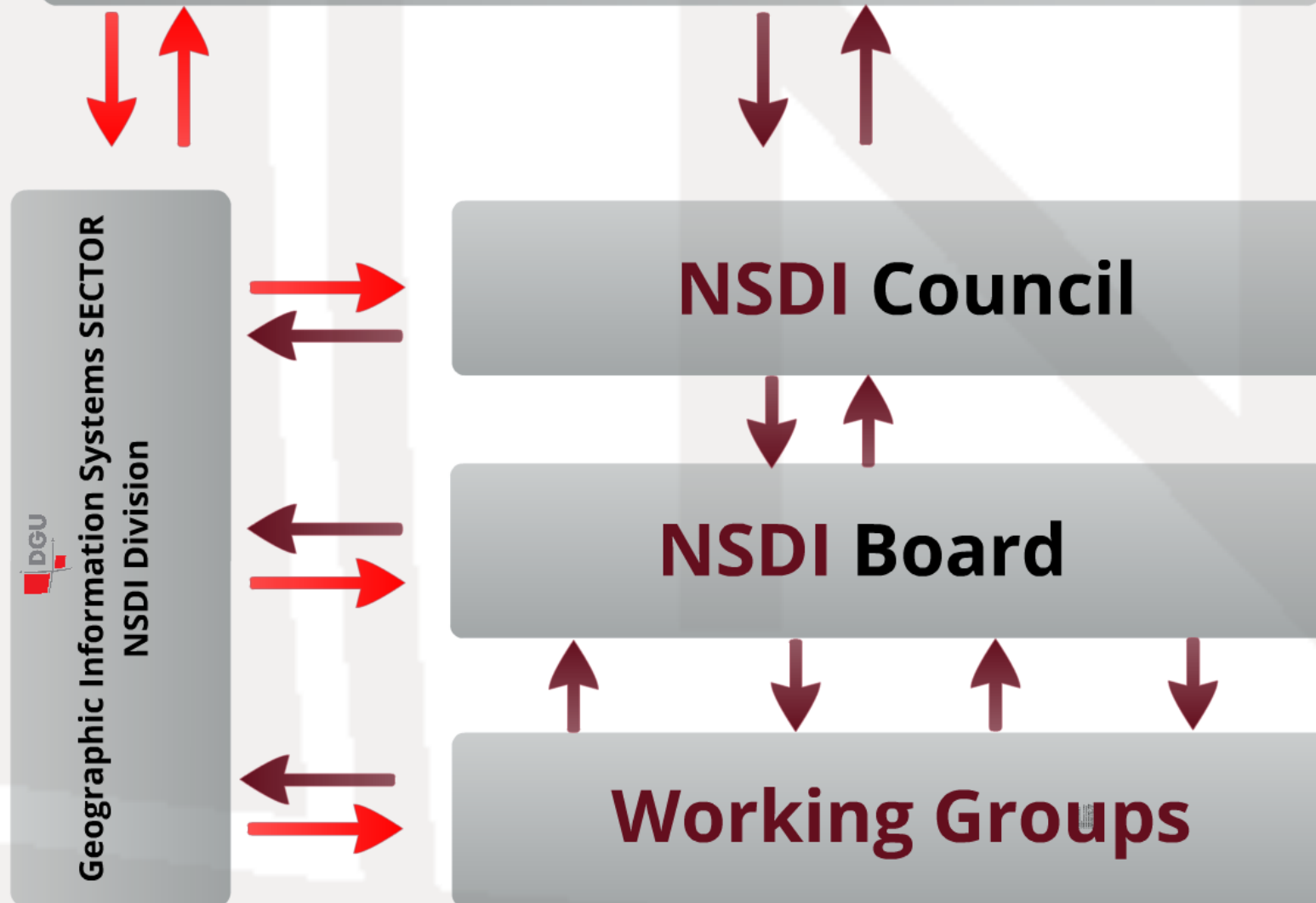
1) NSDI subjects shall produce and regularly maintain the metadata for the sets and series of sets and services under their jurisdiction and forward them to the National Contact Point.

Article 18

NSDI subjects shall ensure the provision of the following services for spatial data sources from Article 6 (hereinafter: network services) to be available on the internet or another suitable telecommunications channel:

- (a) discovery services, enabling searching for spatial data sources based on the content of corresponding metadata and showing metadata content;
- (b) viewing services, enabling - as a minimum - viewing, navigating, zooming in/out, moving or overlapping to view available spatial data sources, and viewing key (index) information and any other relevant metadata content;
- (c) downloading services, enabling downloading copies of spatial data sources or parts of those sets and, where suitable, direct access to those data;
- (d) transformation services, enabling transformation of spatial data sources to achieve interoperability;
- (e) services enabling spatial data services to be invoked

NSDI Stakeholders

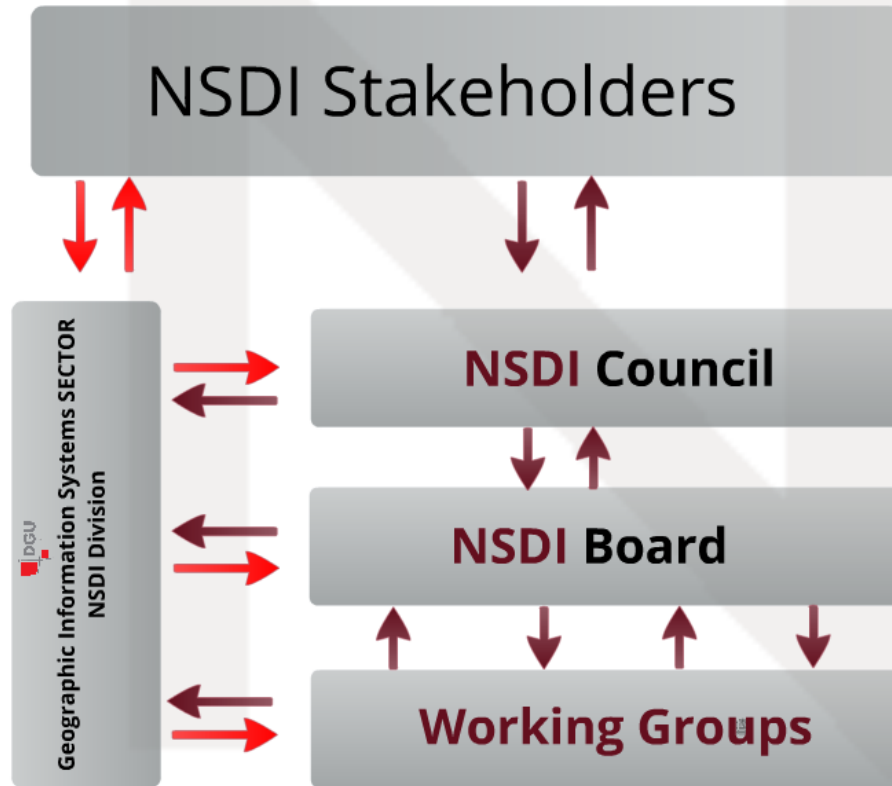




Geographic Information Systems SECTOR

NSDI Division





Article 29

Development of NSDI shall be harmonised with development of the INSPIRE directive.

Article 31

1) Should an NSDI subject, through their actions or failure to meet their obligations, cause damages the consequences of which are born by the Republic of Croatia in relation to the EU, any costs incurred by such actions shall be covered by that subject.

Case C-548/10: Judgment of the Court (Seventh Chamber) of 28 July 2011 — European Commission v ~~Republic of Austria~~ (Failure of a Member State to fulfil obligations — Directive 2007/2/EC — Environmental policy — Infrastructure for Spatial Information in the European Community (INSPIRE) — Exchange and updating of data in electronic format — Incomplete transposition)

Official Journal C 298 , 08/10/2011 P. 0010 - 0010

Judgment of the Court (Seventh Chamber) of 28 July 2011 — European Commission v ~~Republic of Austria~~

(Case C-548/10) [1]

Parties

Applicant: European Commission (represented by: A. Alcover San Pedro and C. Egerer, acting as Agents)

Defendant: ~~Republic of Austria~~ (represented by: C. Pesendorfer, acting as Agent)

Re:

Failure of a Member State to fulfil obligations — Failure to adopt or communicate, within the prescribed period, all the measures necessary to comply with Directive 2007/2/EC of the European Parliament and the Council of 14 March 2007 establishing an infrastructure for spatial information in the European Community (INSPIRE) (OJ 2007 L 108, p. 1)

Operative part of the judgment

The Court:

1. Declares that, by failing to adopt, within the period prescribed, all the laws, regulation and administrative provisions necessary to comply with Directive 2007/2/EC of the European Parliament and the Council of 14 March 2007 establishing an infrastructure for spatial information in the European Community (INSPIRE), the ~~Republic of Austria~~ has failed to fulfil its obligations under that directive;

2. Orders the ~~Republic of Austria~~ to pay the costs.

[1] OJ C 30, 29.1.2011.

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Activities that follow:

- defining the responsibilities on the spatial data
- creation of metadata for spatial data
- adjustment of spatial data to INSPIRE spatial specifications
- availability of data through a national geoportal

Instead of conclusion..

“NSDI seems to be about the harmonisation of spatial information. What it’s really about is the coordination of organizational behavior.”

Paraphrase of David Schell, Founder and Chairman of the OGC

Thx!

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