

Consultation on guidelines on recommended standard licences, datasets and charging for the re-use of public sector information.

Background Information	
Please specify, which category of stakeholders you belong to. -multiple choices reply-(compulsory)	Re-use expert - Other
Please specify -open reply-(compulsory)	Research Center.
Please provide your name, and where relevant the name of your organisation -open reply-(compulsory)	Federico Morando, Nexa Center for Internet & Society
Please provide your e-mail address -open reply-(compulsory)	federico.morando@polito.it
Please provide your country of residence / establishment -single choice reply-(compulsory)	Italy
Recommended datasets	
Release with highest priority -single choice reply-(optional)	1
Release in a machine-readable format -single choice reply-(optional)	1
Release in an interoperable format -single choice reply-(optional)	2
Guarantee quality of datasets (regular updates, data accuracy) -single choice reply-(optional)	1
Other (please refer to the question below) -single choice reply-(optional)	1
Please specify another consequence of characterising a dataset as a core one. -open reply-(optional)	Ensure datasets are released under an open licence compliant with Open Definition. Or exempt datasets from copyright altogether once prioritized.
High value for commercial re-use -single choice reply-(optional)	1
High value for non-commercial re-use -single choice reply-(optional)	2
Other (please specify in the open comment box below) -single choice reply-(optional)	2
Please specify other characteristics of a core dataset -open reply-(optional)	High value for transparency, a fundamental objective for the release of PSI
Please indicate core datasets from the list below. For the purpose of this question core datasets are to be understood as those that should be released with	Companies: e.g. company/business register - Earth observation, e.g. meteorological/weather, agriculture, forestry, fishing - Geospatial: e.g. topography, postcodes, national maps, local

<p>highest priority, in machine-readable and interoperable formats because of their particular value for improving democracy and/or encouraging innovation.</p> <p>-multiple choices reply-(optional)</p>	<p>maps - Finance and contracts: e.g. calls for tender, future tenders, local budget, national budget (planned and spent) - Government Accountability: e.g. government contact points, election results, legislation and statutes, salaries (pay scales), hospitality/gifts - Health: e.g. prescription data, performance data - Transportation: e.g. public transport timetables, access points</p>
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Licensing

<p>Which option do you consider as preferable for re-use of public data in default cases?</p> <p>-single choice reply-(optional)</p>	Other
<p>Please specify</p> <p>-open reply-(optional)</p>	PSI should be exempted from copyright by virtue of an amendment of the law.
<p>The Commission favours the least restrictive re-use regime possible. Which of the following conditions would you consider as generally compliant with this feature?</p> <p>-multiple choices reply-(optional)</p>	Obligation to acknowledge the source of data - Liability waiver of the data source for any consequences stemming from re-use
<p>Are there any conditions that should be considered as 'black-listed' or 'hardcore' in default (non-exceptional) cases because particularly harmful to re-use?</p> <p>-single choice reply-(optional)</p>	Yes
<p>Please give example(s) -open reply-(optional)</p>	NonCommercial Use, NoDerivative works, No Redistribution.
<p>Are there any conditions that should be considered as 'black-listed' or 'hardcore' in exceptional re-use cases because particularly harmful to re-use?</p> <p>-single choice reply-(optional)</p>	Yes
<p>Please give example(s) -open reply-(optional)</p>	ShareAlike licenses, in cases in which interoperability is crucial.
<p>Can any of the existing supranational (such as Creative Commons) or national licensing models be used as a basis for achieving interoperability at EU level?</p> <p>-single choice reply-(optional)</p>	Yes
<p>Please specify</p> <p>-single choice reply-(optional)</p>	Creative Commons
<p>Please specify the type of Creative Commons licence that you think would be suitable for PSI re-use. -open reply-(optional)</p>	
<p>CC Zero (or Open Data Commons PDDL). Alternatively, CC (or ODC) Attribution only standard licenses.</p>	
<p>Is it justified to use different licences for commercial vs. non-commercial re-use?</p>	Yes

-single choice reply-(optional)	
Please indicate which additional conditions could be imposed in case of re-use for commercial purposes? -open reply-(optional)	
It is justified as long as a standard license as CCZero/BY is available for all reusers for free (e.g. the commercial license could ensure higher QoS)	
What are the necessary characteristics of an interoperable licence? -multiple choices reply-(optional)	Machine-readability - Common terminology - A limited number of allowed conditions - Common sets of conditions for specific datasets
Please indicate the terms that would require a harmonised definition -open reply-(optional)	
Attribution, derivative work, (non commercial, although it is a deprecated clause)	
Are there any additional characteristics/issues to be addressed to ensure interoperability of licensing conditions? -single choice reply-(optional)	Yes
Please specify -open reply-(optional)	Single point of national coordination for licenses or coordination at EU level.
Charging	
Telecommunications costs -single choice reply-(optional)	no opinion
Customer service -single choice reply-(optional)	no opinion
Duplication -single choice reply-(optional)	always
Software licensing -single choice reply-(optional)	never
Database modification for dissemination -single choice reply-(optional)	no opinion
Hardware enhancements for dissemination (capacity, ports) -single choice reply-(optional)	no opinion
Value-added for dissemination (software enhancements, advertising) -single choice reply-(optional)	no opinion
Database development -single choice reply-(optional)	never
Hardware -single choice reply-(optional)	never
Data creation/collection -single choice reply-(optional)	never
Data maintenance -single choice reply-(optional)	never
Archiving -single choice reply-(optional)	never

Other (please refer to the next question) -single choice reply-(optional)	no opinion
Please specify what other elements can be considered when calculating the marginal cost of reproduction, provision and dissemination? -open reply-(optional)	
Any genuinely "marginal" cost may be charged. We provide some criteria here: http://bit.ly/1bbXgav	
Overhead costs -single choice reply-(optional)	possibly
Non-incremental database development -single choice reply-(optional)	no opinion
Non-incremental hardware costs -single choice reply-(optional)	no opinion
Data maintenance -single choice reply-(optional)	always
Other -single choice reply-(optional)	never
Where full cost recovery is allowed under the Directive, what other elements can be included in the calculation of fees for re-use? -open reply-(optional)	
None	
At what level should Public Sector Bodies calculate their charges for re-use? -single choice reply-(optional)	Database
In case of charges above marginal cost, what % above the fixed interest rate on the main refinancing operations set by the ECB (currently 0,5%) would you consider a reasonable return on investment? -single choice reply-(optional)	2-5%
With regard to libraries, museums and archives, what cost elements should be considered when calculating the cost of preservation and rights clearance? -open reply-(optional)	
Any cost of preservation and rights clearance (costs for digitization and copyright searches included) BUT Public Domain material should remain in PD.	
Should public bodies publish their revenues from re-use? -single choice reply-(optional)	Yes
On what basis? -single choice reply-(optional)	Yearly
Additional comments	
Would you have any other comments or input that you wish to give regarding the guidelines? -open reply-(optional)	
More emphasis should be given to the interaction between PSI and (a) Copyright Law (introduce PSI related exceptions instead of licensing); (b) cultural heritage laws (ensure they comply with PSI)	