

# Use of Metadata to Express Licencing Information and Data Policy Conditions

## Geospatial policies

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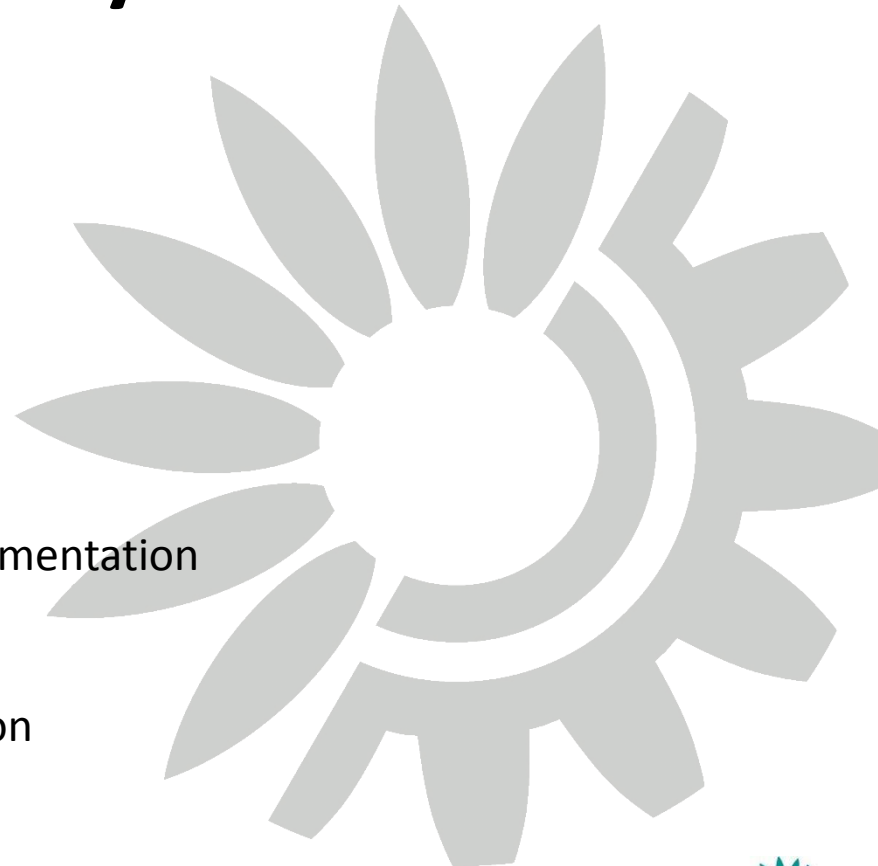
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Project manager - SEIS and INSPIRE implementation

European Environment Agency (EEA)

INSPIRE Conference / GWF 2015, Lisbon, 28.05.2015



# Outline

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Input material – European INSPIRE geo-portal

INSPIRE Metadata – constraints related to access and use

Findings:

- Good examples
- Use of licences: standardised / harmonised licences, open data licences
- Difficulties

Ideas - the way forward

# European INSPIRE geo-portal

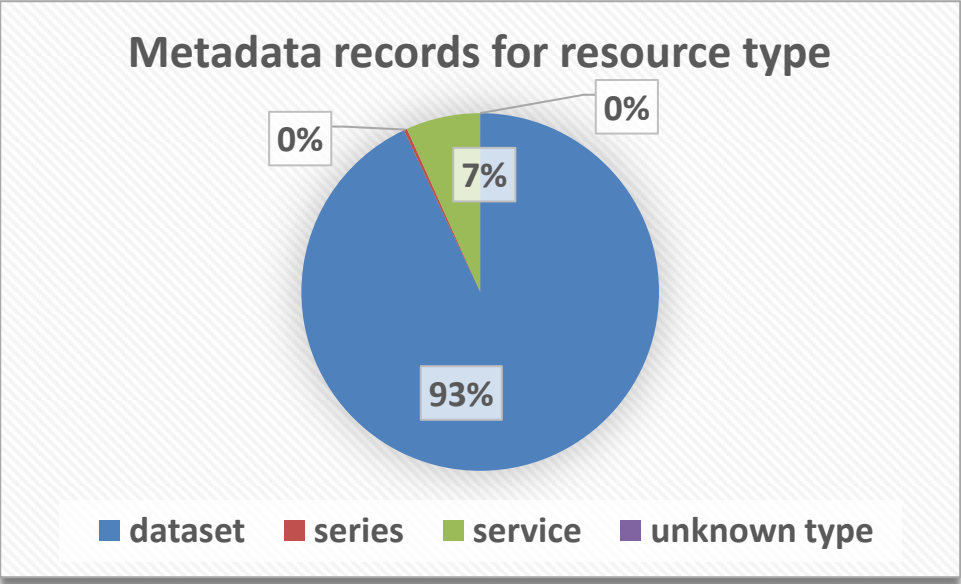
Input source = Metadata available through European INSPIRE geo-portal, February 2015

## INSPIRE Directive

Article 15

1. The Commission shall establish and operate an Inspire geo-portal at Community level.
2. Member States shall provide access to the services referred to in Article 11(1) through the Inspire geo-portal referred to in paragraph 1. Member States may also provide access to those services through their own access points.

<http://inspire-geoportal.ec.europa.eu/>



Number of records = 310.302



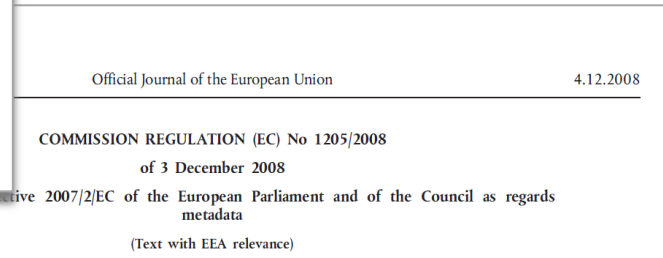
Taken in analysis: 288.513 metadata for data sets

Special thanks to JRC and Angelo Quaglia to extract the relevant information from the INSPIRE geo-portal!

# INSPIRE Metadata – legal and technical basis and implementation

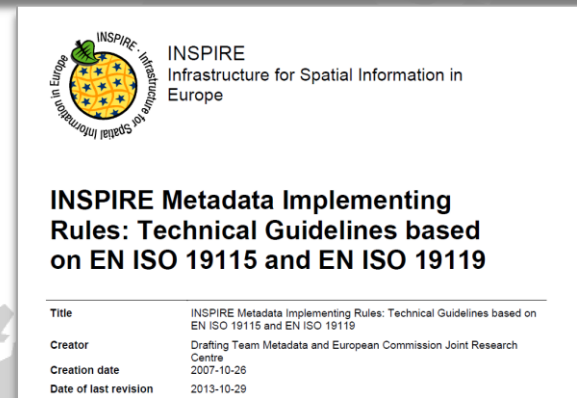
## Legal basis (EU):

- INSPIRE Directive
- INSPIRE Metadata Regulation



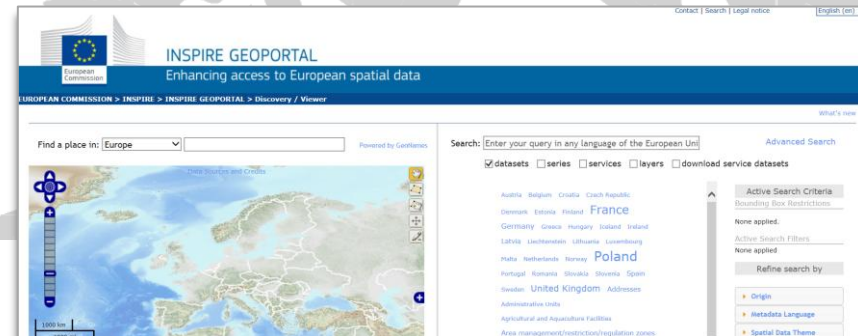
## Technical basis:

- INSPIRE Metadata Technical Guidelines



## Implementation in MS & EU level:

- National discovery services and metadata catalogues
- European INSPIRE geo-portal harvesting national metadata catalogues



# INSPIRE Metadata Regulation – constraint related to access and use

Commission Regulation 1205/2008, Annex, Part B Metadata elements

## 8. CONSTRAINT RELATED TO ACCESS AND USE

A constraint related to access and use shall be either or both of the following:

- a set of conditions applying to access and use (8.1),
- a set of limitations on public access (8.2).

### 8.1

- Conditions for access and use
- Corresponding fees (if applicable)
- Indication if there are no conditions or not known

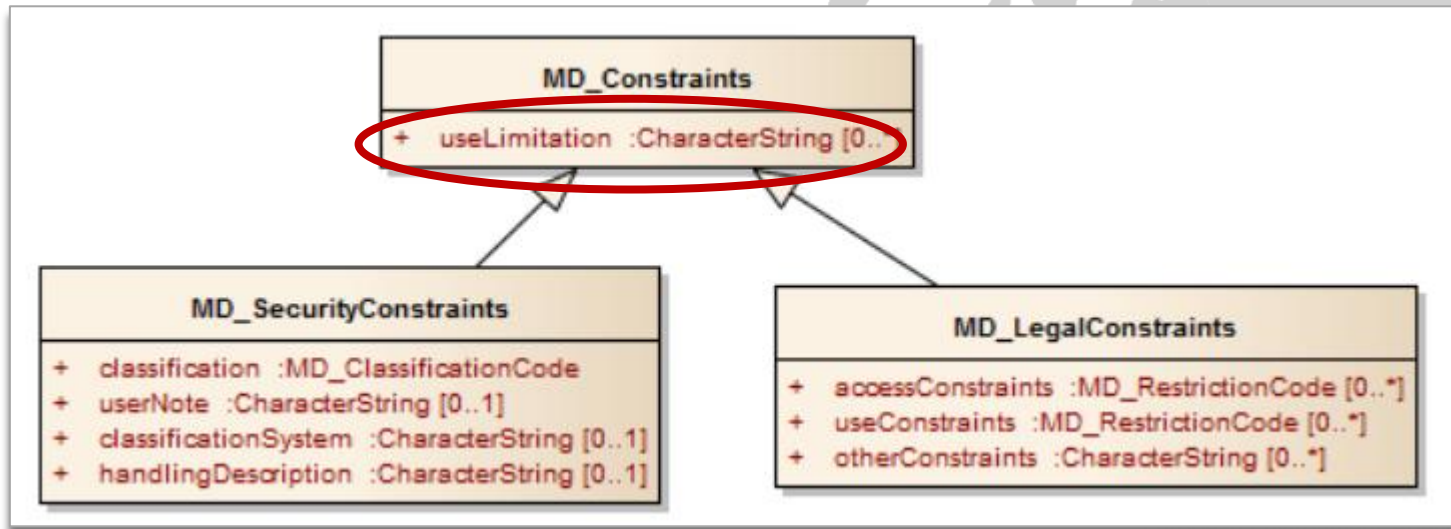
### 8.2

- Limitations under Art. 13 of INSPIRE Directive: limited public access to spatial data sets and services through the INSPIRE network services or e-commerce services
- Reasons for limitations
- Indication if there are no limitations

# INSPIRE Metadata TG – constraint related to access and use and ISO 19115

## A set of conditions applying to access and use:

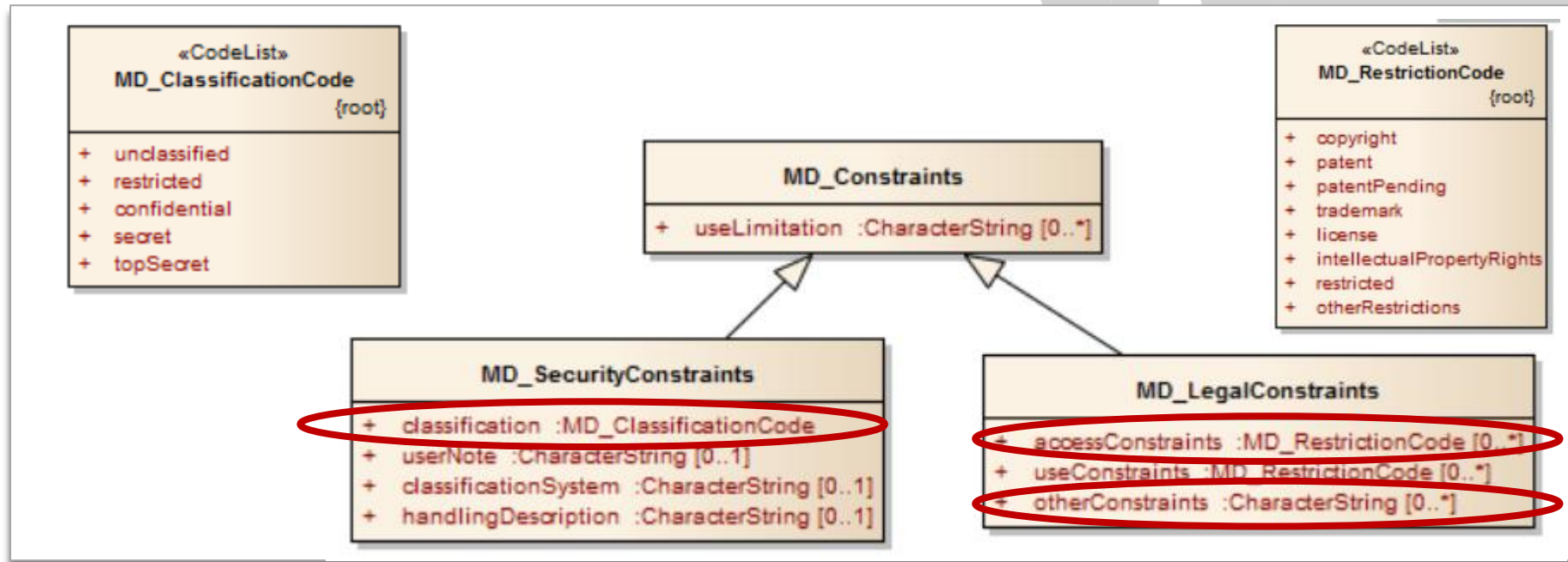
- ISO 19115 Metadata element: **MD\_Constraints.useLimitation**
- Some predefined values:
  - No conditions apply
  - Conditions unknown
- Requirement: link to terms and conditions, fees or licence (and URL)



# INSPIRE Metadata TG – constraint related to access and use and ISO 19115

## A set of limitations on public access:

- Shall be represented by at least one of these metadata elements:
  - MD\_LegalConstraints.accessConstraints
  - MD\_LegalConstraints.otherConstraints
  - MD\_SecurityConstraints.classification



# Basic questions

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## Questions:

- **Is information provided in consistent way?**
- **Is information on conditions for access and use clear, understandable and accessible on WWW?**
- **What kind of licences are used (harmonised / standardised, open data licences)?**

## Note:

98,8% of metadata include information on constraints related to access and use



# Findings: good examples

## Consistent information

- **When no conditions are required for access and use, there is no limitation on public access**
  - No conditions apply / no limitations
- **Limitation on public access is provided according to the Technical Guidelines:**
  - By using codes from the code lists MD\_RestrictionCode or MD\_ClassificationCode
  - Mostly used:
    - Copyright (~ 7.4%)
    - Licence (~ 7%)
    - Intellectual property rights (~ 38%)
    - Unclassified
    - Restricted



# Findings: good examples

## Clear information on conditions

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- **Specific use is clearly described**
  - E.g. non-commercial, for research
- **Required conditions are clearly described, e.g.:**
  - Obligatory to provide attribution
  - Conditions regarding modifications or dissemination
  - The licence, the title (name) and the URL of the licence are provided



# Findings: good examples

## Direct access to licence

- Different harmonised licences are used:
  - Creative Commons (e.g.: Austria, Germany, Greece, Spain, Finland, France, Norway)
  - Other common licences are issued by organisations or governments
- Several licences are Open Data Licences (used in several EU MS)
- Licences are published on WWW



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### Gratis Open Data Licentie

#### Licentie

Deze licentie omvat de voorwaarden voor het hergebruik van datasets in het bezit van een instantie die als 'open data' gratis ter beschikking worden gesteld. Door het uitoefenen van de rechten verleend in deze Licentie met betrekking tot de aangeboden dataset (het 'product'), aanvaardt de licentienemer de voorwaarden van de Licentie.

#### Artikel 1, Interpretatie

Tenzij anders vermeld wordt, hebben de woorden of termen die in deze licentie gebruikt worden,

GEOLOGIAN TUTKIMUSKESKUS  
geodata@gtk.fi

Lisenssi 2 (avoin lisenssi versio 1.01)

21.11.2012 R/170/241/2012

**TUOTTEIDEN JA AINEISTOJEN SEKÄ NIIHIN LIITTYVIEN PALVELUIDEN KÄYTTÖEHDOT (GTK:N AVOIN TUOTELISENSSI), JOKA SISÄLTÄÄ AINEISTON VAPAAAN JATKOKÄYTTÖOIKEUDEN**

**Yleistä**

...ihin liittyvien palveluiden tuottaja ja tekijänoikeuden, tietokantasuojan ja muiden Geologian tutkimuskeskus (jäljempänä GTK, lisenssiantaja) tai sen arkoitetaan henkilöä tai organisaatiota, joka ottaa tämän lisenssin alaisen lun käyttöön.

...ton tai sen osan sisältävän tai hyödyntävän palvelun yhteyteen liitettävä maininta versio vuosiluku, esimerkiksi:

**GOVDATA** BETA

Daten Dokumente Apps Neues Bibliothek

**Datenlizenz Deutschland – Namensnennung – Version 2.0**

(1) Jede Nutzung ist unter den Bedingungen dieser „Datenlizenz Deutschland – Namensnennung – Version 2.0“ zulässig.

Die bereitgestellten Daten und Metadaten dürfen für die kommerzielle und nicht kommerzielle Nutzung insbesondere

1. vervielfältigt, ausgedruckt, präsentiert, verändert, bearbeitet sowie an Dritte übermittelt werden;
2. mit eigenen Daten und Daten Anderer zusammengeführt und zu selbständigen neuen Datensätzen verbunden werden;
3. in interne und externe Geschäftsprozesse, Produkte und Anwendungen in öffentlichen und nicht öffentlichen elektronischen Netzwerken eingebunden werden.

(2) Bei der Nutzung ist sicherzustellen, dass folgende Angaben als Quellenvermerk enthalten sind:

1. Bezeichnung des Bereitstellers nach dessen Maßgabe,
2. der Vermerk „Datenlizenz Deutschland – Namensnennung – Version 2.0“ oder „dl-de/by-2-0“ mit Verweis auf den Lizenztext unter [www.govdata.de/dl-de/by-2-0](http://www.govdata.de/dl-de/by-2-0) sowie
3. einen Verweis auf den Datensatz (URL).

Dies gilt nur soweit die datenhaltende Stelle die Angaben 1. bis 3. zum Quellenvermerk bereitstellt.

(3) Veränderungen, Bearbeitungen, neue Gestaltungen oder sonstige Abwandlungen sind im Quellenvermerk mit dem Hinweis zu versehen, dass die Daten geändert wurden.

**data.gov.fr** Plateforme ouverte

FAQ Producteurs Licence Ouverte Métriques Outils Etalab CADA

Rechercher Ou ? Thématiques

Page Discussion Historique Voir le texte source Lire

**Licence Ouverte / Open Licence**

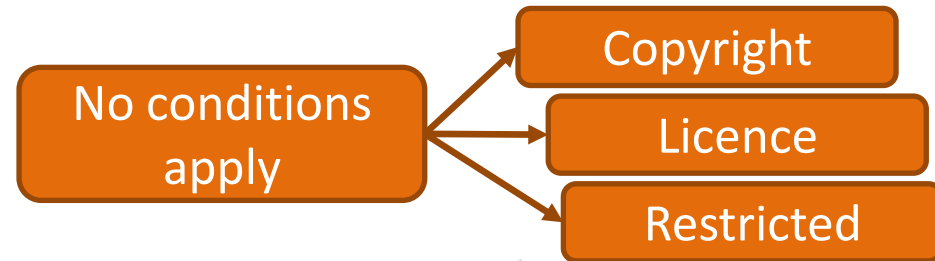


**LICENCE OUVERTE**  
**OPEN LICENCE**

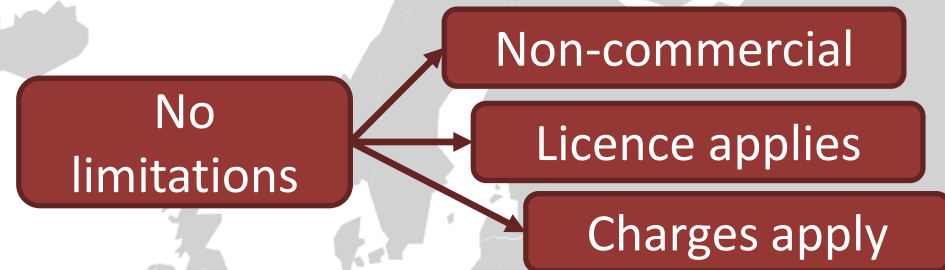
Dans le cadre de la politique du Gouvernement en faveur de l'ouverture des données publiques (« Open Data »), Etalab a conçu la « Licence Ouverte / Open Licence ». Cette licence, élaborée en concertation avec l'ensemble des acteurs concernés, facilite et encourage la réutilisation des données publiques mises à disposition gratuitement. Depuis novembre 2011, la « Licence Ouverte / Open Licence » s'applique à l'ensemble des réutilisations libres gratuites de données publiques issues des administrations de l'Etat.

# Findings: inconsistencies and incomplete information

- No conditions for access and use apply, but there are limitations on public access:



- No limitations on public access are declared, but there are some conditions for access and use:



- Licence is mentioned, but no detailed information

# Does the USER have enough information to access and use the spatial data sets?



Answer: YES (see good examples) ...

... And NO!



## Other difficulties for the users:

- **Unclear access constraints (MD\_RestrictionCode)**
  - What can user do with dataset with limitation on public access “intellectual property rights”?
  - What is a difference between “copyright”, “licence” and “intellectual property rights”?
- **Licences are not available on WWW (in majority of cases!)**
  - Who to contact?
- **No information on prices / payments (charges)**



# The way forward

## ➤ Improving metadata writing

- Strictly following Metadata Technical Guidelines by using agreed vocabulary
- Avoid conflicting information between conditions for access and use and limitations on public access

## ➤ Access to licences on WWW

- Publishing licences on WWW - more URLs needed!
- Smarter licences for better understanding
  - Avoid licence segmentation and conditions nested in several documents even in several languages

**TG Requirement 34** Descriptions of terms and conditions, including where applicable, the corresponding fees shall be provided through this element or a link (URL) where these terms and conditions are described.



# The way forward

- **Supporting & acknowledging current work in INSPIRE MIG WP on Metadata (MIWP-8)**
  - Better alignment between INSPIRE requirements for constraints on access and use and ISO
  - Improved INSPIRE Metadata Technical Guidelines

- **Standardised licences and harmonising types of conditions**

## Questions:

- Would a register of licence constraints or licences be helpful?
  - With a follow-up step to move licences to machine readable or standardized licence templates
- Is “Open Data” as term sufficient for understanding of the respective licence?

**Thank you**

