

Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)

CHAPTER IV

NETWORK SERVICES

Article 11

1 Member States shall establish and operate a network of the following services for the spatial data sets and services for which metadata have been created in accordance with this Directive:

- a discovery services making it possible to search for spatial data sets and services on the basis of the content of the corresponding metadata and to display the content of the metadata;
- b view services making it possible, as a minimum, to display, navigate, zoom in/out, pan, or overlay viewable spatial data sets and to display legend information and any relevant content of metadata;
- c download services, enabling copies of spatial data sets, or parts of such sets, to be downloaded and, where practicable, accessed directly;
- d transformation services, enabling spatial data sets to be transformed with a view to achieving interoperability;
- e services allowing spatial data services to be invoked.

Those services shall take into account relevant user requirements and shall be easy to use, available to the public and accessible via the Internet or any other appropriate means of telecommunication.

2 For the purposes of the services referred to in point (a) of paragraph 1, as a minimum the following combination of search criteria shall be implemented:

- a keywords;
- b classification of spatial data and services;
- c the quality and validity of spatial data sets;
- d degree of conformity with the implementing rules provided for in Article 7(1);
- e geographical location;
- f conditions applying to the access to and use of spatial data sets and services;
- g the public authorities responsible for the establishment, management, maintenance and distribution of spatial data sets and services.

3 The transformation services referred to in point (d) of paragraph 1 shall be combined with the other services referred to in that paragraph in such a way as to enable all those services to be operated in conformity with the implementing rules provided for in Article 7(1).

Article 12

Member States shall ensure that public authorities are given the technical possibility to link their spatial data sets and services to the network referred to in Article 11(1). This service shall also be made available upon request to third parties whose spatial data sets and services comply with implementing rules laying down obligations with regard, in particular, to metadata, network services and interoperability.

Article 13

1 By way of derogation from Article 11(1), Member States may limit public access to spatial data sets and services through the services referred to in point (a) of Article 11(1) where such access would adversely affect international relations, public security or national defence.

By way of derogation from Article 11(1), Member States may limit public access to spatial data sets and services through the services referred to in points (b) to (e) of Article 11(1), or to the e-commerce services referred to in Article 14(3), where such access would adversely affect any of the following:

- a the confidentiality of the proceedings of public authorities, where such confidentiality is provided for by law;
- b international relations, public security or national defence;
- c the course of justice, the ability of any person to receive a fair trial or the ability of a public authority to conduct an enquiry of a criminal or disciplinary nature;
- d the confidentiality of commercial or industrial information, where such confidentiality is provided for by national or Community law to protect a legitimate economic interest, including the public interest in maintaining statistical confidentiality and tax secrecy;
- e intellectual property rights;
- f the confidentiality of personal data and/or files relating to a natural person where that person has not consented to the disclosure of the information to the public, where such confidentiality is provided for by national or Community law;
- g the interests or protection of any person who supplied the information requested on a voluntary basis without being under, or capable of being put under, a legal obligation to do so, unless that person has consented to the release of the information concerned;
- h the protection of the environment to which such information relates, such as the location of rare species.

2 The grounds for limiting access, as provided for in paragraph 1, shall be interpreted in a restrictive way, taking into account for the particular case the public interest served by providing this access. In every particular case, the public interest served by disclosure shall be weighed against the interest served by limiting or conditioning the access. Member States may not, by virtue of points (a), (d), (f), (g) and (h) of paragraph 1, limit access to information on emissions into the environment.

3 Within this framework, and for the purposes of the application of point (f) of paragraph 1, Member States shall ensure that the requirements of Directive 95/46/EC are complied with.

Article 14

1 Member States shall ensure that the services referred to in points (a) and (b) of Article 11(1) are available to the public free of charge.

2 By way of derogation from paragraph 1, Member States may allow a public authority supplying a service referred to in point (b) of Article 11(1) to apply charges where such charges secure the maintenance of spatial data sets and corresponding data services, especially in cases involving very large volumes of frequently updated data.

3 Data made available through the view services referred to in point (b) of Article 11(1) may be in a form preventing their re-use for commercial purposes.

4 Where public authorities levy charges for the services referred to in points (b), (c) or (e) of Article 11(1), Member States shall ensure that e-commerce services are available. Such services may be covered by disclaimers, click-licences or, where necessary, licences.

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

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.

Article 16

Rules for implementation designed to amend non-essential elements of this Chapter by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 22(3), and shall in particular lay down the following:

- (a) technical specifications for the services referred to in Articles 11 and 12 and minimum performance criteria for those services, taking account of existing reporting requirements and recommendations adopted within the framework of Community environmental legislation, existing e-commerce services and technological progress;
- (b) the obligations referred to in Article 12.