

Commission Regulation (EC) No 976/2009 of 19 October
2009 implementing Directive 2007/2/EC of the European
Parliament and of the Council as regards the Network Services

Article 1

Subject matter

This Regulation sets out the requirements for the establishment and maintenance of the Network Services provided for in Article 11(1) of Directive 2007/2/EC (hereinafter ‘the Network Services’) and obligations related to the availability of those services to the public authorities of the Member States and third parties pursuant to Article 12 of that Directive.

Article 2

Definitions

For the purposes of this Regulation, the definitions set out in Part A of the Annex to Commission Regulation (EC) No 1205/2008⁽¹⁾ shall apply.

The following definitions shall also apply:

1. ‘initial operating capability’ means the ability of a Network Service to provide full functionality without guaranteeing quality of service in conformity with the rules set out in Annex I to this Regulation or access to the service for all users through the INSPIRE geo-portal;
2. ‘performance’ means the minimal level by which an objective is considered to be attained representing the fact how fast a request can be completed within an INSPIRE Network Service;
3. ‘capacity’ means limit of the number of simultaneous service requests provided with guaranteed performance;
4. ‘availability’ means probability that the Network Service is available;
5. ‘response time’ means the time measured at the Member State service location, in which the service operation returned the first byte of the result;
6. ‘service request’ means a single request to a single operation of an INSPIRE Network Service;
7. ‘^{F1}INSPIRE metadata element’ means a metadata element set out in Part B of the Annex to Regulation (EC) No 1205/2008 or in Part B of Annex V, Part B of Annex VI and Part B of Annex VII to Commission Regulation (EU) No 1089/2010⁽²⁾;
8. ‘publish’ means the operation to insert, delete or update INSPIRE metadata elements of resources in the Discovery Service;
9. ‘natural language’ means a language that is spoken, written, or signed by humans for general-purpose communication;

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 976/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

10. ‘collect’ means an operation to pull INSPIRE metadata elements of resources from a source Discovery Service and to allow to create, delete or update the metadata of these resources in the target Discovery Service;
11. ‘layer’ means a basic unit of geographic information that may be requested as a map from a server in accordance with EN ISO 19128^[F2];
12. ^[F3]‘Direct Access Download’ means a Download Service which provides access to the Spatial Objects in Spatial Data Sets based upon a query.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 1311/2014 of 10 December 2014 amending Regulation \(EC\) No 976/2009 as regards the definition of an INSPIRE metadata element.](#)
- F2** Substituted by [Commission Regulation \(EU\) No 1088/2010 of 23 November 2010 amending Regulation \(EC\) No 976/2009 as regards download services and transformation services.](#)
- F3** Inserted by [Commission Regulation \(EU\) No 1088/2010 of 23 November 2010 amending Regulation \(EC\) No 976/2009 as regards download services and transformation services.](#)

Article 3

Requirements for Network Services

The Network Services shall be in conformity with the requirements concerning the quality of services set out in Annex I.

In addition, each type of the Network Services shall be in conformity with the following:

- (a) as concerns the Discovery Services, the specific requirements and characteristics set out in Annex II;
- (b) as concerns the View Services, the specific requirements and characteristics set out in Annex III^[F2];
- (c) ^[F3]as concerns the Download Services, the applicable specific requirements and characteristics set out in Annexes I and IV;
- (d) as concerns the Transformation Services, the applicable specific requirements and characteristics set out in Annexes I and V.]

Textual Amendments

- F2** Substituted by [Commission Regulation \(EU\) No 1088/2010 of 23 November 2010 amending Regulation \(EC\) No 976/2009 as regards download services and transformation services.](#)
- F3** Inserted by [Commission Regulation \(EU\) No 1088/2010 of 23 November 2010 amending Regulation \(EC\) No 976/2009 as regards download services and transformation services.](#)

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Article 4

Access to the Network Services

1 Not later than 9 May 2011, Member States shall provide the Discovery and View Services with initial operating capability.

2 Not later than 9 November 2011, Member States shall provide the Discovery and View Services in conformity with this Regulation.

[^{F3} Not later than 28 June 2012, Member States shall provide the Download Services with initial operating capability.

4 Not later than 28 December 2012, Member States shall provide the Download Services in conformity with this Regulation.

5 Not later than 28 June 2012, Member States shall provide the Transformation Services with initial operating capability.

6 Not later than 28 December 2012, Member States shall provide the Transformation Services in conformity with this Regulation.]

Textual Amendments

F3 Inserted by [Commission Regulation \(EU\) No 1088/2010 of 23 November 2010 amending Regulation \(EC\) No 976/2009 as regards download services and transformation services.](#)

Article 5

Entry into force

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

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- (1) [OJ L 326, 4.12.2008, p. 12.](#)
- (2) [^{F1}Commission Regulation (EU) No 1089/2010 of 23 November 2010 implementing Directive 2007/2/EC of the European Parliament and of the Council as regards interoperability of spatial data sets and services ([OJ L 323, 8.12.2010, p. 11](#)).]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 1311/2014 of 10 December 2014 amending Regulation \(EC\) No 976/2009 as regards the definition of an INSPIRE metadata element.](#)

Changes to legislation:

There are outstanding changes not yet made to Commission Regulation (EC) No 976/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Art. 1 substituted by [S.I. 2018/1338 reg. 12\(2\)](#)
- Art. 2 words substituted by [S.I. 2018/1338 reg. 12\(3\)\(a\)](#)
- Art. 4 omitted by [S.I. 2018/1338 reg. 12\(4\)](#)
- Art. 5 omitted by [S.I. 2018/1338 reg. 12\(4\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex 1 words substituted by [S.I. 2018/1338 reg. 12\(5\)](#)
- Annex 2 Pt. B words omitted by [S.I. 2018/1338 reg. 12\(6\)\(b\)\(i\)](#)
- Annex 2 Pt. A words substituted by [S.I. 2018/1338 reg. 12\(6\)\(a\)\(i\)](#)
- Annex 2 Pt. B words substituted by [S.I. 2018/1338 reg. 12\(6\)\(b\)\(ii\)](#)
- Annex 2 Pt. B words substituted by [S.I. 2018/1338 reg. 12\(6\)\(b\)\(iii\)](#)
- Annex 2 Pt. A words omitted by [S.I. 2018/1338 reg. 12\(6\)\(a\)\(ii\)\(bb\)](#)
- Annex 2 Pt. A words substituted by [S.I. 2018/1338 reg. 12\(6\)\(a\)\(ii\)\(aa\)](#)
- Art. 2(5) words substituted by [S.I. 2018/1338 reg. 12\(3\)\(b\)](#)
- Art. 2(13) inserted by [S.I. 2018/1338 reg. 12\(3\)\(c\)](#)
- Annex 3 Pt. A para. 4.1.1 words omitted by [S.I. 2018/1338 reg. 12\(7\)\(a\)\(vi\)](#)
- Annex 3 Pt. A words substituted by [S.I. 2018/1338 reg. 12\(7\)\(a\)\(i\)](#)
- Annex 3 Pt. A words substituted by [S.I. 2018/1338 reg. 12\(7\)\(a\)\(ii\)](#)
- Annex 3 Pt. B words substituted by [S.I. 2018/1338 reg. 12\(7\)\(b\)](#)
- Annex 3 Pt. A words omitted by [S.I. 2018/1338 reg. 12\(7\)\(a\)\(iii\)](#)
- Annex 4 Pt. A para. 5 words omitted by [S.I. 2018/1338 reg. 12\(8\)\(c\)](#)
- Annex 4 Pt. A para. 5.1.1 words omitted by [S.I. 2018/1338 reg. 12\(8\)\(d\)](#)
- Annex 4 Pt. A words substituted by [S.I. 2018/1338 reg. 12\(8\)\(a\)](#)
- Annex 4 Pt. A words substituted by [S.I. 2018/1338 reg. 12\(8\)\(b\)](#)
- Annex 5 words omitted by [S.I. 2018/1338 reg. 12\(9\)\(b\)](#)
- Annex 5 para. 4.1.1 words omitted by [S.I. 2018/1338 reg. 12\(9\)\(c\)](#)
- Annex 5 words substituted by [S.I. 2018/1338 reg. 12\(9\)\(a\)](#)