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STATUTORY INSTRUMENTS

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**2018 No. 1338**

**The INSPIRE (Amendment) (EU Exit) Regulations 2018**

**PART 2**

**AMENDMENT OF THE INSPIRE REGULATIONS 2009**

**Introductory**

2. The INSPIRE Regulations 2009(1) are amended in accordance with this Part.

**Amendment of regulation 2 (interpretation)**

3.—(1) Regulation 2 is amended as follows.

(2) In paragraph (1)—

(a) after the definition of “the Act”, insert—

““[Commission Regulation \(EU\) No. 1089/2010](#)” means Commission Regulation (EU) 1089/2010 implementing [Directive 2007/2/EC](#) of the European Parliament and of the Council as regards interoperability of spatial data sets and services;”;

(b) omit the definition of “the Directive”;

(c) in paragraph (b) of the definition of “spatial data set”, for “Annex I, II or III to the Directive” substitute “Annex 1, 2 or 3 to the Metadata Regulation”.

(3) Omit paragraph (2).

(4) Omit paragraph (4).

**Amendment of regulation 6 (metadata)**

4.—(1) Regulation 6 is amended as follows.

(2) In paragraph (2)(aa), for “Annex I to the Directive” substitute “Annex 1 to the Metadata Regulation”.

(3) For paragraph (4) substitute—

“(4) Public authorities must ensure that they have in place metadata relating to—

(a) spatial data sets corresponding to the themes listed in Annexes 1 to 3 to the Metadata Regulation; and

(b) spatial data services relating to those data sets.”.

(4) Omit paragraph (5).

**Amendment of regulation 6A (interoperability)**

5.—(1) Regulation 6A is amended as follows.

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(1) [S.I. 2009/3157](#), amended by [S.I. 2012/1672](#).

(2) In paragraph (1)(a), for “Annex I to the Directive” substitute “Annex 1 to the Metadata Regulation”.

(3) For paragraph (2) substitute—

“(2) The spatial data sets and spatial data services described in paragraph (1) must be available in conformity with the requirements as to the interoperability of spatial data sets and spatial data services set out in [Commission Regulation \(EU\) No. 1089/2010](#).”

(4) Omit paragraph (4).

#### **Amendment of regulation 7 (network services)**

6.—(1) Regulation 7 is amended as follows.

(2) Omit paragraph (1A).

(3) In paragraph (3)(ca), for “Annex I to the Directive” substitute “Annex 1 to the Metadata Regulation”.

(4) In paragraph (3A), for “Annex I to the Directive” substitute “Annex 1 to the Metadata Regulation”.

#### **Amendment of regulation 8 (linking to a network)**

7. In regulation 8(3)(c), for “Annex I to the Directive” substitute “Annex 1 to the Metadata Regulation”.

#### **Amendment of regulation 12 (data sharing between public authorities etc)**

8.—(1) Regulation 12 is amended as follows.

(2) In paragraph (6)—

(a) for “EU legislation” substitute “retained EU law”;

(b) for “an institution or body of the EU” substitute “a relevant body”.

(3) In paragraph (7)—

(a) omit sub-paragraphs (b) and (c);

(b) in sub-paragraph (d), for “EU and the United Kingdom are parties” substitute “United Kingdom is a party”.

#### **Substitution of regulation 14 (coordination and monitoring)**

9. For regulation 14 substitute—

##### **“Coordination, monitoring and reporting**

14.—(1) The Secretary of State must, for the purposes of ensuring compliance with these Regulations, ensure that appropriate structures and mechanisms are put in place for coordinating, across the different levels of government, the contributions of all persons with an interest in infrastructures for spatial information.

(2) In performing the function described in paragraph (1), the Secretary of State must coordinate the contributions of, in particular, users, producers, added-value service providers and coordinating bodies, concerning the identification of relevant data sets, user needs, the provision of information on existing practices and the provision of feedback on the implementation of these Regulations and the Implementing Rules.

(3) The Secretary of State must—

- (a) ensure that public authorities and third parties comply with these Regulations and the Implementing Rules;
  - (b) monitor the implementation and use of the infrastructure for spatial information for the purposes of these Regulations, and make the findings available to the public in accordance with Commission [Decision 2009/442/EC](#) (“Commission [Decision 2009/442/EC](#)”) implementing [Directive 2007/2/EC](#) of the European Parliament and of the Council as regards monitoring and reporting;
  - (c) issue guidance to public authorities and third parties which are responsible for spatial data sets or spatial data services about the implementation of these Regulations.
- (4) Guidance issued under paragraph (3)(c) must include provision relating to the internal complaints procedure which authorities and third parties are required to establish under regulation 13.
- (5) In performing their functions under these Regulations, public authorities and third parties must have regard to guidance issued under paragraph (3)(c).
- (6) Public authorities and third parties must provide such information to the Secretary of State as the Secretary of State may require in order to perform the functions described in paragraphs (1) to (3).
- (7) In this regulation—
- (a) “Implementing Rules” means the requirements of the Metadata Regulation, Commission [Decision 2009/442/EC](#), [Commission Regulation \(EC\) No. 976/2009](#) implementing [Directive 2007/2/EC](#) of the European Parliament and of the Council as regards the Network Services, and Commission Regulation (EU) 1089/2010;
  - (b) “infrastructure for spatial information” means metadata, spatial data sets and spatial data services; network services and technologies; agreements on sharing, access and use; and coordination and monitoring mechanisms, processes and procedures, established, operated or made available in accordance with, and for the purposes of, these Regulations and the Implementing Rules.”.