

Practical recommendations from the Austrian content-industry to the OECD to support and boost PSI-reuse (complementary to those principles established by Mr Burkert)

- 1) **No excessive restrictions and burdens on private PSI-requesters:** the freedom of the PSI-reusers implies that they shall not be obliged to disclose their business and financial plans to the public data holders as prerequisite for licence negotiations.
- 2) **Licence fees shall be imposed independent from future turnover of the PSI-reuser:** public data holder shall set up in advance a price scheme (including fixed prices and discounts) and not derive the licence fee from the estimated turnover of the private PSI-requester.
- 3) **Global budgeting** shall empower the public data holder to gain more financial ownership on their resources and give them room to invest into the quality and further improvement of his public data holdings.
- 4) Public data holders are advised to grant **mid-term licenses** or at least long-term **framework contracts** in order to provide the private PSI-requester a kind of investment security and basis for long-term product development.
- 5) **Subsidiarity:** If any public body envisages to establish a new PSI-service they shall inform the private content-industry in advance whether they are capable to establish this service on its own or based on a PPP-model.
- 6) **One common language cuts down transaction costs and speeds licencing:** Public data holders are encouraged to publish all their PSI-directories and licence agreements at least in English language and carry out all negotiations with foreign PSI-requesters in English.
- 7) Public data holding and PSI-directories shall include **metadata and digital identifiers** to speed up and enhance trade.
- 8) Any **PPP-model** shall be transparent to the public and shall not include exclusive reuse agreements and shall not hinder the granting of reuse-licenses to the whole content-industry.

#### EXPLANATIONS:

Ad 2) the current procedure in the majority of EU-Member States is as follows; the private PSI-requesters have to disclose to the public data holders all the business and financial plans on their future services (based on PSI-holdings) and also declare on which type of media (print, free on the web, commercial online-database, mobile service) they will publish that new service. Therefore, the negotiations often take 3-6 months which is not suitable for the private content-industry.

Ad 3) Good example for global budgeting: the Austrian database for all registered Austrian citizens (ZMR) was granted that type of global budgeting some years ago: all revenues flow directly to them and not tot the Ministry of Finance. This model of full ownership – in every respect – seems to encourage the public data holders to run and update their public data holdings on a long-term basis.

Ad 6) The current regime in most EU-countries is as follows: In order to set up a pan-European service an SME would have to hire translators for at least 14 languages (A) and furthermore local lobbyists carrying out the long-lasting negotiations (B). that procedure exceeds the financial viability of any SME.