

## **SHOM comments on HOs' Finance Model in a European perspective**

SHOM recognizes that there is a strong pressure towards a free licensing of the public sector geospatial data, but none of the main European directives PSI: 2003/98/EC and INSPIRE: 2007/2/EC implies that the data are to be free of charge. The only obligation is that at the point of use there is no restriction of a transactional, procedural, legal, institutional or financial nature for the access to the data, which does not mean that this access is free of charge (the conditions for the transaction can be included in a form to be accepted, and this form can provide financial terms).

The only services which are to be free of charge are the discovery and the view services [articles 18.1 (a) and (c) of INSPIRE]. INSPIRE also takes into consideration the possible commercial activities of public authorities (article 23.3).

SHOM's fixing of price scale principles have been adopted by its Board of Directors with respect to the national laws and European directives. The prices are set so that at least the costs of re-production/distribution are recovered.

If the Netherlands were to have a free licensing policy for public data, there should not have any influence on French licensing policy (except may be if such a policy would be proposed to the EU) and this for two reasons:

- HOs are not the only public bodies providing environmental data: a free licensing may affect their viability,
- SOLAS products are not only "data" but also a value added service which goes far beyond the databases managed by HOs.

SHOM agrees that this important topic should be an item on the agenda of the next NSHC Conference. Furthermore, SHOM suggests that the item be prepared by the NSHC EU Marine and Maritime Policies WG in accordance with articles 1 and 2 of its terms of reference, i.e.:

1. identify EU activities and processes on matters of interest to HOs;
2. establish a common understanding of the issues when possible.

This preparation could be based on the consolidated review of the answers received by NLHO.

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