

Act

On Infrastructure for Digital Spatial Data.

Article 1

Purpose.

The purpose of this law is to construct and maintain infrastructure for digital spatial data under the auspices of authorities and to ensure the authorities' and public's access to spatial data on Iceland.

Article 2

Scope.

This law applies to digital spatial data which is owned by or under the auspices of central authorities and pertains to Iceland's land, territorial waters and economic zone, cf. Articles 1 and 3 of the Act on Iceland's territorial waters, exclusive economic zone and continental shelf, no. 41/1979. In a directive which the Minister shall pass, further stipulations will be set forth pertaining to the aspects of spatial data to which the Act applies.

This Act also applies to digital spatial data owned by or under the auspices of legal entities which appertain to provisions b-c of item 3, of Article 3 as long as it is created or provided because of its public role or service to the public.

This law does not impact the authorities' copyrights on spatial data which appertain to the law.

Digital spatial data owned by parties others than those explicitly mentioned in this law will be subject to it if the owner of the information has received permission to connect it to the geoportal, cf. Article 5, on the basis of this law.

If many identical copies of the same data are in existence, the Act shall exclusively pertain to the original version of them.

Article 3

Definition.

The meaning of the following words contained within this law shall be as stated here for the purpose of this Act:

1. *Infrastructure for digital spatial data:* The technology, policies, standards and human resources necessary to provide digital spatial data, processing it, preserving it, disseminating it and facilitating its usage.
2. *Spatial data:* Data and information related to a location—on, in or above ground—whether by coordinates or another identifier, e.g. local address or postal code.
3. *Central public authorities:*
 - a. All authorities within the scope of the Information Act.
 - b. Legal entity who has been assigned an official role or is providing public

services to the public relating to the environment on the basis of the law, an administrative injunction or a contract with the government covered by item a.

c. Legal entity performing public functions or providing public services related to the environment under the control of the authorities appertaining to item a. A legal entity is deemed to be subject to public administration in this sense when the authorities cf. item a, make up more than half of the board of administrators of the legal entity, or if they in another manner have active authority over it.

4. *Metadata*: Information about data and/or services or a description of database attributes, e.g. content, quality or condition.

5. *Compatibility*: The capability of two or more systems or databases for combined processing.

6. *Geoportal*: Website which provides access to digital geographic data and related services.

Article 4

Metadata.

The authorities should provide metadata for the digital spatial data and web services which they own, operate or maintain. The metadata shall be updated if alterations are performed on the data or new data are added.

Article 5

Geoportal.

The National Land Survey of Iceland shall operate the geoportal in order to provide access to digital spatial data and information about it. The following web services must be accessible to the general public via the geoportal:

1. Metadata services making it possible to search for spatial datasets and related services.

2. 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.

3. Downloading services, enabling copies of spatial data sets, or parts of such sets, to be downloaded.

4. Transformation services, enabling spatial data sets to be transformed with a view to achieve interoperability.

5. Services allowing spatial data services to be invoked.

Access to services pursuant to points 1–5 paragraph 1, must be available to the public, with the limitations on the right to information which are stipulated in Article 6 of the Act on right to information regarding environmental issues.

The informational text shall be in Icelandic as much as possible. All of the metadata must be in Icelandic.

Article 6

Responsibilities of the authorities.

Authorities that have digital spatial data in their care shall ensure that the data and associated web services are made accessible through the geoportal, which is stipulated in Article 5.

If the digital spatial data and related web services are consistent with this law's

provisions and set regulations on its basis, the authorities must have the technical capacity to disseminate data and link them into the geoportal, cf. Article 5.

Authorities are not obliged under this Act to provide new information.

Article 7

Connecting of other parties than authorities to the geoportal.

If other parties than the authorities possess digital spatial data in accordance with the provisions of this Act and set regulations on its basis, they may apply to connect their spatial data into the geoportal. Such a request must be sent to the National Land Survey of Iceland which makes a decision about whether the connection is permissible. At the same time, it is in the interest of the National Land Survey of Iceland that parties other than the authorities be able to connect their data to the geoportal.

Article 8

Joint usage of data.

Authorities cf. items a and b, point 3, of Article 3 shall provide each other access to digital spatial data and related web services and enable each other to exchange and utilise their information for public projects.

Authorities shall provide European Union institutes and EFTA access to the digital spatial data and services cf. Article 5.

Article 9

The Role of the National Land Survey of Iceland.

The National Land Survey of Iceland is tasked with the execution of this Act.

The National Land Survey of Iceland is responsible for operation, maintenance and technological development of the geoportal, cf. Article 5. The National Land Survey of Iceland shall also advise authorities in accordance with this Act in order to fulfil its obligations.

Article 10

Plan of implementation.

The National Land Survey of Iceland shall make a recommendation for the Minister on the plan of implementation for the development, operation and maintenance of the infrastructure for digital spatial data about Iceland. The Plan of Implementation must be for a five year period and the Minister for the Environment must approve it.

Article 11

Collection of fees.

Services, in accordance with points 1 and 2, paragraph 1, Article 5 are provided quid pro quo. It is permitted to have data on the examination services pursuant to point 2, paragraph 1 of Article 5, in such a format that they will not be utilised for commercial purposes.

It is permitted to collect a fee for services cf. points 3, 4, and 5, paragraph 1 of Article 5. These service fees shall be determined in a tariff list which the Minister approves. The amount of the fee shall be based on the cost of providing services; it may not be higher than the cost of the services and shall be based upon the operating budget in which the elements upon which the cost is established are supported. The tariff list will be displayed

in the section-B of the national Official Gazette.

Users must be allowed to pay the service fee electronically pursuant to paragraph 2.

Article 12

Disclosure

Authorities are obliged to provide the National Land Survey of Iceland information on the basis of this Act which the Minister requests, including spatial data, its dissemination and access to it.

Article 13

Regulation permit.

The Minister for the Environment shall pass a directive in which further provisions are made regarding the execution of this Act, including those pertaining to:

- a. the aspects of information which the Act covers, pursuant to Article 2,
- b. the information which metadata contain and regarding updates to it cf. Article 4,
- c. the geoportal, cf. Article 5, among other things, regarding the structure of search criteria,
- d. Fee collection, cf. Article 11,
- e. Information which authorities are obliged to provide the Minister, cf. Article 12.

Article 14

Institution of the directive.

This legislation is an instituted directive of the European Parliament and Council 2007/2/EB regarding usage and disclosure of spatial data, referred to in Chapter I in XX, Annex Agreement on the European Economic Area, as amended by the EEA Joint Committee No. 55/2010 from 30 April 2010.

Article 15

Adoption.

This Act shall take effect immediately. However, sub-paragraph 1 of Article 10 shall take effect on 1 January 2014.

Article 16

Alterations to other Acts.

A new point shall be added to Article 4 of Act no. 103/2006, on land surveying and basic mapping, which is as follows: To oversee execution of the Act on infrastructure for spatial data, incl. taking responsibility for operations, maintenance and technological development of spatial data.

Transitional provisions.

I.

The National Land Survey of Iceland shall establish the geoportal cf. Article 5, before 1 June 2012.

II.

The first plan of implementation pursuant to Article 10 shall be ready for approval on 1

January 2014. From the commencement of this Act until 1 January 2014, a coordination committee shall work on infrastructure for digital spatial data. The role of the committee is to work on the first plan of implementation pursuant to paragraph 1 and to assist authorities with further policy formation in this field. The Minister for the Environment appoints the committee and it must consist of ten members. Each of the following individuals/entities appoints one member to represent them: Minister for the Environment, Prime Minister, Minister of Industry Energy and Tourism, Minister of the Interior, Minister of Education, Science and Culture, Minister of Fisheries and Agriculture—and these representatives of the Ministers shall be responsible for relations with institutes of the respective Ministries—the Association of Local Authorities, LÍSA (an Organisation of Geographical Information in Iceland), and the National Land Survey of Iceland. The Minister for the Environment appoints the chairman of the committee.

Approved at Althing on 2 May 2011.