KINGDOM OF MOROCCO

MINISTRY FOR THE REFORM OF THE
ADMINISTRATION AND THE CIVIL
SERVICE

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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

in co-operation with

THE MINISTRY FOR THE REFORM OF THE ADMINISTRATION AND THE CIVIL SERVICE OF THE KINGDOM OF MOROCCO

Regional seminar for senior public officials
UniDem Med

"IMPROVING THE RELATION BETWEEN THE ADMINISTRATION AND THE CITIZENS : A DEMOCRATIC IMPERATIVE"

Rabat, Morocco

23 – 26 April 2018

IMPROVING THE QUALITY OF PUBLIC ADMINISTRATION: DIGITALISATION OF SERVICES

by

Mr Holger SPERLICH

(Federal Ministry of the Interior, Germany)

Ensuring Sustainable Democratic Governance and Human Rights in the Southern Mediterranean

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Open Data in Germany

Holger Sperlich, Government Director,
Federal Ministry of the Interior, Building and
Community, Germany

Towards an Open Data Act in Germany

- G8 Open Data Charter June 2013 → National Action Plan

- Coalition agreement for the 18th legislative term (2013 – 2017):

"On the basis of law, the federal administration and all its authorities must play a pioneering role in the provision of open data in uniform, machine-readable formats and under free licence condition."

- Federal Chancellor Angela Merkel in the general debate on the budget in German Parliament, 7 September 2016:

"The Federal Government will present an Open Data Act which shows that data are the raw material of the future […]."

The German Open Data Act

- Draft Open Data Act prepared by the Federal Ministry of Interior and adopted by the Federal Cabinet on 25 January 2017.

- Adopted by German Parliament (*Bundestag*) on 18 May 2017.

- Entered into force on 13 July 2017.

- Creates a robust legal basis for Open Data.

- Clarifies for both data users and providers what has to be released.

Content of the Open Data Act

- Raw data collected by federal authorities
- are basically "open by default",
- must be published without delay,
- must be available free of charge,
- must be provided in machine-readable format,
- may be used freely by everybody,
- must be described with metadata published in the national portal GovData.
- Advisory body/advice center for Open Data to be established.
- "Open by design" to be taken into account.

Restrictions

- Provisions apply only to raw data (not to reports, decisions, etc.).

- Applies only to the federal administration (however, some German federal states already have Transparency Acts while others have committed to adopt Open Data Acts).

- Main exceptions:
  - privacy protection,
  - no research data (→ open access debate),
  - exceptions defined in the Federal Freedom of Information Act (*IFG*), e.g. where disclosure may endanger public security.

Relation to other legal acts

- **E-Government Act (EGovG):**
  Open Data Act is an amendment to the EGovG; target group for Open Government Data = administration

- **Information Reuse Act (IWG):**
  transposes Directives 2003/98/EC and 2013/37/EU (PSI) and is focussed on re-use of already published information

- **Federal Freedom of Information Act (IFG):**
  defines legal right for individuals to access information but does not stipulate general publication

- **Various special legal acts:**
  include subject-specific rules on provision of information

Expected effects of Open Data

- Support for development of new products and services which bring direct benefits to citizens.

- New growth areas in the context of digital transformation.

- Time savings for users of applications utilising Open Data.

- Creation of new job opportunities.

- According to calculations in Germany (*Konrad Adenauer Foundation*), economic gains of at least EUR 12.1 billion over the next ten years.
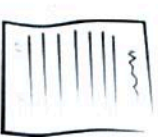
GOVDATA

The data portal for Germany

- https://www.govdata.de

- Started on 19 February 2013.

- Includes more than 20 000 datasets in various sectors, e.g.

  - environment (≈ 4 700),

  - economy and finances (≈ 4 100),

  - justice, legal system and public security (≈ 2 200),

  - education, culture and sports (≈ 2 000),

  - transport (≈ 1 600).

Open Data in Germany: the way forward

Coalition agreement for the 19th legislative term (2018 – 2021):

- *"To further improve the opportunities and benefits of government, we will extend the provision of Open Data by creating a second Open Data Act."*

- *"We want to facilitate people's mobility and the transport of goods by new Open Data applications.*

- *At the same time, transparency can be created through open data, and fraud […] can be combatted."*

- *"In the field of Open Data we want to make the Federal Government an international pioneer."*

International cooperation

- EU Public Sector Information Group and sub-group on open data portals

- OECD Expert Group on Open Data

Thank you for your attention and
good luck in opening your data!

THANK YOU

GRACIAS
ARIGATO
SHUKURIA
JUSPAXAR
DANKSCHEEN
EFCHARISTO
GOZAIMASHTA
KOMAPSUMNIDA
TASHAKKUR ATU
YAQHANYELAY
MAAKE
GRAZIE
MEHRBANIK
PALDIES
SUKSAMA
EKHMET
BOLZÏN MERCI
TINGKI
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