
STATUTORY INSTRUMENTS

2012 No. 1672

The INSPIRE (Amendment) Regulations 2012

Citation and commencement

1. These Regulations may be cited as the INSPIRE (Amendment) Regulations 2012 and come into force on 1st August 2012.

Amendment of the INSPIRE Regulations 2009

2. The INSPIRE Regulations 2009(1) are amended in accordance with the following provisions of these Regulations.

Amendment of regulation 2

3. In regulation 2 (interpretation), in paragraph (1), after the definition of “discovery service” insert—

““interoperability” means the possibility for spatial data sets to be combined, and for services to interact, without repetitive manual intervention, in such a way that the result is coherent and the added value of the data sets and services is enhanced;”

Amendment of regulation 6

4. In regulation 6 (metadata)—

(a) in paragraph (2), after sub-paragraph (a) insert—

“(aa) (where the metadata relates to a spatial data set corresponding to the themes listed in Annex I to the Directive or to a spatial data service relating to such a data set) the conformity of that data set or data service with the requirements as to interoperability set out in regulation 6A;”;

(b) after paragraph (2) insert—

“(2A) The information in paragraph (2)(aa) regarding conformity with requirements as to interoperability must be included from the date by which the requirements in question apply.”; and

(c) in paragraph (5), for “24th December” substitute “3rd December”.

Insertion of regulation 6A

5. After regulation 6 insert—

“Interoperability

6A.—(1) A public authority or a third party must ensure that the following are available in accordance with paragraph (2)—

- (a) any spatial data set for which that authority or third party is responsible and which corresponds to the themes listed in Annex I to the Directive; and
 - (b) any spatial data service for which that authority or third party is responsible and which relates to a data set described in sub-paragraph (a).
- (2) The spatial data sets and spatial data services described in paragraph (1) must be available as follows—
- (a) newly collected or extensively restructured spatial data sets and spatial data services relating to those data sets—
 - (i) must be available in conformity with the interoperability requirements (Annex I, original) by 23rd November 2012, and
 - (ii) must be available in conformity with the interoperability requirements (Annex I, including new code list requirements) by 4th February 2013; and
 - (b) spatial data sets and spatial data services not described in sub-paragraph (a) and still in use—
 - (i) must be available in conformity with the interoperability requirements (Annex I, original) by 23rd November 2017, and
 - (ii) must be available in conformity with the interoperability requirements (Annex I, including new code list requirements) by 4th February 2018.
- (3) Spatial data sets may be made available in conformity through—
- (a) the adaptation of existing data sets; or
 - (b) the transformation services specified in regulation 7(2)(d).
- (4) In this regulation—
- (a) “the interoperability requirements (Annex I, original)” means the requirements of Commission Regulation (EU) No 1089/2010 implementing Directive [2007/2/EC](#) of the European Parliament and of the Council as regards interoperability of spatial data sets and services⁽²⁾, in its original form as adopted on 23rd November 2010; and
 - (b) “the interoperability requirements (Annex I, including new code list requirements)” means the requirements of Commission Regulation (EU) No 1089/2010 implementing Directive [2007/2/EC](#) as regards interoperability of spatial data sets and services⁽³⁾.”.

Amendment of regulation 7

6. In regulation 7 (network services)—

(a) after paragraph (1) insert—

“(1A) The requirement in paragraph (1) applies from 3rd December 2013 in relation to spatial data sets corresponding to the themes listed in Annex III to the Directive and to spatial data services relating to those data sets (even if metadata relating to those data sets or data services have been created before that date).”;

(b) after paragraph (2) insert—

“(2A) Discovery services must enable a search according to the criterion in paragraph (3)(ca) regarding conformity with requirements as to interoperability from the date by which the requirements in question apply.”;

(2) OJ No L 323, 8.12.2010, p.11.

(3) As amended by Commission Regulation (EU) No 102/2011 (OJ No L 31, 5.2.2011, p.13).

- (c) in paragraph (3), after sub-paragraph (c) insert—
 - “(ca) (in the case of a spatial data set corresponding to the themes listed in Annex I to the Directive or a spatial data service relating to such a data set) the degree of conformity with the requirements as to interoperability set out in regulation 6A;”;
- (d) after paragraph (3) insert—
 - “(3A) In the case of a spatial data set corresponding to the themes listed in Annex I to the Directive or a spatial data service relating to such a data set, from the date by which any particular requirements as to interoperability set out in regulation 6A apply, the transformation services specified in sub-paragraph (d) of paragraph (2) must be combined with the other services specified in that paragraph in such a way as to enable all those services to be operated in conformity with those requirements.”; and
- (e) omit paragraph (5).

Amendment of regulation 8

- 7. In regulation 8 (linking to a network), for paragraph (3) substitute—
 - “(3) The conditions are—
 - (a) metadata have been created in accordance with regulation 6 and the Metadata Regulation (if on the date in question metadata were required to be created by regulation 6);
 - (b) services have been established and are operated in accordance with regulation 7 and [Commission Regulation \(EC\) No 976/2009](#) implementing Directive [2007/2/EC](#) as regards the Network Services⁽⁴⁾; and
 - (c) (in the case of a spatial data set corresponding to the themes listed in Annex I to the Directive or a spatial data service relating to such a data set) there is conformity with the applicable requirements as to interoperability set out in regulation 6A (if on the date in question conformity with those requirements is required by that regulation).”.

Amendment of regulation 11

- 8. In regulation 11 (enforcement and appeals in relation to public access)—
 - (a) in paragraph (2)—
 - (i) omit sub-paragraph (i), and
 - (ii) for sub-paragraph (j) substitute—
 - “(j) section 61⁽⁵⁾ (appeal proceedings).”;
 - (b) omit paragraph (10).

Amendment of regulation 12

- 9. In regulation 12 (data-sharing between public authorities etc.), in paragraph (7)(b), for “member State” substitute “EEA state”.

Amendment of regulation 14

- 10. In regulation 14 (coordination and monitoring), for paragraph (3)(a) substitute—

(4) OJ No L 274, 20.10.2009, p.9, as amended by Commission Regulation (EU) No 1088/2010 (OJ No L 323, 8.12.2010, p.1).

(5) Section 61 of the Freedom of Information Act 2000 (c.36) was amended by S.I. 2010/22.

- “(a) ensuring compliance with the requirements of—
- (i) regulation 6 (metadata),
 - (ii) regulation 6A (interoperability), and
 - (iii) regulation 7 (network services), except regulation 7(4)(c); and”.

Addition of regulation 15

11. After regulation 14 add—

“**Review**

- 15.**—(1) The Secretary of State must from time to time—
- (a) carry out a review of these Regulations;
 - (b) set out the conclusions of the review in a report; and
 - (c) publish the report.
- (2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how the Directive is implemented in other member States.
- (3) The report must in particular—
- (a) set out the objectives intended to be achieved by the regulatory system established by these Regulations;
 - (b) assess the extent to which those objectives are achieved; and
 - (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.
- (4) The first report under this regulation must be published before the end of the period of five years beginning on 1st August 2012.
- (5) Reports under this regulation are afterwards to be published at intervals not exceeding five years.”.

Taylor of Holbeach
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

1st July 2012

Changes to legislation:

There are currently no known outstanding effects for the The INSPIRE (Amendment) Regulations 2012.