

Directive 2003/98/EC of the European Parliament and of the Council
of 17 November 2003 on the re-use of public sector information

CHAPTER III

CONDITIONS FOR RE-USE

[^{F1} Article 6

Principles governing charging

- 1 Where charges are made for the re-use of documents, those charges shall be limited to the marginal costs incurred for their reproduction, provision and dissemination.
- 2 Paragraph 1 shall not apply to the following:
 - a public sector bodies that are required to generate revenue to cover a substantial part of their costs relating to the performance of their public tasks;
 - b by way of exception, documents for which the public sector body concerned is required to generate sufficient revenue to cover a substantial part of the costs relating to their collection, production, reproduction and dissemination. Those requirements shall be defined by law or by other binding rules in the Member State. In the absence of such rules, the requirements shall be defined in accordance with common administrative practice in the Member State;
 - c libraries, including university libraries, museums and archives.
- 3 In the cases referred to in points (a) and (b) of paragraph 2, the public sector bodies concerned shall calculate the total charges according to objective, transparent and verifiable criteria to be laid down by the Member States. The total income of those bodies from supplying and allowing re-use of documents over the appropriate accounting period shall not exceed the cost of collection, production, reproduction and dissemination, together with a reasonable return on investment. Charges shall be calculated in line with the accounting principles applicable to the public sector bodies involved.
- 4 Where charges are made by the public sector bodies referred to in point (c) of paragraph 2, the total income from supplying and allowing re-use of documents over the appropriate accounting period shall not exceed the cost of collection, production, reproduction, dissemination, preservation and rights clearance, together with a reasonable return on investment. Charges shall be calculated in line with the accounting principles applicable to the public sector bodies involved.]

Textual Amendments

- F1** Substituted by [Directive 2013/37/EU of the European Parliament and of the Council of 26 June 2013 amending Directive 2003/98/EC on the re-use of public sector information \(Text with EEA relevance\).](#)