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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement Directive [2007/2/EC](#) (O.J. L 108, 25.4.2007, p. 1) (“the Directive”) which concerns the creation and operation of national and Community infrastructures relating to spatial information for the purposes of Community environmental policies and other policies or activities which may have an impact on the environment.

Certain provisions of the Directive are dependent on the adoption by the European Commission of further implementing rules, and where those rules have not yet been adopted, those provisions are not implemented in these Regulations.

These Regulations apply in relation to Scottish public authorities and certain third parties.

Regulation 2 contains definitions, including a definition of “spatial data set” which refers to the spatial data themes listed in Annex I, II or III to the Directive.

Regulation 3 defines “Scottish public authority” and regulation 4 defines “third party”.

Regulation 5 provides for the scope of application of the Regulations to spatial data sets and spatial data services.

Regulation 7 requires authorities to create and update metadata relating to their spatial data sets and services, by dates specified in that regulation.

Regulation 8 provides that authorities must establish and operate network services, including discovery and view services, in relation to their spatial data sets and services, and regulation 9 provides for the linking of such services to a network.

Regulation 10 permits certain limitations on the right of public access to spatial data sets and services through the services described in regulation 8, and regulation 11 relates to charging for the provision of those services.

Regulation 12 and the Schedule make provision in connection with applications to the Scottish Information Commissioner concerning public access under regulation 10.

Regulation 13 relates to data-sharing among Scottish public authorities for the purposes of public tasks relating to the environment, and to sharing between public authorities and public bodies in the rest of the UK or in other member States, or EU or international bodies.

Regulation 14 requires authorities to establish an internal complaints procedure for dealing with complaints relating to the performance of their functions under these Regulations.

Regulation 15 gives the Scottish Ministers certain enforcement and monitoring functions. They are required to issue guidance to authorities and third parties regarding their implementation of the Directive.