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## EXPLANATORY NOTE

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

These Regulations implement Directive [2007/2/EC](#) (OJ No L 108, 25.4.2007, p. 1) (“the Directive”) which concerns the creation and operation of national and European Union infrastructures relating to spatial information for the purposes of EU 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 do not apply in relation to Scottish public authorities; the Directive is separately implemented in relation to such bodies.

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 “public authority” and regulation 4 provides for the scope of application of the Regulations to spatial data sets and spatial data services.

Regulation 6 requires authorities to create and update metadata relating to their spatial data sets and services, by dates specified in that regulation.

Regulation 7 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 8 provides for the linking of such services to a network.

Regulation 9 permits certain limitations on the right of public access to spatial data sets and services through the services described in regulation 7, and regulation 10 relates to charging for the provision of those services.

Regulation 11 provides for specified provisions of the Freedom of Information Act 2000 to apply (with modifications) for the purposes of regulations 7(4)(c) and 9, so that the Information Commissioner has an enforcement role in this regard.

Regulation 12 relates to data-sharing among public authorities for the purposes of public tasks relating to the environment, and to sharing between public authorities and public bodies in other member States, EU or international bodies.

Regulation 13 requires authorities to establish an internal complaints procedure for dealing with complaints relating to the performance of their functions under these Regulations.

Regulation 14 provides that the Secretary of State is responsible for coordinating the spatial information infrastructure and monitoring the implementation of the Directive. The Secretary of State is required to issue guidance to authorities and third parties regarding their implementation of the Directive.

A transposition note is available at [www.defra.gov.uk/location/inspire/](http://www.defra.gov.uk/location/inspire/) or from the Department for Environment, Food and Rural Affairs, Ergon House, Horseferry Road, London SW1P 2AL, giving further information about the implementation of the Directive.

An impact assessment of the effect that this instrument will have on the costs of business is available from the same address, and on the same website, as the transposition note.

**Changes to legislation:**

There are currently no known outstanding effects for the The INSPIRE Regulations 2009.