



STATUTORY INSTRUMENTS

S.I. No. 103 of 2008



EUROPEAN COMMUNITIES (RE-USE OF PUBLIC SECTOR
INFORMATION) (AMENDMENT) REGULATIONS 2008

(Prn. A8/0501)

EUROPEAN COMMUNITIES (RE-USE OF PUBLIC SECTOR INFORMATION) (AMENDMENT) REGULATIONS 2008

I, BRIAN COWEN, Minister for Finance, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003¹, hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Re-Use of Public Sector Information) (Amendment) Regulations 2008.

2. The European Communities (Re-Use of Public Sector Information) Regulations 2005 (No. 279 of 2005) are amended—

(a) in Regulation 2(1), by substituting the following definition for the definition of “re-use”:

“ ‘re-use’, in relation to a document held by a public sector body, means the use by an individual or legal entity of the document for commercial or non-commercial purposes other than the initial purpose within the public task for which the document was produced, but does not include the exchange of such document between public sector bodies solely for the purpose of performing functions falling within the scope of their public tasks.”,

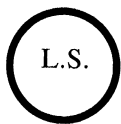
(b) in Regulation 5(4), by inserting after subparagraph (b) the following:

“(c) A notification of refusal of a request under this Regulation shall contain a reference to the means of redress available to the requester.”,

and

(c) in Regulation 6 (3), by substituting “re-used by such public sector body or another public sector body” for “re-used by another public sector body”.

¹OJ No. L 345, 31.12.2003, p 90.



GIVEN under my Official Seal,
15 April 2008

BRIAN COWEN
Minister for Finance.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
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