LAW OF GEORGIA

ON NATIONAL SPATIAL DATA INFRASTRUCTURE

Chapter I – General Provisions

Essence and Purpose of National Spatial Data Infrastructure

Article 1 – Purpose of the Law

The purpose of this law shall be to establish a technical, organisational and legal basis for the creation, functioning and development of the National Spatial Data Infrastructure, to determine a technical, organisational and legal basis necessary for the integration of the Georgian National Spatial Data Infrastructure into the Infrastructure for Spatial Information in the European Community (INSPIRE), and to prevent barriers in the legal relations provided for by this Law.

Article 2 – Scope of the Law

1. This Law shall regulate legal relations concerning the production, access and use of spatial data, metadata and related network services within the framework of the National Spatial Data Infrastructure, determine the entities of the National Spatial Data Infrastructure (an 'entity') and a body authorised to coordinate the National Spatial Data Infrastructure – the coordinator (the 'coordinator'), and their rights and obligations, as well as regulate other relevant issues related to the National Spatial Data Infrastructure.

2. This Law shall apply to electronic (digital) spatial data, metadata and related network services that belong to the territory of Georgia, the neighbouring zones of Georgia, the exclusive economic zone of Georgia and/or the continental shelf of Georgia, and in respect of which an entity carries out the activities provided for by the same Law.

3. If several versions of the same spatial data set are stored by several entities, this Law shall apply only to the original version (original) produced by the authorised entity/entities, on the basis of which another version (copy) was created.

Article 3 – Definition of terms

For the purposes of this Law, the terms used herein shall have the following meanings:

(a) Geographic Information System – a set of spatial data processing tools that allow the creation, storage, processing, analysis, modelling, management and visualisation of various types of spatial data;

(b) access to spatial data resources published on the National Geoportal (license) – the right to use and share spatial data, metadata and related network services and/or their parts, granted to an entity and/or a third party on the basis of a bilateral or multilateral agreement;

(c) National Geoportal – the National Geoportal provided for by Article 8 of this Law;

(d) thematic spatial data set – a set of thematic spatial data determined by Article 5(5) of this Law, which does not belong to a basic spatial data set, is created on the basis of the basic spatial data set and separately identifies or describes in detail a specific aspect of the information contained therein or includes additional information;

(e) metadata (information about data – ISO 19115) – information that describes a spatial data resource and enables its search, evaluation and use;

(f) basic spatial data set –a set of basic spatial data determined by Article 5(4) of this Law, which is the basis for the production of spatial data, independently identifies or generalises precise information about the location, and enables data from different sources to be compared, and the geographic context of this data to be explained;

(g) spatial data (geographic data – ISO 19100) – any data that is directly or indirectly related to a specific location in space or a geographic area;

(h) spatial data infrastructure – an information network and analytical system that includes spatial data and metadata, their management policy, modern technologies and standards, human resources and related actions and is focused on the open, decentralised and coordinated management, multifunctional use and sharing of the said data and metadata;

(i) spatial data producer – a public institution, natural person or legal entity that produces or updates spatial data and/or metadata;

(j) spatial data resource –a spatial data set, a series of spatial data sets or a network service related to spatial data;

(k) spatial data resource owner – a public institution, a natural person or a legal entity that owns and/or disposes of spatial data and/or metadata;

(l) spatial data user – a natural person or a legal entity that uses spatial data and metadata;

(m) spatial data set – an identifiable set of spatial data with common main characteristics;

(n) spatial data set series – a set of spatial data sets created on the basis of the same specification;

(o) spatial object (geographic object – ISO 19100) – an abstract expression of a real-world event that is directly or indirectly related to a specific location in space or a geographic area (including an autonomous republic, municipality, administrative unit of a municipality, settlement (city, town, village) and geographic objects therein: zone, microdistrict, quarter, other built-up area consisting of a single or several geographic objects in a settlement, street, avenue, alley, highway, lane, dead end, exit, embankment, esplanade, square, boulevard, garden, park, forest-park, cemetery, pantheon, building and structure, transport system object, land plot, other geographic object);

(p) interoperability – functional compatibility (interoperability) as determined by Article 12 of this Law;

(q) network service – an operation or a set of operations related to the processing of spatial data and/or metadata using information technologies;

(r) Infrastructure for Spatial Information in the European Community (INSPIRE) – EU spatial information infrastructure established by the relevant legal act of the European Union;

(s) ISO – International Organisation for Standardisation;

(t) OGC – Non-Profit International Organisation for Standardisation – Open Geospatial Consortium.

Article 4 –Essence and purpose of National Spatial Data Infrastructure

1. The National Spatial Data Infrastructure shall be one of the main tools of e-governance policy and the basis for the spatial organisation of the country.

2. The National Spatial Data Infrastructure shall be the information network and analytical system (virtual infrastructure) of Georgia, which includes spatial data, metadata and related network services, their management policy, related modern technologies, legal acts, interagency agreements on access to data, their use and sharing, national and international standards, technical specifications, coordination and monitoring mechanisms and procedures, human resources and actions; and is focused on open, decentralised and coordinated management of data, multifunctional use and sharing thereof.

3. The goal of creating a national spatial data infrastructure shall be to establish a standardised system for the production, sharing, use of and access to spatial data, metadata and related network services (a unified geoinformation space of the country), which will operate at state, autonomous republic and municipal levels, and in sectoral fields.

4. The components of the National Spatial Data Infrastructure are:

(a) spatial data;

(b) network services;

(c) metadata;

(d) National Geoportal and relevant technical infrastructure;

(e) technical standards and legal regulations;

(f) coordination and monitoring mechanisms;

(g) organisational structure.

5. The principles of the National Spatial Data Infrastructure shall be:

(a) efficiency – spatial data shall be created/collected only once and stored in the place where it is most efficient to store them;

(b) accessibility – spatial data created/collected at one level should be transparent and accessible at all levels of public administration;

(c) compatibility – by combining relevant and reliable spatial data produced by different entities, it should be possible to make complex decisions at all levels of public administration;

(d) coordination – to ensure the sustainability and effective functioning of the system, processes shall be managed in a decentralised and coordinated manner.

6. The intellectual property rights of an entity shall be protected. Issues related to the intellectual property rights of an entity are regulated by the relevant normative acts of Georgia.

Chapter II – Geographic data

Article 5 – Spatial data

1. It shall be mandatory to reflect in the National Spatial Data Infrastructure all spatial data sets that are produced, owned and/or managed by a public institution and/or a legal entity established by it.

2. The National Spatial Data Infrastructure may also reflect spatial data sets that are produced, owned and/or managed by a natural person and/or a legal entity that is not established by a public institution.

3. The spatial data reflected in the National Spatial Data Infrastructure shall be divided into basic spatial data sets and thematic spatial data sets.

4. A basic spatial data set shall include:

(a) geodetic and cartographic bases, which includes:

(a.a) the state planning-altitude model, which is the main geodetic basis for topographic planning of all scales and creates a unified system of coordinates and altitudes distribution in the territory of Georgia;

(a.b) the state coordinate reference system, which determines Cartesian (three-dimensional) coordinates (X, Y, Z), geodetic coordinates (latitude, longitude) and altitude (h, Ell);

(a.c) the cartographic projection and grid (kilometric or geographic), which are the mathematical bases for maps of various scales;

(b) the digital elevation model – a model of the surface of the Earth, ground data or bathymetric data that depict the morphology of the Earth. Elevation data includes both land, seabed (bathymetry), coastline, and the quasi-geoidal elevation model, through which elevation indicators are determined in the elevation system existing in the country;

(c) aerial images and space images – georeferenced images (pictures) of the surface of the Earth, which are obtained by an aerial sensor and/or space sensor;

(d) administrative-territorial units – data about an administrative-territorial unit, its border and the settlements therein stored in the State Geodetic and Cartographic Fund of Georgia and reflected in the Register of Municipalities;

(e) geographic names (toponyms) – data related to the name of a natural formation and/or the name of a geographic object created by man, which is of historical and/or cultural and/or public interest;

(f) a land cadastre – accurate information about the configuration and location of a land plot boundary, the scope of buildings and structures located therein, linear structures, easements and/or other legal restrictions, which is displayed graphically and textually, as well as cadastral data registered in the register of rights to immovable property (data on cadastral zoning, land plot, building, linear object and other data), which are the main data of cadastral cartography and which determine the boundaries and cadastral characteristics of registered immovable property;

(g) an address – a means of localising a spatial object, an apartment or other geographical object in space, a unique text record indicating its location, which contains information about the name and/or numbering of this geographical object, as well as data registered in the address register about the number of a geographical object, postal code and/or other important characteristics;

(h) transport networks – data about motor transport, rail transport, air transport, water transport and cableway transport networks and relevant infrastructure (including roads, paths and cattle tracks);

(i) hydrography – data about surface water bodies (rivers, lakes, reservoirs, glaciers, swamps, lagoons), coastal waters, marine areas, hydrographic basins and sub-basins and their characteristics;

(j) protected and managed areas – data on a water area, land area, region and/or territorial unit of special

importance subject to special protection and/or special legal regulation (state reserve, national park, protected landscape, reserve, mineral extraction site, regulated fairway of sea and/or inland waters, coastal zone management point, landfill, regulated area of geological research and/or drinking water source, other relevant zone defined by territorial and urban planning instruments) that is considered as such, is legally regulated and/or is used in accordance with the legislation of Georgia and/or relevant international legal act(s);

(k) statistical data – official statistical data related to location, enabling the presentation of statistical information about each unit using unique, stable identifiers;

(l) demography – data on the territorial distribution of the population (including population characteristics and types of activities), grouped by geographic area, region, administrative-territorial unit, administrative unit of a municipality, and/or other characteristics;

(m) buildings and structures – data on the geographic location, geometric shape, function, purpose and other characteristics of a building;

(n) land surface – data on the physical and biological cover of the surface of the Earth (including artificial surfaces);

(o) land use –data on the existing and planned functional and/or socio-economic purpose of a geographic area, characterised by its planning classification, land use type, purpose and form of use (residential, industrial, commercial, agricultural, forestry, recreational, etc.);

(p) soil – data on soils and subsoils, their classification, zonation, depth, texture, particles, structure, composition and other essential characteristics of organic materials;

(r) geology – data on the composition and structure of the building rocks of the Earth, as well as terrain, which thematically include stratigraphy, tectonics, hydrogeology (groundwater), geomorphology, geological hazards, minerals, seismology, geophysics and geochemistry.

5. A thematic spatial data set shall include:

(a) state and municipal services – data on administrative, social and/or other institutions involved in the provision of state and municipal services and the infrastructure thereof (including information on police, various rescue units, emergency medical services, education, healthcare and civil security facilities, utility networks (telecommunication, water supply, energy supply (heat supply, electricity supply, natural gas supply), wastewater, solid waste management, water treatment, other types of public utility networks) and the infrastructure thereof), which are of public interest;

(b) human health and safety – data on the geographic area of distribution of a disease, pathology and/or other negative factor affecting human health (allergy, cancer, respiratory disease, epidemics, etc.), which is directly (due to air pollution, chemical spread, ozone layer depletion, noise pollution, the deterioration of the quality of surface, consumer, irrigation and drinking water, geochemical process, other similar events) or indirectly (due to food, genetically modified organisms, other similar factors) related to the deterioration of the quality of the environment;

(c) culture and cultural heritage – data on immovable monuments and objects of cultural heritage (architectural, archaeological, engineering, urban and other), cultural heritage protection zones (individual protection zones and general protection zones), as well as on museums, museum-reserves and their areas of operation, exhibitions, cultural centres, theatres, house-museums and other facilities;

(d) industry – data on production, industrial facilities and means of preventing and controlling environmental pollution resulting from the production of relevant products and/or industry (water use, waste disposal, mining industry facility control, other similar means) and their infrastructure;

(e) energy resources – data on energy resources (including coal, hydrocarbon, hydropower resources, bioenergy resources, solar resources, wind energy (together with wind speed measurements and topographic information (in

a complex)), fossil fuel resources depleted due to past exploitation but recoverable (coal, oil, natural gas, lignite (brown coal), peat, uranium), renewable energy resources (hydropower), bioenergy resources (forest resources, grain/agricultural waste used for energy purposes), geothermal natural heat flow (a renewable and environmentally friendly source of energy) and other energy resources);

(f) mineral resources – data on minerals (mineral resources) that can be extracted and processed at the current level of development of science and technology, which are economically feasible and environmentally acceptable. Energy resources may also be mineral resources;

(g) agricultural and aquaculture facilities – data on agricultural farming (breeding of crops, poultry, domestic animals and fish, plant breeding, poultry farming, livestock farming, fisheries, other similar production areas) and agricultural infrastructure (irrigation system, drainage system, greenhouse, farm, crop processing farm, warehouse farm and other types of facilities);

(h) atmosphere – data on physical atmospheric conditions and their geographical distribution, including the unit of measurement, model, data based on their combination, and the location of the unit of measurement;

(i) meteorology – data on meteorological and geographical characteristics (weather conditions and measurements of meteorological variables, atmospheric precipitation, temperature, evaporation and transpiration from the soil surface and vegetation canopy), wind speed and direction, etc.);

(j) risk zones – data on vulnerable areas characterised by natural hazards (an event related to atmospheric, hydrological, seismic, volcanic or forest fire, which, given its location, scale, frequency and/or intensity, can have a serious impact on people (society) (for example, floods, flash floods, landslides, mudslides, avalanches, forest fires, earthquakes, volcanic eruptions)) or anthropogenic (radiological, chemical and other) hazards;

(k) environmental monitoring systems – data on various types of institutions, monitoring systems and means (their location and functions) through which emissions into the atmosphere, environmental components and other ecosystem parameters (biodiversity, ecological state of vegetation cover, etc.) are studied and/or determined;

(l) biogeographic regions – data on a geographical area, territory and/or zone where ecological conditions (states) are relatively homogenic and which has uniform characteristics, habitats and biotopes (a geographical area characterised by specific ecological conditions, processes, structure and specific functions necessary for life). A biogeographic region includes terrestrial and aquatic areas that differ in their geographical, abiotic and biotic characteristics, regardless of their natural or semi-natural origin;

(m) species distribution – data on the territorial distribution of animal species and plant species, grouped by geographic area, region, administrative-territorial unit, administrative unit of municipality and/or other characteristics ;

(n) sea and sea regions – data on the physical condition of sea regions, sea, brackish water bodies (flow, salinity, wave height, other similar physical condition), which are divided into regions and subregions according to common characteristics;

(o) spatial data that does not belong to any of the sets of spatial data provided for by subparagraphs (a)-(p) of this paragraph and paragraph 4 of this article and is a subject of state and/or public interest. The spatial data provided for by this subparagraph shall be determined by the Government of Georgia.

6. The spatial data set provided for by this article shall not contain state secrets, personal data and/or other types of information, the disclosure/publication of which is prohibited by the legislation of Georgia.

7. The composition of the spatial data set provided for by this article, as well as the procedure for its production, storage, updating, visualisation and publication, shall be determined by an ordinance of the Government of Georgia.

8. The entity owning the relevant spatial data resource shall be responsible for the completeness, accuracy, quality, authenticity and updating of the spatial data set provided for by this article.

Article 6 – Network services

1. All spatial data sets provided for by Article 5 of this Law shall be supported by the following basic network services of the appropriate type for the purpose of remote access and use by the user of spatial data:

(a) a search service, which shall ensure the retrieval of spatial data resources (based on the content of data and/or metadata) and the visualisation of relevant metadata;

(b) a browsing service, which shall ensure the browsing, navigation, zooming of spatial data resources, as well as the visualisation of information about conditional signs (legends) and relevant metadata;

(c) a download service, which shall ensure the downloading and/or direct access to copies of spatial data resources or their parts;

(d) a transformation service, which shall ensure the transformation of spatial data resources in order to achieve their functional compatibility (interoperability).

2. The Government of Georgia shall be authorised to additionally determine the list of other types of network services, taking into account the legal objectives and essence of network services.

3. The network services defined by paragraphs 1 and 2 of this article shall meet the requirements of technical specification for the implementation of network services provided for by this Law.

4. The entity owning the relevant spatial data resource shall be responsible for the quality, security, operation and stable functioning of network services defined by paragraphs 1 and 2 of this article.

Article 7 – Metadata

1. All spatial data resources (spatial data sets, the series of spatial data sets and related network services) reflected in the National Spatial Data Infrastructure shall be described and documented in a metadata format in accordance with the requirements of the national metadata profile provided for by this Law.

2. The national metadata profile defined by this Law, its detailed structure, elements and sub-elements, their meanings, criteria for their description, as well as the procedure for their storage and updating shall be approved by the Government of Georgia, taking into account the statutory objectives and essence of the national metadata profile.

3. The national metadata profile provided for by this Law shall include the following basic information describing spatial data resources:

(a) spatial data resource identification – information that includes the name of a spatial data resource, a brief description, type, language, unique identifier and internet link;

(b) spatial data resource classifier – a structured classifier that explains the main thematic aspects related to a spatial data resource;

(c) keywords – concise keywords describing the essence of a spatial data resource for simplified search possibility;

(d) geographic location – information about the characteristics of the coordinate reference system and the geographical distribution (geographical area) of a spatial data resource;

(e) date system – dates related to the creation, updating, publication and other processes of a spatial data resource;

(f) quality and authenticity – information on the quality and authenticity of a spatial data resource;

(g) terms of access and use – information on the conditions and restrictions (if any) for accessing a spatial data resource and its use;

(h) responsible party for a spatial data resource – information on the entity responsible for the ownership, management, storage and dissemination of a spatial data resource;

(i) metadata about metadata – information that characterises and explains metadata.

4. Metadata shall be stored electronically in the National Metadata Catalogue, which is a metadata repository.

5. The coordinator shall ensure the creation of the National Metadata Catalogue. The National Metadata Catalogue is an integral part of the National Geoportal.

6. The entity owning a relevant spatial data resource shall be responsible for the completeness, accuracy, quality, authenticity and updating of information described by the metadata.

Article 8 – The National Geoportal

1. Within the framework of the National Spatial Data Infrastructure, the National Geoportal shall be established to ensure the publication, exchange and free access to spatial data resources, which shall be a unique communication tool for achieving appropriate goals and performing the tasks determined by this Law.

2. The National Geoportal is the official web portal of the National Spatial Data Infrastructure or its equivalent.

3. The National Geoportal, in accordance with the Law, shall ensure the publication of spatial data and metadata, the search and visualisation of spatial data resources published within the framework of the National Spatial Data Infrastructure, the ability to evaluate them, as well as free, remote access to spatial data, metadata and related network services, the possibility of complex and user-oriented use thereof.

4. The coordinator shall be responsible for the creation, development, administration and stable functioning of the National Geoportal.

5. Issues related to the intellectual property rights related to the National Geoportal shall be regulated by the relevant normative acts of Georgia.

Chapter III – Management of Geographic Data

Article 9 – Entity

1. Entities shall be public institutions and legal persons established by public institutions, whose activities are related to spatial data, metadata and related network services and which, in accordance with the Law, participate in the process of creating, operating and developing the National Spatial Data Infrastructure, as well as in the process of fulfilling the tasks defined by the National Spatial Data Infrastructure Strategy and Annual Action Plan.

2. An entity may also be a natural person or a legal entity under private law that, based on the legislation of Georgia, exercises public law powers related to spatial data, metadata and related network services.

3. The coordinator shall grant the right of access to the National Spatial Data Infrastructure system to an entity provided for by paragraph 2 of this article, based on its substantiated application.

4. The entities referred to in paragraphs 2 and 3 of this article, similarly to the entities specified in paragraph 1 of the same article, shall bear the costs related to the creation, operation and development of the National Spatial Data Infrastructure.

5. An entity shall:

(a) publish on the National Geoportal, in accordance with the requirements of the national profile of the data exchange and joint use model provided for by this Law, the spatial data sets and metadata in their ownership and/or possession specified by the resolution of the Government of Georgia, and shall ensure their accessibility through network services;

(b) be entitled to apply to the coordinator in the absence of technical infrastructure necessary for the publication of spatial data sets and metadata in its ownership and/or possession on the National Geoportal, and for ensuring their accessibility through network services;

(c) be obliged not to publish spatial data/metadata in its ownership and/or possession on the National Geoportal and/or to restrict access to it if the disclosure/publication of such spatial data/metadata poses a threat to the fulfilment of the international obligations of Georgia, state/public security, public order, the administration of justice and/or administrative proceedings, as well as in the case such data, in accordance with the legislation of Georgia, includes personal data or state, tax, commercial or professional secrets;

(d) ensure that the spatial data sets published by it on the National Geoportal comply with the requirements of the technical specification of a data model provided for by this Law and describe them in accordance with the requirements of the national profile of a data product specification determined by the same Law;

(e) ensure that the metadata published by it on the National Geoportal comply with the requirements of the National Metadata Profile provided for by this Law;

(f) ensure that the spatial data and network services related to the metadata published by it on the National Geoportal comply with the requirements of the technical specification for the implementation of network services provided for by this Law;

(g) ensure that all spatial data resources published by it on the National Geoportal comply with the requirements of the technical framework regulation provided for by this Law;

(h) ensure the completeness, accuracy, quality, authenticity, accessibility, functional compatibility (interoperability) and occasional updating of the spatial data sets and metadata published by it on the National Geoportal;

(i) describe in detail in the metadata information about the quality, completeness and relevance of all spatial data resources published by it on the National Geoportal;

(j) ensure the secure, stable functioning and accessibility of all types of network services published by it on the National Geoportal, provided for by this Law;

(k) ensure the accessibility of newly created and/or updated spatial data and metadata on the National Geoportal within a reasonable time;

(l) develop and submit to the coordinator the annual action plan of its activities in order to fulfil the tasks assigned to it by the National Spatial Data Infrastructure Strategy and the Annual Action Plan;

(m) have the right to participate in the work of the coordination council within the scope of its powers;

(n) designate an authorised contact person who shall ensure stable communication with the coordinator and

internal coordination;

(o) be authorised to request information necessary for its activities from the coordinator in order to ensure the implementation of the tasks defined by the National Spatial Data Infrastructure Strategy and the Annual Action Plan;

(p) prepare and submit to the coordinator an annual monitoring report prepared in accordance with the national profile of the annual monitoring report provided for by this Law on the measures taken for the implementation of tasks assigned to it by the National Spatial Data Infrastructure Strategy and the Annual Action Plan, and the results obtained;

(q) implement other measures necessary for the creation, functioning and development of the National Spatial Data Infrastructure and the implementation of tasks defined by the National Spatial Data Infrastructure Strategy and the Annual Action Plan, in accordance with the Law.

Article 10 – Coordinator

1. The functions of a coordinator shall be performed by the Legal Entity under Public Law called the National Agency of Public Registry operating under the Ministry of Justice of Georgia.

2. The coordinator shall:

(a) develop proposals and recommendations for the purpose of defining a unified policy in the field of the creation and development of the National Spatial Data Infrastructure and improving the management of related processes;

(b) determine national standards for the creation, operation and development of the National Spatial Data Infrastructure, and for the electronic (digital) production, storage, updating and sharing of spatial data and metadata;

(c) create, manage and supervise the National Geoportal and the National Metadata Catalogue, and be responsible for the stable and secure functioning and development of the National Geoportal and the National Metadata Catalogue;

(d) ensure the publication of spatial data and metadata on the National Geoportal, and stable availability of spatial data, metadata and related network services in accordance with this Law;

(e) in agreement with the Coordination Council, and on the basis of generally recognised international standards (ISO, INSPIRE, etc.) develop, periodically update and submit to the Government of Georgia for approval a national metadata profile, the technical specification of a data model (for each set of spatial data provided for by Article 5 of this Law), a national data product specification profile, a technical specification of the implementation of network services (for each type of network services provided for by Article 6 of this Law), a technical framework regulation, the national profile of data exchange and joint use model, and the national profile of an annual monitoring report;

(f) ensure the compliance of spatial data resource published on the National Geoportal with the requirements of the technical framework regulation, as well as the monitoring of the quality, completeness, accuracy, validity, updating, accessibility, the elimination of duplication, functional compatibility (interoperability) and stable functioning of the spatial data resource;

(g) in the case of the detection of non-compliance with the requirements of the technical framework regulation of spatial data resource, be authorised to temporarily restrict (until the relevant non-compliance is eliminated) the access of spatial data users to the relevant spatial data resource and require its owner to eliminate the non-compliance within a reasonable period of time;

(h) in agreement with the coordination council, develop draft technical and normative acts necessary for the

creation, functioning and development of the National Spatial Data Infrastructure;

(i) ensure the creation, operation and development of technical and software tools and instruments necessary for the creation, operation and development of the National Spatial Data Infrastructure;

(j) provide organisational, technical, informational and intellectual support and monitoring of the activities of the coordination council;

(k) develop and submit to the coordination council for approval the National Spatial Data Infrastructure Strategy and Annual Action Plan;

(l) develop an annual action plan of its activities to ensure the implementation and monitoring of the National Spatial Data Infrastructure Strategy and Annual Action Plan;

(m) provide organisational, technical, informational and intellectual support and coordination of entities for the implementation of the National Spatial Data Infrastructure Strategy and Annual Action Plan;

(n) be authorised to create temporary inter-agency and/or expert advisory group/groups to perform the tasks determined by the National Spatial Data Infrastructure Strategy and Annual Action Plan;

(o) have the right, within the scope of its authority, to monitor the activities implemented by public institutions and legal entities established by them to perform tasks determined by the National Spatial Data Infrastructure Strategy and Annual Action Plan;

(p) be authorised to request information necessary for its activities from public institutions and legal entities established by them in order to ensure the implementation and monitoring of measures provided for by the National Spatial Data Infrastructure Strategy and Annual Action Plan;

(q) ensure the analysis of the requirements of spatial data producers and spatial data users, and relevant effective coordination;

(r) ensure the implementation of measures necessary to deepen international cooperation in the field of spatial data infrastructure in order to integrate the Georgian National Spatial Data Infrastructure into the Infrastructure for Spatial Information in the European Community (INSPIRE);

(s) implement other measures necessary for the creation, functioning and development of the National Spatial Data Infrastructure and the implementation of tasks defined by the National Spatial Data Infrastructure Strategy and the Annual Action Plan, in accordance with the Law;

(t) exercise other powers in accordance with the Law.

Article 11 – Access to the resources of spatial data

1. Within the framework of the National Spatial Data Infrastructure, remote access to spatial data resources for spatial data users shall be ensured by the National Geoportal.

2. Public institutions and legal entities established by them shall be obliged to publish spatial data sets and metadata in their ownership and/or possession on the National Geoportal, and shall ensure their accessibility through network services.

3. Spatial data sets and metadata that are in the ownership and/or possession of a natural person and/or a legal entity that is not established by a public institution but meets the requirements of this Law may be published on the National Geoportal.

4. All spatial data resources published on the National Geoportal shall meet the requirements of the national

profile of data exchange and joint use model provided for by this Law.

5. All spatial data resources published on the National Geoportal shall meet the requirements of technical framework regulations provided for by this Law.

6. Spatial data resources published on the National Geoportal shall be available in an open and public manner, except for cases provided for by the legislation of Georgia.

7. Access to spatial data resources published on the National Geoportal through the network services provided for by Article 6(1)(a) and (b) of this Law shall be free of charge.

8. The terms and conditions for access to (license), and the use and sharing of, spatial data resources published on the National Geoportal shall be approved by an ordinance of the Government of Georgia. The fee for access (license) to spatial data resources published on the National Geoportal (if any) shall be equal to or less than the fee determined by the legislation of Georgia for same spatial data resources owned and/or held by an entity.

9. All spatial data resources published by public institutions and/or legal entities established by them on the National Geoportal shall be official data, and shall be subject to the presumption of veracity until such data are revoked in accordance with the procedure established by the legislation of Georgia.

10. Information on the completeness, accuracy, authenticity, quality and updating of all spatial data resources published by public institutions and/or legal entities established by them on the National Geoportal shall be provided in detail in the metadata. The entity owning the relevant spatial data resource shall be responsible for the accuracy of that information in accordance with the legislation of Georgia.

Article 12 – Interoperability and standardisation

1. Within the framework of the National Spatial Data Infrastructure, functional compatibility (interoperability) shall refer to the ability to combine, harmonise and interconnect spatial data, metadata and related network services, human resources and/or computer resources published on the National Geoportal and created within the geographic information system, without significant, periodic, mechanical intervention, as well as to ensuring the reliable, error-free exchange of relevant information.

2. In order to standardise the basic components of the National Spatial Data Infrastructure and ensure their compatibility at national and international levels, national standards, technical regulations and relevant specifications shall be developed and periodically updated, including:

(a) a national metadata profile – the set of metadata elements and sub-elements, their meanings, criteria for their description, as well as the rules for their storage and updating (standard);

(b) a technical specification of the data model – a guide to the common rules defining conceptual data models, codification and their meanings, data creation and/or transformation and other criteria for each spatial data set (technical specification);

(c) a national data product specification profile – a set of criteria (standards) for the precise technical description (production process methodology, characteristics, model, basis, quality, visualisation, conditions of use, etc.) of a spatial data set as a data product to ensure the achievement of its production, evaluation, use, sale and/or for other purposes;

(d) a technical specification for the implementation of network services – a guide to the common rules defining technical characteristics, parameter norms and other criteria for the generation of search, browsing, downloading, transformation and other types of network services (technical specification);

(e) a technical framework of regulation – a framework document for technical norms, rules and procedures for data exchange and joint use;

(f) the National Profile of the Data Exchange and Joint Use Model – a set of structural, legal, financial and other criteria (standards) of data exchange and joint use agreements;

(g) the National Profile of the Annual Monitoring Report – a set of structures, elements and sub-elements, evaluation rules, indicators and other criteria (standards) of the annual report on the monitoring of the functioning and development process of the National Spatial Data Infrastructure, as well as on the measures taken by the entities, the coordination council and the coordinator to perform tasks/to achieve goals as determined by the National Spatial Data Infrastructure Strategy and the Annual Action Plan.

3. The standards, technical regulations and specifications provided for by paragraph 2 of this article, as well as other relevant documents intended for the standardising of the components of the National Spatial Data Infrastructure and the ensuring of their compatibility at the national and international levels, shall be determined (approved) by an ordinance of the Government of Georgia.

4. The standards, technical regulations and specifications provided for by paragraph 2 of this article, as well as other relevant technical, legal and economic documents regulating the field of the National Spatial Data Infrastructure, shall be developed in accordance with generally recognised international standards (ISO, OGC, INSPIRE) and shall be available on the official website of the National Spatial Data Infrastructure and the National Geoportal.

5. In the process of creating, operating and developing the National Spatial Data Infrastructure, the use of generally recognised international standards (ISO, OGC, INSPIRE) shall be permitted until the development of national standards, technical regulations and specifications.

Article 13 – Coordination council

1. In the process of creating, operating and developing the National Spatial Data Infrastructure, in order to perform the tasks determined by the National Spatial Data Infrastructure Strategy and the Annual Action Plan, the coordination council shall be established by an ordinance of the Government of Georgia, which shall consist of the representatives of the entities determined by the same ordinance.

2. Sectoral and/or independent experts may participate in the work of the coordination council.

3. The coordination council shall participate in the process of developing and performing tasks related to the creation, operation and development of the National Spatial Data Infrastructure, as well as in the process of developing and performing tasks determined by the National Spatial Data Infrastructure Strategy and the Annual Action Plan. The powers of the coordination council shall be determined by the statute of the coordination council, which shall be approved by the Government of Georgia.

Article 14 – National Spatial Data Infrastructure Strategy and Annual Action Plan

1. In order to create, manage, operate and develop the National Spatial Data Infrastructure, the Government of Georgia shall approve the National Spatial Data Infrastructure Strategy, which is a four-year strategy, and the Annual Action Plan.

2. The Annual Action Plan shall determine the areas of activity necessary to achieve the objectives set out in the National Spatial Data Infrastructure Strategy, as well as the resources required for their implementation, and their sources.

3. The National Spatial Data Infrastructure Strategy and the Annual Action Plan shall be submitted to the Government of Georgia for approval by the coordination council upon the proposal of the coordinator.

4. The coordinator shall develop an annual action plan for its activities to ensure the implementation and monitoring of the National Spatial Data Infrastructure Strategy and the Annual Action Plan.

Article 15 – Financing

1. Measures necessary to ensure the implementation and monitoring of the National Spatial Data Infrastructure Strategy and the Annual Action Plan, as well as the implementation of the Annual Action Plan of the coordinator, as defined by Article 14 of this Law, may be financed from the State Budget of Georgia.

2. The costs of producing, storing, standardising, updating spatial data sets, metadata and related network services, as defined by Articles 5–7 of this Law, and accessing and using spatial data resources published on the National Geoportal, shall be borne by the entities.

Chapter IV – Transitional and Final Provisions

Article 16 – Measures to be implemented in connection with the entry into force of the Law

1. The Government of Georgia shall, not later than 1 July 2024, ensure:

(a) the approval of the National Spatial Data Infrastructure Strategy and the Action Plan for the relevant year for the purposes of creating, managing, operating and developing the National Spatial Data Infrastructure;

(b) the determination of the relevant authorised entities responsible for publishing spatial data on the National Geoportal, and the data to be published by them within the scope of their authorities;

(c) the approval of the National Metadata Profile;

(d) the approval of the Technical Specification of the Data Model;

(e) the approval of the National Profile of the Data Product Specification;

(f) the approval of the Technical Specification for the Implementation of Network Services;

(g) the approval of the terms and conditions and rules for access (license) to spatial data resources published on the National Geoportal, their use and sharing;

(h) the approval of the Technical Framework Regulation;

(i) the approval of the national profile of the data exchange and joint use model;

(j) the approval of the national profile of the annual monitoring report;

(k) the approval of the composition and the statute of the coordination council.

2. The coordinator shall ensure the creation of the National Geoportal and the national metadata catalogue by 1 July 2024.

3. The relevant bodies/officials shall ensure the adoption (issuance) of by-laws necessary for the implementation of this Law, the compliance of relevant by-laws with this Law, and the implementation of other preliminary measures necessary for the implementation of this Law by 1 July 2024.

Article 17 – Entry into force of this Law

1. This Law, except for Articles 1-15 of this Law, shall enter into force upon its promulgation.

2. Articles 1-15 of this Law shall enter into force from 1 July 2024.

President of Georgia **Salome Zourabichvili**

Tbilisi,

16 November 2023

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