Openness and Reuse of Applications

Dr. Serafín Olcoz

ICT Director

EUSKO JAURLARITZA
GOBIERNO VASCO
Basque Government

Counting with close support and contribution of

Mr. Miguel Ángel Amutio **and** *Mr. Miguel Jaque*

Head of Planning & Exploitation Area **Managing Director**

GOBIERNO DE ESPAÑA — MINISTERIO DE HACIENDA Y ADMINISTRACIONES PÚBLICAS

cenatic
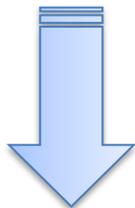Centro Nacional de Referencia de Aplicación de las TIC basadas en fuentes abiertas

ISA's WG Exchange of Best Practices
Brussels, May 31st

Legal background

11/2007 Law
Citizens' Electronic Access to Public Service

Article 45
Applications owned by Public Administrations **may be made available to** any other Public Administration body, without any requirement for compensation or any type of agreement.

Article 46
Public Administration bodies **shall keep a general directory of applications for free reutilisation (**according to Royal Decree 4/2010).

4/2010 Royal Decree
Spanish **N**ational **I**nteroperability **F**ramework within the e-Government scope

Article 16
Licensing conditions of the reusable applications and related documentation declared as **open source**. **Take into account EUPL.**

Article 17
Applicable conditions to *directories of applications for its free reuse,* their link to similar directories of the European Union, mandatory condition of taking into account avalilable solutions that can satisfy the necessities of services, and that Public Administrations **will procure the publication of the application source code**, in the applications directories for its free reuse with the aim of favouring the actions <u>to share, reuse and collaborate, benefiting a better efficiency</u>.

CTT PAe portal administración electrónica

Technology Transfer Center (TTC) of Spanish Public Administration

Legal background (II)

18/2011 Law
Usage of ICTs by Justice Administrations

Article 55

Applications owned by Justice Administrations **may be made available to** any other Justice or Public Administration body, without any requirement for compensation of any type of agreement.

These applications shall be declared as **open source**, similarly as article 16 of 4/2010 Royal Decree, when **deriving greater transparency in the functioning of** Justice Administration. Adding also that in developing solutions for the Justice Administration of Justice shall encourage the reuse of systems, services, infrastructure and existing applications, as allowed by technology requirements for interoperability and security.

Article 56

Justice Administration **shall keep an updated directories of applications for reutilisation**, similarly as article 17 of 4/2010 Royal Decree.

Legal background (III)

In addition to the provisions of these rules, is widely recognized that reusing applications along with associated documentation:

Provides greater **budgetary efficiency** by saving costs in the development, maintenance and evolution of source code.

Contributes to reducing the deficit and to promote the development of an **economy based on knowledge and innovation, transparency, interoperability, independence, quality and sustainability of applications** in Public Administration;, adaptation to their specific needs in language, legislation, accessibility and image.

Contributes to **the development of the ecosystem of ICT business**, and **improving the competitiveness** of this sector, both by encouraging **cooperation between administrations, universities, R&D Centers and businesses**, as extending the **use of best practices of knowledge sharing and strengthening open innovation**.

The **reuse of applications** is connected with the **European Union policies** in relation to the notion of **sharing, reuse and collaboration**.

Decree for Openness and Reuse of Applications

This Decree lays down the **conditions applicable to the opening and made publicly available and reuse of applications of the public sector of the Autonomous Community of Euskadi**, which will be declared as open source applications. In particular, establishing common guidelines on the terms and conditions of use applicable both in the acquisition, development, maintenance, configuration and evolution of any application's source code, and for opening it.

All guidelines set forth in this Decree are **complementary measures** to those that usually sets the Basque Government to increase both the efficiency of the resources that members of the public sector of the Autonomous Community of Euskadi intended for the acquisition or development, maintenance and development contracts of applications such as to promote best practices that **ensure quality assurance and efficiency of its services, both between products and between the processes** of those companies engaged in the development and commercialization of applications.

General Principles

Responsibilty

Open Innovation

Cooperation among
Public administrations

Efficient
Public -Private Partnerships

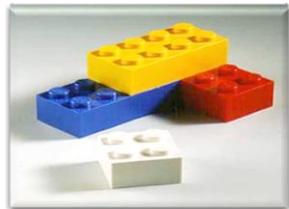Technological Neutrality

Transparency

Structural Reform

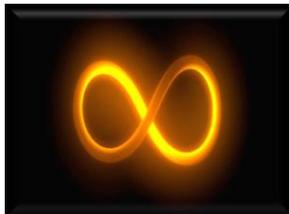**It's not** based in **CUTTING** budgets neither services

Contributes to **CHANGE** current **PRODUCTIVITY MODEL** of the **ECONOMY**

A part of internal OPEX of *PUBLIC SECTOR* generates "CAPEX" for building public domain ICT infrastructures by means of PRODUCTS, SERVICES and, therefore, EMPLOYMENT

MULTIPLIER effect of this "CAPEX" in PRODUCTION MEANS

MULTIPLIER effect of the virtuous loop in *PUBLIC-PRIVATE PARTNERSHIP*, with a RECURRING PUBLIC CONTRIBUTION
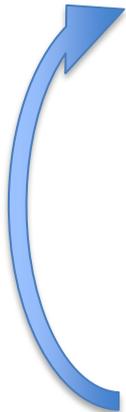
Current status of Decree processing

Basque Government is finishing the processing of the ***Decree*** and it's expected to be published by July'12. It's being carried out with support and contribution of **Cenatic** and **Ministry of Finance and Public Administrations of Spain**.

Ministry of Finance and Public Administrations of Spain has already started the processing of a ***Royal Decree*** based on **Basque Goverment**'s one.

Near Future?

Start the processing of a ***European Directive*** on **Openness and Reuse of Applications**