

DECREE

398/2006, of the 24th of October, by which the Development Regulations of Act 16/2005, of the 27th of December, regarding geographic information and the Cartographic Institute of Catalonia on the subject of official status, the use of cartographic services, inter-administrative relations, and planning, is hereby approved.

Act 16/2005, of the 27th of December, concerning geographic information and the Cartographic Institute of Catalonia, aims to establish the law and jurisdiction of the Cartographic Institute of Catalonia, within the framework of the authority of the Generalitat, and to define the circumstances, the means, and the requirements for inter-administrative coordination and collaboration in the field of cartography and geographic information.

This standard, which comes in response to the interest in the study of the very territory of Catalonia, adapts and reflects both the technological and organizational evolution of this sector of activity over recent years, just as mentioned in the Act.

In spite of this, although some of the precepts are already mentioned with certain detail in the articles of the Act, it is useful to have regulations that elaborate on the general guidelines established by the Act, which is the object of these standards.

These regulations aspire to revise and modernize the sector of cartographic and geographic activity carried out in Catalonia. In this sense, the operation and organization of the instruments and agencies that work to encourage these activities are regulated in order to achieve uniformity, in terms of coordination and cooperation, with other administrative activities of vital importance to society at large, such as urban planning and regional policy, for more significant examples.

These regulations are composed of a preliminary title in which the objective is described, followed by three more titles: the first pertaining to official status and use of cartographic services, the second pertaining to the Cartographic Register of Catalonia, and the third pertaining to inter-administrative relations and planning, in keeping with the division established by law. Through the articles contained herein, these regulations expound upon the subjects of official status and the use of cartographic services, the Cartographic Coordination Commission of Catalonia, the Cartographic Plan of Catalonia, the Cartographic Register of Catalonia, the Spatial Data Infrastructure of Catalonia, the Integrated Geodetic Positioning System of Catalonia, and the Map Library of Catalonia.

The first title of these regulations governs the cartography produced by the Cartographic Institute of Catalonia. It is composed of three chapters, regarding the official status, use, and purposes of cartography. The second title governs the Cartographic Register of Catalonia. The third title is made up of five chapters; the first governs the Cartographic Coordination Commission of Catalonia; the second, the Cartographic Plan of Catalonia; the third, the Spatial Data Infrastructure of Catalonia; the fourth, the Integrated Geodetic Positioning System of Catalonia; and the last, the Map Library of Catalonia.

The Government's delegated authority to issue regulations is protected by the second final provision of the Act that authorizes the Government and the Minister for Territorial Policy and Public Works to lay down the necessary standards to develop and enforce Act 16/2005.

Of the compulsory precepts of the Act, it is necessary to make mention of article 12.3 of the Act, within the framework of the official status and use of cartographic services, which specifies that the conditions for access to official registered cartography and official geographic information—including financial conditions—must be established by regulation.

The regulation of the Cartographic Coordination Commission of Catalonia requires, by mandate of article 34.3, that the rest of its operational standards be established by Government decree or, if the opportunity arises, by agreement of the Commission itself.

With respect to the Cartographic Register of Catalonia, article 41 of the Act specifies that the registration procedure for the cartographic and geographic information contained in the Register and their purposes be established by regulation.

Additionally, article 42.3 states that the organization and operation of the Register is established by regulation, while article 43.2 discusses the regimen of access and utilization of information contained in the Registry in the same manner.

And with regard to the organization and operation of the Spatial Data Infrastructure of Catalonia, article 47.2 says that the appropriate mechanisms to allow the Commission to supervise its operation and, if the opportunity arises, act as an auxiliary to resolve questions that may arise from the development of the Spatial Data Infrastructure of Catalonia, must be established by regulation.

Therefore, by proposal of the Minister of Territorial Policy and Public Works, in accordance with the ruling of the Legal Advisory Commission, and in accordance with the Government,

DECREE:

Sole article

The Development Regulations of Act 16/2005, of the 27th of December, concerning geographic information and the Cartographic Institute of Catalonia, regarding official status and the use of cartographic services, as well as inter-administrative relations and planning, which is stated in the annex to this Decree, is hereby passed.

FIRST ADDITIONAL PROVISION

The creation of principles and standards regarding articles 10.2.a) and c) of the Act is the responsibility of the Cartographic Institute of Catalonia until these are approved by the Cartographic Coordination Commission of Catalonia.

SECOND ADDITIONAL PROVISION

Procedure by telematic systems

The initiation, processing, and finalizing of the procedure for registration in the Cartographic Register of Catalonia may be carried out by telematic systems, in conformity with the general rules established in Decree 324/2001, of the 4th of December, regarding

relations between citizens and the Administration of the Generalitat of Catalonia conducted over the internet, and the regulatory standards of the procedure, which, to that effect, must be approved by the Minister of Territorial Policy and Public Works.

FINAL PROVISION

The administrative files that utilize cartography throughout their processing and were opened prior to the inception of these regulations, may utilize unofficial cartography for their processing. Those files opened after the inception of these regulations shall necessarily utilize official cartography whenever—at the moment the file is opened—the Cartographic Register of Catalonia has the pertinent official cartography registered. If this is not the case, unofficial cartography may be used.

Barcelona, the 24th of October of 2006

PASQUAL MARAGALL I MIRA President of the Generalitat of Catalonia

JOAQUIM NADAL I FARRERAS Minister of Territorial Policy and Public Works

ANNEX

The Development Regulations of Act 16/2005, of the 27th of December, concerning geographic information and the Cartographic Institute of Catalonia on the subjects of official status and the use of cartographic services, as well as inter-administrative relations and planning.

PRELIMINARY TITLE

Purpose of the Decree

Article 1

Purpose of the Decree

The purpose of this Decree is to expound upon Act 16/2005, of the 27th of December, concerning geographic information and the Cartographic Institute of Catalonia, regarding official status and use of cartographic services, the Cartographic Coordination Commission of Catalonia, the Cartographic Plan of Catalonia, the Cartographic Register of Catalonia, the Spatial Data Infrastructure of Catalonia, the Integrated Geodetic Positioning System of Catalonia, and the Map Library of Catalonia.

TITLE I

Official status and use of cartographic services

CHAPTER I

Official status

Article 2

Cartography produced by the Cartographic Institute of Catalonia

2.1 The cartography produced by the Cartographic Institute of Catalonia in compliance with the operations attributed thereto by Act 16/2006, has official status in the territory of Catalonia.

2.2 This cartography is registered in the Cartographic Register of Catalonia.

2.3 The cartography of the Cartographic Institute of Catalonia should be updated in accordance with the provisions of the Cartographic Plan of Catalonia.

2.4 The cartography produced by the Cartographic Institute of Catalonia may be considered official nationwide, as long as it meets the requirements established by national legislation.

Article 3

Cartography produced by other public administrations, corporations, or individuals

3.1 The cartography of Catalonia produced by other administrations, corporations, or individuals, may also hold official status in this territory.

3.2 To obtain official status, this cartography should meet the follow requirements in their entirety:

a) This cartography must have been produced in accordance with the principles and standards established by the Cartographic Coordination Commission of Catalonia and published on its web page, and incorporate the metadata approved by this agency. Likewise, it shall be necessary to clearly indicate the conditions of use for this cartography.

b) This cartography must be registered in the Cartographic Register of Catalonia and, when appropriate, in the Central Register of Cartography.

c) This cartography must be sufficiently updated and available for potential users, in accordance with the principles and minimum standards of quality and content established by the Cartographic Coordination Commission, in accordance with the provisions of the Cartographic Plan of Catalonia.

3.3 It shall be understood that the cartography is made sufficiently available when the metadata it incorporates is registered in the Spatial Data Infrastructure of Catalonia and published mechanisms exist to access the information.

Article 4

Cartography produced by competent agencies of the Public Administration

The cartography produced by competent agencies of the Public Administration which has official status in accordance with the provisions of state legislation, also has official status in Catalonia.

Article 5

Coordinates established by means of the Integrated Geodetic Positioning System of Catalonia (SPGIC)

5.1 The coordinates established by means of the Integrated Geodetic Positioning System of Catalonia from the stations and networks of which it is composed, have official status, and so does the data, information, or results recovered or obtained through this service, as long as the procedures established by the SPGIC are followed.

5.2 Local coordinate systems have official status if they agree with the SPIGC and, in their elaboration, comply with the standards determined by the Cartographic Coordination Commission.

Article 6

Incentive for official status

To ensure that the maximum amount of the cartography produced of Catalonia has official status, the Cartographic Institute of Catalonia must search for the most appropriate means to achieve the following:

Encourage the registration of all official cartography produced of Catalonia in the Central Register of Cartography.

Make cartographic and geographic information available to government agencies and other users through the progressive use of electronic media, computer systems, as well as telematic systems.

Article 7

Responsibility for the content of cartography

7.1. Responsibility for the content of cartography registered in the Register and deemed official is determined in accordance with the provisions of the current regulations on intellectual property.

7.2 The Cartographic Institute of Catalonia is responsible for the technical tasks and management that will be necessary to grant official status to cartography.

Article 8

Loss of official status

8.1. Failure to comply with the conditions of updating registered cartography and geographic information in accordance with the provisions of the Cartographic Plan of Catalonia shall entail the loss of official status.

8.2 In the case of general revisions of the principles and standards established by the Cartographic Coordination Commission of Catalonia, the Ministry of Territorial Policy and Public Works shall establish the mechanisms and transitional periods to adapt official cartography to the new standards. Failure to adapt to the new situation shall entail the loss of official status.

8.3 The declaration of loss of official status for duly registered cartography requires prior processing of a file. In this file, it is necessary to grant an audience to the corporation or individual who authored the cartography and allow the author a minimum of three months to adapt the cartography to the principles and standards established by the Cartographic Coordination Commission of Catalonia. The concerned corporation or individual should be notified of the resolution declaring the loss of official status, which should follow the resource rules outlined in article 20.11 of these Regulations.

8.4 The declaration of the loss of official status involves the cancellation of registration in the official section of the register and, if the opportunity arises, may entail registration in the unofficial section of the register.

CHAPTER II

Uses

Article 9

Obligatory use

9.1 Official registered cartography and official geographic information are of obligatory use for the autonomous and local administration of Catalonia for the creation of new cartography.

9.2 Official registered cartography and official geographic information are of obligatory use in the exercise of the jurisdiction conferred on the Generalitat and—within this framework—in the exercise of jurisdiction conferred on local entities and other public entities

of Catalonia, when this jurisdictional exercise necessitates the use of cartographic or geographic information or should be based on such information.

9.3. Should no official registered cartography exist in the Register of Catalonia, cartography deemed official by state legislation must be used. Unofficial cartography may be used only in cases when official cartography does not exist.

Article 10

Potestative use

Official cartography registered in Catalonia is of potestative use by the Public Administration, provided it is not registered in the Central Register of Cartography.

CHAPTER III

Purposes

Article 11

Information and basic characteristics

11.1 The Cartographic Institute of Catalonia must inform the competent entities and agencies regarding the official cartography and geographic information in existence and the basic characteristics thereof.

11.2 The information must be distributed primarily by telematic means, in accordance with the provisions of the Cartographic Coordination Commission of Catalonia.

11.3 The basic characteristics mentioned in paragraph 1 are, as a minimum, the following:

Title or name of the cartography or geographic information.

The corporation or individual who authored the cartography or geographic information.

Geographic field to which the cartography produced or the geographic information gathered belongs.

Scale to which it has been made.

Official status of the cartography produced or the geographic information registered, or lack thereof.

Year of elaboration of the cartography and geographic information.

11.4 The Cartographic Institute of Catalonia shall annually bring to the attention of the Cartographic Coordination Commission of Catalonia the actions and incidents that have taken place in this context, along with their resolutions.

Article 12

Access conditions

The conditions for access to cartographic and geographic information shall be based on the policies of information circulation and use that have been approved by the Cartographic Coordination Commission of Catalonia and adopted by the various government agencies.

Article 13

Financial access conditions

13.1 The Governing Council of the Cartographic Institute of Catalonia shall approve the catalog of information that it has produced, which shall be free of charge.

The owners of official information that is offered free of charge may authorize the Cartographic Institute of Catalonia to manage the accessibility of this information

electronically.

13.3 Should the registered geographic and cartographic information be subject to some kind of financial condition of use, the owners of this information will be the ones who must be held responsible for guaranteeing access by means of their own resources, and its utilization must respect the financial conditions they have established.

13.4 In any case, the rules regarding intellectual property must be taken into account.

Article 14

Utilization of the information

14.1 Users of official cartography and geographic information may use it for their own purposes only and may not disseminate it through the publication of cartographic products or other directly related products.

14.2 The Cartographic Institute of Catalonia and the holders of official cartography and geographic information may establish conditions of use for digital distribution and the issue of digital publications or products that are either currently in production or can be produced.

TITLE II

The Cartographic Register of Catalonia

Article 15

Objective, assignment, and public status

15.1 The Cartographic Register of Catalonia is the basic administrative entity for cartographic information and related geographic information of the Administration of the Generalitat and local authorities of Catalonia.

15.2 The Cartographic Register of Catalonia is attached to the Ministry of Territorial Policy and Public Works.

15.3 The headquarters is located in the Cartographic Institute of Catalonia.

Article 16

Duties

The Register has the following duties:

- a) The coordination of the competent agencies for the application of Act 16/2005.
- b) The registration of the resolutions concerning the granting and loss of official status.
- c) Facilitate public access to the information contained in the register, in the terms stipulated by the applicable regulations.
- d) Provide competent agencies with the assistance necessary to perform the duties to which, with relation to the registry, they have been assigned.
- e) The issue of certification regarding the information that appears in the Register.
- f) The custody and conservation of the documentation that is presented to it, and which serves to support the settlements that are established.
- g) The demonstration of general data for investigations and studies pertaining to cartography and geography.
- h) To promote communication with other cartographic registers and, in particular, with those that fall under competent state organizations.

Article 17

Organization and registration

17.1 The Register is organized in two separate sections for the registration of both official cartography and unofficial cartography.

17.2 In order to register cartography in the official section of the Register, the cartography should comply with the principles and standards mentioned in article 3.2.a) of these Regulations.

17.3 Any cartography that does not meet the requirements stipulated in the aforementioned article may be registered, when appropriate, in the section for unofficial cartography.

17.4 All of this cartography shall be cataloged in the Spatial Data Infrastructure of Catalonia.

17.5 Registration in the official section may not be denied to any cartography that meets the requirements stipulated in article 3.2.a) of these Regulations.

Article 18

Management and leadership of the register

18.1 The management and leadership of the Register are in the hands of the Cartographic Institute of Catalonia.

18.2 It is the responsibility of the Ministry of Territorial Policy and Public Works, by means of the Secretariat competent on the subject of territorial planning, to lay down the necessary standards and instructions for the correct operation of the Register.

18.3 The register is managed by computer, and registrations shall be processed in the order of receipt of the requests.

Article 19

Content

19.1 The Register must contain all cartography deemed official.

19.2 The Register must contain all the cartography and geographic information that the Cartographic Institute of Catalonia carries out in the exercise of its duties.

19.3 Within each of the two sections that make up the Register, the contents shall be classified by means of catalogs in accordance with the categories established in article 2 of the Act. For that purpose, the metadata of the information shall be used in accordance with the definitions of the IDEC [Spatial Data Infrastructure of Catalonia].

19.4 For the purposes of the Cartographic Register of Catalonia, cartographic and geographic documentation is understood as the documentation specified in article 2.4.b) of the Act, provided it is geo-referenced.

Article 20

Registration procedure

20.1 Registration in the Cartographic Register of Catalonia shall be initiated by means of written request on the part of the concerned individuals, legal entities, administrations, and other bodies.

20.2 The registration request shall be accompanied by the following documentation:

The documentation pertaining to the legal personality of the requestor.

The filing card with the IDEC metadata.

Documents with technical specifications, including, as a minimum, a general description and the catalog of phenomena.

A copy of all the data to be registered in digital format.

20.3 For the purposes of process specified in the previous section, the Spatial Data Infrastructure of Catalonia shall establish the appropriate regulations for the metadata, in accordance with the stipulations of the Cartographic Coordination Commission of Catalonia,

and shall provide the tools for its elaboration.

20.4 The registration request and corresponding documentation shall be submitted to Cartographic Register of Catalonia by any medium established by legal regulations and common administrative procedure, provided its receipt is guaranteed.

20.5 Acceptable formats for the cartography sent to the Cartographic Register of Catalonia shall be published by the Cartographic Coordination Commission of Catalonia. Cartography shall be submitted preferably by electronic means.

20.6 Once the request has been received by the Cartographic Register of Catalonia, the Register shall organize a presentation set-up that shall contain, as a minimum, the following information:

a) Provisional registry number, which shall be the identification number for the submitted data.

b) Identification information pertaining to the concerned party or organization submitting the request.

c) Date of presentation to the Register.

20.7 All the information presented in the Cartographic Register of Catalonia shall be the object of quality control on the part of the Cartographic Institute of Catalonia, who shall determine the final qualification of this information, in accordance with the point that follows.

20.8 The director of the Cartographic Institute of Catalonia must issue the qualification report in any one of the following manners:

a) Negative: meaning that the request cannot be registered in any of the sections of the Register.

b) With rectifiable faults: meaning that request may be registered in the corresponding section of the Register upon correction of the fault within a period of no less than 15 days. If corrections are not made within the granted period of time, it shall be understood that the concerned party has withdrawn the request.

c) Positive: meaning that the request can be registered in the corresponding section of the Register.

20.9 It is the responsibility of the Ministry of Territorial Policy and Public Works, through the Secretariat competent on the subject of territorial planning, to proceed with the registration or to deny registration in either of the two sections of the Register, in accordance with the qualification report from the leadership of Cartographic Institute of Catalonia.

20.10 If, within a period of six months from the request's entry in the cartographic register, no express resolution has been issued or made known, the registration request should be considered accepted by silence.

20.11 Resolutions pertaining to registration in the Cartographic Register of Catalonia may be appealed before the Minister of Territorial Policy and Public Works, in conformity with legal regulations and the common administrative procedure currently in force. The Minister of Territorial Policy and Public Works must issue a resolution upon receipt of the report from the Cartographic Coordination Commission of Catalonia. The resolutions of the Minister on this matter exhaust all administrative options.

20.12 The registration of cartography in the section of unofficial cartography may be expressly requested, following the same procedure used for official cartography.

20.13 Registration in the Cartographic Register of Catalonia is free of charge.

Whenever possible, data pertaining to parties included in the Register shall be gathered, compiled, analyzed, and presented broken down by sex. Likewise, the aforementioned data shall be made available and published in generic form for statistical purposes without any reference to individuals, in order to carry out gender evaluation proceedings.

Article 21

Purposes of registration

In accordance with article 11 of the Act, registration in the Section for official cartography shall stipulate its mandatory use for all Catalonian agencies for the production of new cartography. On the contrary, registration in the Section for unofficial cartography shall stipulate its use for potestative purposes.

Article 22

Access and conditions of use

22.1 Access to the Cartographic Register of Catalonia is free of charge.

22.2 In conformity with article 43 of Act 16/2005 and article 37 of the LRJPAC [Public Administrations and Common Administrative Procedures Act], all individuals and corporate entities are granted access in the terms established by those articles.

22.3 Access must be implemented by written request or directly, by telematic means, according to the stipulations of the Cartographic Coordination Commission of Catalonia.

22.4 Access to the register involves the receipt of information about basic characteristics that describe the cartographic and geographic information in the terms described in article 11.3 of these Regulations.

TITLE III

Concerning inter-administrative relations and planning

CHAPTER I

The Cartographic Coordination Commission of Catalonia

Article 23

Nature, assignation, and composition

23.1 The Cartographic Coordination Commission of Catalonia is the basic organization for meetings, collaboration, and coordination between the Administration of the Generalitat and local authorities within the scope of cartography and related geographic information.

23.2 The Cartographic Coordination Commission of Catalonia is attached to the Ministry of Territorial Policy and Public Works, and its composition is established in article 32 of Act 16/2005, of the 27th of December.

Article 24

Duties

In accordance with article 33 of the Act, the following duties are attributed to the Commission:

a) Ensure that the relations between the government agencies of Catalonia that conduct cartographic activities and collect related geographic information conform to the principles established by the Act, and resolve any incidents that may arise, working from the proposal issued by the Cartographic Institute of Catalonia in the corresponding report.

b) Issue a report on the Cartographic Plan of Catalonia, as well as its modifications or revisions, after they are approved by the Governing Council of the Cartographic Institute of Catalonia.

c) Establish principles and standards that must be applied in the elaboration of cartography and geographic information, considering the latter as the geo-referencing of the

document in accordance with the provisions of article 2.4.d) of the Act.

d) Ensure compliance with the objectives and priorities of cartographic activity in Catalonia, in accordance with the provisions of the Cartographic Plan of Catalonia.

e) Make proposals to the Government concerning the adoption of other coordination measures that it deems necessary.

f) Issue a report on the resolution development procedure of the Generalitat in the field of cartography and related geographic information, on the basis of proposals made by the Cartographic Institute of Catalonia.

g) Ensure the circulation of and compliance with the principles and standards, the updating and availability requirements specified in article 10 of the Act, and stay informed of the management of the Cartographic Register of Catalonia.

For the purposes of the responsibilities outlined in this paragraph, the circulation of principles and standards shall be carried out by the telematic systems of the Cartographic Coordination Commission of Catalonia.

h) Make the Cartographic Institute of Catalonia aware of the position of local authorities faced with incidents from state, community, or international organizations; adopt, where appropriate, common positions so that the Commission can bring them before the organizations with which it cooperates; and remain informed of actions and relations with these organizations.

i) Issue a mandatory report on the resources presented before the Minister of Territorial Policy and Public Works against resolutions pertaining to registration in the Cartographic Register of Catalonia.

Article 25

Structure

25.1 The Cartographic Coordination Commission of Catalonia shall operate in Plenary Session or on technical committees in view of telematics.

25.2 The Plenary Session is the superior body made up of all parties listed in article 32.2 of the Act.

25.3 The Plenary Session decides on the creation of technical committees, and there may be as many of these committees as seen fit to address the subjects on which the Cartographic Coordination Commission of Catalonia requires information.

25.4 The technical committees shall be formed by members of the Cartographic Commission of Catalonia and, when appropriate, by outside individuals recognized for their knowledge of a given subject. It is the responsibility of the Commission to appoint people for the formation of technical committees.

25.5 The Cartographic Coordination Commission of the Catalonia can commission the technical committees to establish guidelines or objectives in relation to subjects within the field of expertise of the Commission. The technical committees shall produce a technical report with the conclusions of their work, which shall be taken before the Plenary Session for approval.

25.6 Members of the Commission are entitled to rights of attendance at the meetings, in accordance with the provisions of current regulations.

Article 26

Operations

26.1 The Plenary Session of the Cartographic Coordination Commission of Catalonia shall convene twice yearly on ordinary notice and also on extraordinary notice, upon request of the president or one half of the membership.

26.2 The notice must be made at least 48 hours in advance, except in cases deemed

urgent by the president, and shall accompany the order of the day.

26.3 In order for its constitution to be valid, the attendance of a simple majority of members is required for the first session, and the attendance of the president and a minimum of ten members is required for the second session.

26.4 Agreements must be adopted by simple majority of members in attendance, except when dealing with the modification of internal standards, in which case a favorable vote from two-thirds of the membership is required.

26.5 In case of a tie, the president shall have the deciding vote.

26.6 Any matter that does not appear on the order of the day may not be the object of an agreement, except when all members are in attendance.

26.7 In matters not expressly foreseen by these Regulations, the Commission is governed by the standards applicable to collegiate organizations of Catalonia.

26.8 The remainder of internal operational standards for the Cartographic Commission of Catalonia shall be established by common consent of the Commission itself.

26.9 The Cartographic Institute of Catalonia permanently supports the Cartographic Coordination Commission of Catalonia.

CHAPTER II

Cartographic Plan of Catalonia

Article 27

Objective, character, and scope of territorial application

27.1 The Cartographic Plan of Catalonia is the basic instrument of cartographic planning and related geographic information of the Generalitat. Its purpose is to determine objectives and coordinate cartographic activities, to create and permanently improve the infrastructure of the geographic information of Catalonia, and to make the most of this information by coordinating it with public sectoral policies of a territorial scope.

27.2 The Cartographic Plan of Catalonia is characterized by and fulfills the duties of two sectoral planes of coordination foreseen by municipal and local legislation, and as such, it must adapt to the specific forecasts established therein.

27.3 The scope of application for the Cartographic Plan of Catalonia is the entire territory of Catalonia. If there are no specific criteria that advise against it, the provisions and development of the Plan must be adapted to the scope of application of the partial territorial plans established by the regulations for territorial policy.

Article 28

Content

28.1 The Cartographic Plan of Catalonia, for all purposes, must include the following:

a) Analysis of the available official cartography, its level of quality, and its need for updating.

b) The basic characteristics of the organization, operation, and utilization of the infrastructure of geographic information of Catalonia, specifically of the IDEC.

c) Description of the status of the Integrated Geodetic Positioning System of Catalonia and the determination of a course of action for its improvement.

d) Measures to foster and promote cartographic services, both public and private, as well as investigation, technological development, education, and disclosure in the field of cartography.

e) Any other data or study that is deemed of interest.

28.2 The Cartographic Plan, in order to fulfill its duties of coordination, in addition to

the specifications of the previous section, must include the following:

- a) Accounts of local authorities and, where appropriate, other individuals who carry out cartographic activities and gather geographic information in Catalonia, with an estimation of the type and grade of activity and invested resources.
- b) The determination of objectives, priorities, and minimum levels of quality, updates, availability, and interoperability of cartographic activity and related geographic information in the care of the administrations of Catalonia.
- c) The general basis of action to program, finance, and execute coordinated activities.

Article 29

Drafting and approval

29.1 The drafting and formulation of the Cartographic Plan of Catalonia and its modifications or revisions are the responsibility of the Ministry of Territorial Policy and Public Works, on the basis of the proposal raised by the Cartographic Institute of Catalonia and the report issued by the Cartographic Coordination Commission of Catalonia.

29.2 Approval of the Cartographic Plan of Catalonia and its modifications or revisions is at the discretion of the Government, and shall be made by decree. Approval demands the opening of a period of institutional consultation, for a maximum of six months, and a one-month period of public information, which cannot be extended, during which it is necessary to request reports from the affected ministries of the Administration of the Generalitat, from local authorities, and from the remaining competent administrations, corporations and public organizations.

29.3 The Ministry of Territorial Policy and Public Works must encourage maximum participation from corporations and individuals who carry out cartographic activities in the formulation and drafting of the Plan. Access to its content must also be provided to concerned parties, both before and after its approval. This participation must be strengthened by use of information and communication technology, and it remains subject to the legislation applicable in cases of public access to administrative information and the use of technical means by the Administration.

29.4 The Cartographic Plan of Catalonia shall be included on the web page of the Cartographic Coordination Commission of Catalonia.

Article 30

Validity, modification, and revision

30.1 The Cartographic Plan of Catalonia shall remain in force indefinitely, notwithstanding its modification or revision in the terms established by the Plan itself or the modification of the guidelines formulated by the general territorial Plan of Catalonia.

30.2 For such purposes, the Cartographic Plan of Catalonia shall undergo a general revision every 8 years.

Article 31

Updates

31.1 The Ministry of Territorial Policy and Public Works must update the studies and data of the Plan, through the Cartographic Institute of Catalonia or the Cartographic Coordination Commission of Catalonia.

31.2 The aforementioned updates from the previous section are not considered modifications or revisions of the Plan.

CHAPTER III

The Spatial Data Infrastructure of Catalonia

Article 32

Duties of the Support Center for the Spatial Data Infrastructure of Catalonia

The following are duties of the Support Center:

Promote and maintain the IDEC.

Announce, describe, and advertise existing geographic information and applicable services.

Spread the technological base by making it accessible, interoperable and able to be shared.

Act as the coordinating structure to establish and maintain the IDEC, with the contributions of the producers, users, providers of value-added services, and coordinating organizations, among others.

Article 33

The service of the IDEC catalog

33.1 In order to announce, describe, and disseminate existing geographic information, its characteristics, and its services, the Support Center shall maintain a public, internet-accessible catalog of metadata as a service where data and service providers can incorporate their descriptive metadata.

33.2 The IDEC metadata catalog service is open to all data and service providers, both public and private.

33.3 The upkeep of the metadata and its content shall be the responsible of the respective providers, which shall not hinder the Support Center from validating and, when appropriate, making timely proposals to the creators of the metadata, in order to guarantee a minimum level of formal, descriptive quality.

33.4 The IDEC metadata catalog service shall act as a central node within the territorial scope of Catalonia. It shall contain its own database and, additionally, shall connect with other metadata catalogs created by other entities and organizations. To make this possible, all catalogs must comply with currently applicable specifications and standards. The entities that supply the aforementioned catalogs shall inform the Support Center of their telematic addresses and other details that make interconnectivity with the IDEC metadata catalog service possible.

33.5 The IDEC metadata catalog service shall also be accessible from specific catalogs that form part of the network of Catalonia. In turn, the IDEC metadata catalog service shall connect with the catalogs of other data infrastructures pertaining to the State, Europe, or the international community.

Article 34

Metadata

34.1 Applicable regulations for metadata shall be subject to approval by the Cartographic Coordination Commission of Catalonia.

34.2 Metadata shall include a description of the geographic information and applicable services in accordance with international standards and following, when appropriate, the standards established by European regulations to that purpose.

34.3 Service metadata shall be adapted to the standards determined by the IDEC until such a time as there are internationally approved regulations.

34.4 The Support Center shall make tools available to providers who want them to create and edit metadata, and it shall act as a consultant to these providers insofar as it is necessary.

Article 35

Obligations of public authorities

35.1 All organizations within the Generalitat and local administrations shall make an inventory of the geographic information they claim as intellectual property, independent of its use and the restrictions that may apply to said information.

These data sets shall be described with metadata in accordance with the previous point and shall be published in the IDEC metadata catalog service or in other specific catalogs that comply with the previous article.

35.2 They may also opt to create or publish service metadata, data model metadata, or metadata of other aspects that could complement the description of the geographic information in the future.

35.3 Within a period no greater than 2 years, all metadata corresponding to the Administration of the Generalitat must be published; the metadata corresponding to local administrations must be published within a period of 4 years.

35.4 The Support Center shall aid the organizations of the Generalitat and local administrations in the publication and dissemination of their metadata.

35.5 At the discretion of the Cartographic Coordination Commission of Catalonia and upon the request of the holders of the information, metadata whose dissemination could compromise the safety of the citizenry may be exempt from the obligations outlined in section 35.1; this exemption may also be granted for police purposes.

Article 36

Data dissemination policy

36.1 Within the period of a year, the Support Center shall propose to the organizations of the Generalitat and local authorities a policy for the dissemination and accessibility of the geographic data at their disposal and in their possession. This policy shall be previously approved by the Cartographic Coordination Commission of Catalonia.

36.2 When establishing the aforementioned policies, the applicable state, European, and international regulations and provisions must be taken into account. The Support Center shall provide information and publicity in this respect.

36.2 The organizations of the Generalitat shall define, within a maximum period of 2 years, its policy for the dissemination and accessibility of the geographic data at its disposal and in its possession, which shall be reflected in the corresponding descriptive metadata.

36.4 The local authorities shall have a period of four years to define their dissemination policies. The corresponding coordinating bodies shall drive the process, homogenizing the different options whenever possible.

Article 37

Accessibility of geographic information and restrictions of use

37.1 The Support Center shall carry out technological demonstrations so that each data-collecting organization may introduce its own access policies for its data and geographic services. Should an organization entrust the Support Center with the task of hosting the data and supplying services, it shall be guaranteed that the data policies of the aforementioned organization can be implemented.

37.2 Access to information and spatial data services is guaranteed for all public authorities, so they may exchange and utilize the data and services for the development of public operations that are assigned to them.

37.3 The initially established conditions and applied restrictions can be modified by data providers by communicating with the Support Center, who shall then proceed to adopt

appropriate measures to that effect.

Article 38

Harmonization of data

The Support Center shall cooperate on the harmonization of the data provided by different sources in Catalonia. In this sense, it shall spread the principles and standards approved by the Cartographic Coordination Commission of Catalonia.

Article 39

Territorial node of the Infrastructure of State and European Spatial Data

The Support Center shall act as the central node of the IDEC of Catalonia before other state, European, and international institutions. The ICC [Cartographic Institute of Catalonia] shall endorse appropriate agreements, when necessary, in fulfillment of this position.

Article 40

Information and control of the IDEC on the part of the Cartographic Coordination Commission of Catalonia.

The Support Center shall produce a detailed report on questions that may arise in the development of the IDEC. This report will be made annually for the purpose of allowing the Cartographic Coordination Commission of Catalonia to supervise the operation of the IDEC.

The Cartographic Coordination Commission of Catalonia shall act as an auxiliary for the resolution of questions that may arise from the development of the IDEC.

CHAPTER IV

Integrated Geodetic Positioning System of Catalonia

Article 41

Objective

The Integrated Geodetic Positioning System of Catalonia (SPGIC) is made up of a group of permanent geodetic stations, instrumental networks, procedures, data, communications, software, hardware, and technical support, all for the purpose of facilitating the determination of coordinates in Catalonia.

Article 42

Implementation of the SPGIC

42.1 In order to implement the SPGIC, the ICC shall deploy networks of permanent stations, guaranteeing public access to geodetic structures, increasing their density, maintaining them, and disseminating them in accordance with the technologies and necessities of geodetic positioning.

42.2 Databases containing information generated within the scope of the SPGIC shall be maintained and publicly circulated.

42.3 The SPGIC and its results shall be guaranteed to meet the existing state, European and international standards in this field.

42.4 Standards and procedures to determine official coordinates shall be established and published according to article 10.4 of Act 16/2005, along with standards and procedures for compatibility with the SPGIC system.

42.5 Evaluations and consultations shall be made concerning the impact of changes in geodetic systems on cartography.

Local geodetic networks that comply with the technical specifications of the

aforementioned System shall be integrated into the SPGIC, in accordance with the specifications of the Cartographic Coordination Commission of Catalonia.

42.7 The ICC, through its legal representative or another designated person, shall represent Catalonia before state, European, and international organizations within the scope of geodetics and positioning.

Article 43

Services of the SPGIC

The basic services offered to the user by the SPGIC shall be the following:

1. Differential GNSS correction services.

The network of permanent geodetic stations that continuously observe the constellations of GNSS satellites is the basis of a family of active positioning services that provide the user with pre-recorded or real-time observations and differential corrections. The utilization of these observations and differential corrections will improve the integrity and precision of satellite positioning in Catalonia.

2. Classic geodetic infrastructures.

In order to provide users with access to known coordinate points, the ICC shall offer this service of classic geodetic network densification and shall facilitate its use by publishing summaries of these points on the web.

3. Geodetic support elements

This service shall provide the user with all the necessary geodetic elements to correctly utilize the SPGIC—coordinate transformation software, datum conversion parameters, geoid values, and other necessary components, for example.

4. Consultation service

In order to resolve possible doubts that may arise in regard to the utilization of the SPGIC, the ICC shall implement a consultation service.

Article 44

Access and financial conditions of use

With respect to the financial conditions of access to these services, they shall be available for utilization free of charge. For such purposes, the Governing Council of the Cartographic Institute of Catalonia shall approve the catalog of free services.

CHAPTER V

The Map Library of Catalonia

Article 45

Objective

The objective of the Map Library of Catalonia, as a unit of the Cartographic Institute of Catalonia, is to gather, conserve, preserve, and disseminate cartographic and geographic documentation, especially documentation concerning the territory of Catalonia.

Article 46

Duties and scope of the Map Library of Catalonia

To fulfill the duties described in article 48 of the Act 16/2005, the Map Library of Catalonia organizes, catalogs, and stores all cartographic, geographic, and similar documentation to make it available to users.

The geographic scope of its collection is worldwide, although there is a special dedication to Catalonia.

It shall consist of all manner of bibliographic, geographic, and cartographic documents, as well as digital files relates to these subjects, with no time limitation.

Article 47

The collection of the Map Library of Catalonia

The collection of the Map Library of Catalonia is made up of contributions from the following sources:

1. The collection currently in place for the Map Library of Catalonia.
2. The production of the ICC in any format, as well as the technical documentation generated by the ICC that is deemed to be of general interest. Two copies of all printed material produced by the ICC as well as its digital output shall be submitted to be cataloged and stored.
3. One copy of the cartography and geo-referenced geographic information that has been registered as official in the Cartographic Register of Catalonia.
4. One copy of all output concerning cartography that is deposited in the office of duty copies.
5. Donations that may be offered. For admission, the characteristics of the donation shall be evaluated in each case according to their suitability for inclusion in the collection of the Map Library of Catalonia.

Article 48

Conditions for access

48.1 Anyone can be a user of the Map Library of Catalonia.

48.2 Users can make queries by telematic means or directly in person in the facilities of the Map Library of Catalonia in the Cartographic Institute of Catalonia.

Article 49

Services of the Map Library of Catalonia

The basic services offered by the Map Library of Catalonia, in the terms specified by its own internal standards, are the following:

1. Queries regarding the collection of the Map Library of Catalonia

The Map Library of Catalonia, by means of search tools to recover the necessary information, shall provide access to its complete collection of documents.

The Map Library of Catalonia shall establish a list of its collections available for consult by Library users, whether in hard copy or electronic format. The hours of operation of the facilities shall be made public.

2. Reproductions.

The Map Library of Catalonia shall offer reproductions of the materials from its collections to users, with careful attention to the regulation of rights of reproduction currently in force by law and the physical characteristics of the document. Copying techniques that do not harm the document shall be preferred and shall be applied progressively (reproductions from digital copies) over more aggressive techniques like photocopies. The Map Library of Catalonia shall decide which materials cannot be reproduced for the sake of conservation. Requests for reproductions must be made in writing, and the requestor must specify if they are needed for study or for a publication. In the latter case, the cost established by the ICC for such purposes must be formalized and paid.

Digital reproductions that can be downloaded from the internet will be freely accessible. For use in publications, the procedure described in the previous point must be followed.

3. Loan service

The Map Library of Catalonia only offers loan service to internal users.

For pieces requested as part of an exposition, the Map Library of Catalonia shall determine the conditions of the loan and, if approved, shall define the specific characteristics that may stem from it, including—among others—insurance and exposition conditions.

Article 50

Coordination, dissemination, and preservation

50.1 Coordination.

The Map Library of Catalonia shall oversee the establishment of coordination between the rest of the map libraries of the territory of Catalonia with the aim to encourage cartographic cataloging systems, the exchange of information, and the optimization of resources, with the promotion of meetings, specific courses, and other actions as seen fit.

50.2 Dissemination.

In order to spread the knowledge and study of the history of cartography, the Map Library of Catalonia shall promote the following:

1. Development of a plan for the digitalization of its collection to make it accessible online.
2. Writing and publication of studies in these areas.
3. Publication of facsimiles and other printed matter.
4. Organizing courses and seminars on this subject matter.
5. Organizing expositions from its own collection and outside collections both inside the ICC headquarters and in other locations.

50.3 Preservation.

In order to preserve the heritage that is represented by digital information, the Map Library of Catalonia shall endeavor to do the following:

1. Promote the study of digital preservation techniques, particularly those techniques applicable to the preservation of the Map Library's own digital collection.
2. Give advice on the state of the art of digital preservation.

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