

Fyrom-Legal Framework

Legal framework

The 2008 Law for Real Estate Cadastre (Official Gazette of the FYR Macedonia #40/08) contains a number of provisions on the FYR Macedonian NSDI. The NSDI is defined as “a set of activities that enable quality collection, administration, sharing and use of georeferenced spatial data” (article 2). Under the Law, AREC is required to prepare a strategic plan of the NSDI for a period of 5 years and an annual programme for implementing the strategic plan. The plan has to be adopted by the government of the FYR Macedonia, and the annual programme has to be EC-INSPIRE: Spatial Data Infrastructures in Europe: State of play Spring 2011 FYROM K.U.Leuven (SADL) 9 endorsed. Both documents have to determine the type and the scope of the activities and the resources necessary for implementing these activities (article 4). Other laws and regulations that are important for the FYR Macedonian NSDI include:

- Law on Survey and Land Cadastre (Official Gazette of the FYR Macedonia #34/72 and 13/78);
- Regulation for the establishment of the real estate cadastre (Official Gazette of the FYR Macedonia # 118/08) and amendments:
- Regulation for maintenance of the real estate cadastre (Official Gazette of the FYR Macedonia #118/08) and amendments;
- Regulation for survey, processing and editing of survey data (Official Gazette of the FYR Macedonia #118/08) and amendments;
- Regulation for the manner of use, distribution, access, issuance, safeguarding and protection of data from the geodetic cadastre information system and the manner of issuance of data from the real estate cadastre (Official Gazette of the FYR Macedonia #118/08)
- AREC-Regulation for the manner and procedure of exercising the right to a free access to public information (no. 01-3563/1, date 27.03.2007).

Public-private partnerships (PPPs)

No information was found.

Policy and legislation on access to public sector information(PSI)

Fyrom-Legal Framework

Article 16 of the FYR Macedonian constitution guarantees the freedom of access to information and the freedom of reception and transmission of information. The Law on Free Access to Information of Public Character was adopted on 25 January 2006 and is applicable from September 2006. Under the law, any natural or legal person has the right to obtain information from public authorities by filing a request. The request can be oral, in writing or by electronic means (see <http://www.legislationline.org/topics/country/31/topic/3>). The Regulation for the manner and procedure of exercising the right to a free access to public information (no. 01-3563/1, date 27.03.2007) regulates the access to information from the cadastre (see <http://www.katastar.gov.mk/en/Page.aspx?Id=216&m=1490>).

Legal protection of GI by intellectual property rights

Article 47 of the Constitution guarantees the rights that stem from scientific, artistic or other intellectual works. The Law on Copyright and Related Rights dates from 1996 and has been amended to harmonise it with the European legislation on copyright and related rights, including the 1996 database directive. In 2009, preparations started for a new draft legislation on copyright (Ministry of Economy, Strategy for Intellectual Property of the FYR Macedonia 2009-2012). The law protects individual and intellectual creations in the field of literature, science, arts and the domains of creation, regardless of the type, manner and form of expression. Explicit mention is made of photographic works and cartographic works, plans, sketches, technical drawings, projects, tables, plastic works and other works of identical or similar character in domain of geography, topography, architecture or other scientific, educational, technical or artistic nature (article 12). Official texts from the legislative, executive or judicial sphere and their translations, when published as an official text, are not protected (article 16).

Restricted access to GI further to the legal protection of privacy

Article 18 of the Constitution of the FYR Macedonia guarantees the security and confidentiality of personal information and the protection of citizens from any violation of their personal integrity deriving from the registration of personal information through data processing. The Law on the Protection of Personal Data was adopted in 1994 and amended in 2002 to implement some of the provisions of directive 95/46/EC on the processing of personal data. Based on recommendations from the European Community, a new law was adopted in January 2005 (Official Gazette of the FYR Macedonia # 07/05, see

<http://www.ceecprivacy.org/main.php?s=2&k=macedonia>

Licensing framework

Fyrom-Legal Framework

For obtaining data from AREC, an application form has to be filled out and submitted personally, via regular mail, fax or e-mail. Professional clients can register and obtain access to a separate part of the website.

UN-GGIM Knowledge Base

<http://ggim.un.org/knowledgebase/KnowledgebaseArticle51527.aspx>