

Ordinance
to Determine the Conditions for Use
for the Provision of Spatial Data of the Federation
(*Verordnung zur Festlegung der Nutzungsbestimmungen*
für die Bereitstellung von Geodaten des Bundes –
***GeoNutzV*)**

Of 19 March 2013

On the basis of section 14 number 2 in conjunction with section 11 subs. 3 of the Spatial Data Access Act, of which section 14 number 2 was re-drafted by Article 1 number 4 and section 11 subs. 3 by Article 1 number 2 of the Act of 7 November 2012 (Federal Law Gazette [BGBl.] Part I p. 2289), the Federal Government herewith issues the following ordinance:

Section 1
Objective and scope

This ordinance governs the conditions under which spatial data and services, including the appropriate metadata, in accordance with section 11 subs. 1 and 2 of the Spatial Data Access Act, are provided by the agencies holding spatial data in accordance with section 2 subs. 1 in conjunction with section 3 subs. 8 of the Spatial Data Access Act.

Section 2
Uses

(1) Spatial data and services, including the appropriate metadata, shall be provided free of charge for all currently known purposes and for all purposes becoming known in the future of commercial and non-commercial use unless provided otherwise by special legal provision or third-party contractual or statutory rights stand in the way of such arrangement.

(2) The spatial data and metadata provided may in particular

1. be duplicated, printed out, presented, altered, processed and forwarded to third parties;
2. be placed together with own data and third-party data and combined to produce separate, new data sets;
3. be incorporated into internal and external business processes, products and applications in public and non-public electronic networks.

(3) The spatial data services provided may in particular

1. be combined with own services and third-party services;
2. be incorporated into internal and external business processes, products and applications in public and non-public electronic networks.

Section 3
Sources references

Users shall ensure that

1. all source references and other legal information enclosed with the spatial data, metadata and spatial services are incorporated recognisably and optically linked;
2. alterations, processing, new designs or other adaptations are affixed with an indication of the alteration or, where the agency holding the spatial data so requires, the enclosed source reference is deleted.

Section 4
Limited liability

If the agency holding the spatial data violates an obligation under public law incumbent on it vis-à-vis the user, its financing entity shall not be liable towards the user for the damage resulting therefrom if the agency holding the spatial data is only guilty of negligence. This shall not apply in the event of an injury to life, limb and health.

Section 5
Entry into force

This ordinance shall come into force on the day after its promulgation.

Berlin, 19 March 2013

The Federal Chancellor
Dr. Angela Merkel

The Federal Minister
for the Environment, Nature Conservation and Nuclear Safety)
Peter Altmaier