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Application and Asset Reuse in the Public Administration

An opportunity for efficiency through openness and innovation

Based on the provisions in **Law 11/2007 and Royal Decree 4/2010**, as well as on European policies on the subject, we are now able to **take steps in the reuse of applications (understood as products or services)**, services, public sector information and other information assets.

Reuse has the potential to improve efficiency and effectiveness while giving rise to an economy based on knowledge, participation and innovation. Likewise, it encourages competitiveness by contributing to the development of an ICT ecosystem where **the public and the private sectors can work together with an eye on the improvement of public services**. This means that reuse goes well beyond cost savings, being synonymous with openness, transparency, participation and cooperation – all of them elements of an open government. Moreover, reusing means effectively transforming the way we work in the Public Administration, breaking away from **administrative silos** and creating a new framework that benefits both civil servants and administrative units.

In the EU, reuse has been associated with cooperating in several activities and sharing documents through time. It has been a long process, and it is beginning to bear fruit: for instance, the European Union Public Licence (EUPL), a prerequisite for the availability of applications for European public administrations that has been in force for more than five years.

The **E-Government Action Plan 2011-2015** considers reuse as associated with the deployment of innovative technology, interoperability, efficiency and effectiveness.

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It **promotes the reuse of solutions**, existing infrastructure and especially the results of big-scale pilot projects[1].

The **European Interoperability Strategy** also mentions the reuse of items, services, infrastructure and components, including a series of measures to support communities of interest and the integration of collaborative platforms.

Likewise, the **European Interoperability Framework**[2] refers to the **reuse of concepts, applications, services, specifications, data models and administrative information sources** (referred to as 'primary records'). More specifically, the underlying principle 10 describes reusability as a key concept for the effective development of public services, whereas the recommendation 7 encourages public administrations 'to reuse and share solutions and to cooperate on the development of joint solutions when implementing European public services.'

At a practical level, **JOINUP**[3], the collaborative platform deployed by the EC Directorate-General of Informatics and funded by the ISA programme, integrates **previous tools for cooperation in the fields of open-source software (OSOR.EU) and semantic assets (SEMIC.EU)**.

In Spain, **Law 11/2007** has had a direct impact on asset reuse by stating in **Article 45** that Public Administrations shall have access to 'the software applications they hold intellectual property rights for with no need to offer an application in return or to have signed an agreement to use them.' Meanwhile, **Article 46** mentions the operating tools for this: 'Public administrations shall keep application directories up

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[1] E.g. CIP-LSP:STORK, STORK 2, PEPPOL, SPOCS, epSOS, etc.

[2] COM(2010) 744 final: COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS, Towards interoperability for European public services, Annex 2.

[3] http://joinup.ec.europa.eu/

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to date for free reuse (…), in accordance with the relevant clauses in the National Interoperability Framework.'

Later, in the development of Articles 45 and 46 of Law 11/2007, the **National Interoperability Framework** (Royal Decree 4/2010) dedicates **Chapter 8** to the reuse of 'applications and the associated documents, and other information items the public administrations hold the intellectual property rights of.'

Article 16 sets forth the **licensing terms** applicable to reusable software applications described as open-source software. **Article 17** describes the conditions that apply to **software application directories** for their free reuse, in connection with equivalent tools in other public administrations, and to the obligation to take into account the available solutions to meet the needs of new systems or services, or the improvement or update of existing ones, as well as to the inclusion of the source code of software application in the aforementioned directories with the aim of encouraging sharing, reuse and cooperation for improved efficiency and effectiveness.

Regarding the **administration of justice, Law 18/2011** follows similar lines, envisaging the sharing of applications and **encouraging the reuse of** existing **systems, services, infrastructure and software applications**, as well as the update of software application directories for their free reuse.

An **operating tool to implement asset reuse, the Technology Transfer Centre (CTT)**[4] mentioned in Article 46 of Law 11/2007 and created by the Ministry of the Treasury and Public Administration is aimed at facilitating the reuse of solutions by public administrations. It is related to JOINUP and to the projects led by several

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[4]

http://administracionelectronica.gob.es/?_nfpb=true&_pageLabel=P803124061272300995675&langPae=es

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Autonomous Communities (Extremadura, Andalusia, Catalonia), and it works in cooperation with CENATIC.

In the newer field of **service applications**, the paradigm of service provision **in the cloud favours reuse**. The access to services provided by other administrations in a flexible framework, on demand and pay per use, gives rise to a new cooperation framework for shared services. Although we are only taking the first steps, the **European Cloud Partnership**[5] will be a catalyst for this kind of initiatives. In Spain, a **new generation of services in the SARA Network in the cloud like Acceda or ORVE** facilitate the implementation of E-Government at the local level.

Based on this, we can take further steps in the reuse of applications (products, network services or other information assets) with the aim of achieving greater efficiency and effectiveness, and focusing on processes adding value to governance. **Specific initiatives** are beginning to emerge **in the public administrations**[6].

Asset reuse opens the door to new paradigms in the ICT development and use in public administrations, including applications, services, data models and information sources. The foundations of the conceptual framework of reuse have been laid down and supported, the guidelines are being worked on and uncertainties are beginning to vanish, while collaborative platforms and technologies reach an adequate level of maturity.

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[5] http://ec.europa.eu/information_society/activities/cloudcomputing/europeancloudpartnership/index_en.htm

[6] See the article 'El sector público vasco, obligado a reutilizar el *software*' (The Basque Public Sector, Forced to Reuse Software) on the CENATIC website, www.cenatic.es/hemeroteca-de-cenatic/2-cenatic-en-la-red/39908-el-sector-publico-vasco-obligado-a-reutilizar-el-software.