



COMMITTEE FOR SPATIAL INFORMATION

[In terms of the Spatial Data Infrastructure Act, 2003 (Act No. 54 of 2003)]

Base Data Set Custodianship Policy

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Definitions and abbreviations

All terms in this Policy are consistent with their meaning in the Spatial Data Infrastructure Act, 2003 (Act No. 54 of 2003), ("the SDI Act"), and the regulations made thereunder. More specifically, -

"base data set" means those themes of spatial information which have been captured or collected by a data custodian;

"CSI" means the Committee for Spatial Information, established in terms of section 5 of the SDI Act;

"data collection project register" means a technical system provided by the Department;

"data custodian" means an organ of state; or an independent contractor or person engaged in the exercise of a public power or performance of a public function, which captures, maintains, manages, integrates, distributes or uses spatial information.

"data set" means an identifiable collection of related spatial information;

"Department" means the Department of Rural Development and Land Reform;

"electronic metadata catalogue" means a technical system for the capture and dissemination of metadata records of spatial information;

"Minister" means the Minister of Rural Development and Land Reform;

"SDI Act" means the Spatial Data Infrastructure Act, 2003 (Act No. 54 of 2003);

"spatial information" means information about spatial objects or features and their attributes;

"subcommittee" means a subcommittee established by the CSI in terms of section 10 of the SDI Act.

Base Data Set Custodianship Policy

1. Policy statement

Sections 11 to 18 of the Spatial Data Infrastructure Act, 2003 (Act No. 54 of 2003), ("the SDI Act"), requires base data set custodians to provide accurate, relevant and up-to-date spatial information products and services to the State for improved planning and informed decision making. This Policy will guide base data set custodians in meeting the requirements of the provisions of the SDI Act.

2. Purpose

The purpose of this Policy is to:

- (a) Outline the criteria for the identification and appointment of base data set custodians to promote data sharing.
- (b) Promote cooperative relationships among base data set custodians and other entities/organisations to ensure access to, and availability of relevant base data sets.
- (c) Specify the right(s) of a base data set custodian, in terms of the SDI Act and other legislations and policies.
- (d) Specify the responsibilities of a data user in relation to a base data set custodian.

3. Scope

This Policy is applicable to organs of state and service providers providing services to the State. It applies to the base data sets as identified by the Committee for Spatial Information (CSI) from time to time.

4. Objectives

The objectives of the Policy are to:

- (a) Improve access to, and availability of relevant base data sets/information;
- (b) Eliminate duplication in the collection of base data sets;
- (c) Protect the privacy of individuals and avoid legal liabilities among all parties;
- (d) Improve the quality and integrity of base data sets;
- (e) Foster cooperation between the different spheres of government and other organizations;
- (f) Ensure base data sets integration.

5. Legislative and regulatory framework

Constitution of the Republic of South Africa, 1996.

Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005).

Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

The SDI Act.

6. Policy details

6.1 Key principles

The functioning of a society depends upon information and the efficient communication thereof to its members. This determines the economic efficiency and industrial and productive processes of a nation. Information is widely recognized as the most critical and essential of corporate resources. The full potential of this resource can be realized only if it is accessible and used appropriately by those that require it. Therefore, the principles underlining this Policy are to:

- Recognize base data set custodians as authoritative sources for base data sets;
- Promote cooperation and coordination among base data set custodians;

- Improve access to base data sets through capture and publication of metadata; and
- Institutionalize base data sets governance.

6.1.1 Authoritative data sets

The base data set custodian is regarded as the authoritative source for the base data sets in its care and is therefore required to keep such data sets up-to-date. Base data set custodians are responsible for the processes and functions of data capture, validation, maintenance, management, archiving and documenting, including the principles and procedures for accuracy, currency, metadata, data storage and security.

6.1.2 Cooperation and coordination

- (a) Due to the limited resources available to the country, many government departments are currently experiencing budget constraints. Base data set custodians will commit to promoting efficient, economic and effective use of resources by cooperating and coordinating with each other in sharing data and information, as enshrined in the Constitution, 1996 [section 195 (1)(b)]. All base data set custodians and agents will commit to proper maintenance, improved accessibility and fair distribution of base data sets. Base data set custodians will work together to facilitate data and information sharing in order to avoid duplication of base data set capture and costs to all spheres of government. Base data set custodians should, where possible, consult users in line with *Batho Pele* principles in determining needs when capturing or updating spatial information.
- (b) Users must report errors in spatial information/base data sets to the base data set custodian(s) from whom they obtained the data/information in accordance with the SDI Act. Reporting of errors must be done within 90 calendar days of the user becoming aware of such errors.
- (c) Where a user is granted permission by a base data set custodian to update base data sets/spatial information, the updates must be returned to the base data set custodian at no cost. Base data set custodians will make

their conceptual data model available to any user and the public on request. Base data set custodians will assist other organs of state in developing data product specifications.

- (d) Organs of state that have been granted permission by the CSI to capture base data sets/spatial information will capture such data sets after consultation with the respective base data set custodian. All base data sets/spatial information collected or created through public funding will be returned to the respective base data set custodian at no cost.

6.1.3 Access

- (a) Access is a fundamental issue in the exchange of data. Information becomes valuable when it is accessible to the user. All base data set custodians will capture metadata for their data holdings. This will provide the public with the information needed to process and interpret data to avoid legal proceedings against one another.
- (b) The principle of access to information is rooted in section 32(1)(a) and (b) of the Constitution (*“Everyone has the right of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights”*). Access to information is necessary for the development and promotion of an informed public and an accountable government. It improves decision-making, service delivery and economic development, and is of great benefit to society as a whole. Access to information occurs when the public is provided with information, to which they are legally entitled, upon their request.
- (c) Base data set custodians will disclose or make base data sets available to the public on request, unless it is exempted from disclosure under the Promotion of Access to Information Act.
- (d) Base data set custodians must register their data collection/acquisition projects on the data collection project register at the Department prior to undertaking projects and update the register when changing the status of projects.

- (e) Base data set custodians will ensure that reasonable security measures are in place to avoid loss, unauthorized access, modification and disclosure of personal data.
- (f) Any base data set(s) that is disclosed or made available to users must include the metadata component.
- (g) Base data set custodians should ensure that their metadata is available to the public by establishing a node at the Department's Electronic Metadata Catalogue, or by making their records available to the Department for inclusion in the Catalogue.

6.1.4 Shared base data set custodianship

Where relevant, it is possible to have more than one organisation as base data set custodian for the same spatial object or feature. This is called shared base data set custodianship. In such circumstances one organisation, called the base spatial data custodian, is the custodian for the spatial attributes (geometry), and another organisation, called the base attribute data custodian, the custodian for the descriptive attributes. Both data custodians will agree to and adhere to policies, standards and specifications for the base data set.

6.1.5 Base data set governance

The role of a base data set coordinator is hereby established to encourage base data governance. It is the responsibility of a base data set coordinator to ensure that the base spatial data custodian and the base attribute data custodian create base data sets that adhere to all policies, standards and specifications. The base data set coordinator will also be responsible for ensuring data compatibility and integration of base data sets of different base data set custodianship for the same base data sets but with adjoining geographical coverages.

6.1.6 Adherence to standards

Base data set custodians will adhere to standards that are prescribed by the Minister in terms of section 4(1)(a) of the SDI Act, and to any other relevant national standards for spatial information in promoting interoperability.

6.1.7 Quality

- (a) The base data set custodian will ensure that the base data set is accurate and current concerning the determined user needs for the purpose for which it was captured. Where probable errors exist, the degree of probability of its correctness must be made available.
- (b) The base data set custodian will ensure that the base data set or spatial information is free from ambiguities.
- (c) Base data set custodians will ensure that the quality and resolution of their base data sets and other spatial information meet the needs of their intended users.
- (d) Base data set custodians of specific base data sets will ensure that base data set updates are sent to base data set custodians of derived data sets.
- (e) Base data set custodians of derived data sets should ensure that their data is derived from the latest base data sets.

6.1.8 Rights

Base data set custodians are entitled to charge for spatial information/base data sets in accordance with the Policy on Pricing of Spatial Information Products and Services (CSI Policy No. 2).

6.2 Criteria to be used in identifying a base data set custodian

The following criteria will be used to identify a base data set custodian:

- Mandated responsibility [legislation, Cabinet directive, policy or other] (compulsory);
- Sufficient capacity, resources and infrastructure to perform the function of a base data set custodian (conditional);

- Request by the CSI to be a base data set custodian (compulsory).

7. Roles and responsibilities

- 7.1 The Policy and Legislation Subcommittee is responsible for drafting policies to be submitted to the CSI.
- 7.2 The CSI recommends the Policy to the Minister and upon approval from the Minister publishes it in the *Gazette*.
- 7.3 The Policy comes into effect 30 calendar days after publication.
- 7.4 The Policy and Legislation Subcommittee reviews the Policy annually and where applicable recommends amendments to the CSI.
- 7.5 The Policy is binding on all parties referred to in the SDI Act.
- 7.6 The CSI must promote coordination and cooperation between base data set custodians and other organs of state.
- 7.7 The Data Subcommittee must recommend the list of base data set custodians to the CSI for approval.
- 7.8 The Department will be responsible for providing implementation support to base data set custodians and other organs of state.

8. Monitoring and evaluation

- 8.1 The CSI, assisted by the Department, will monitor adherence to the Policy.
- 8.2 Adherence to the Policy will be monitored through various means, including audits and inspections. Upon request to do so, any organisation that is the subject of adherence monitoring must provide any documentary evidence requested within a reasonable period of time.
- 8.3 The CSI, assisted by the Department, should from time to time evaluate the efficacy and effectiveness of the Policy. Due regard must be given to the purpose and objectives of the Policy, as well as the state of readiness for implementation of the Policy by affected parties.
- 8.4 The Data Subcommittee will from time to time evaluate the list of base data set custodians and base data sets in relation to the user requirements and the data product specifications.

8.5 The CSI will monitor data custodians' compliance with all standards and legal requirements.

9. Licensing

Base data set custodians may not license data sets for exclusive use. However, in circumstances where a base data set custodian received a licensed date, the base date set custodian must comply with the requirements of such license.

10. Copyright

Base data set custodians must ensure that where copyright resides in any data set, such copyright will be adhered to in line with the Copyright Act, 1978 (Act No. 98 of 1978).

11. Amendments

No.	Amendment	Date

12. Associated documents

Development and review of CSI policy process documentation.