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## **Council of Europe Access Info Group (AIG)**

**Report submitted by Lithuania  
pursuant to Article 14, paragraph 1  
of the Council of Europe Convention  
on Access to Official Documents (CETS No.205)**

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## I. General information

- a. *The existence or not of a State body/agency responsible for the preparation of the report as well as the State bodies/agencies which contributed to the report by providing relevant information.*

This report has been prepared by the Ministry of the Economy and Innovation of the Republic of Lithuania (hereinafter – the Ministry of the Economy and Innovation). The ministry is the leading actor in charge of coordinating the efforts in the field of digital government. More specifically, it works on setting up a policy on the harnessing of emerging new technologies, better service delivery to citizens and businesses, and open data, among other things. The representative of the Ministry of the Economy and Innovation has been nominated to represent Lithuania in the Consultation of the Parties.

The report was contributed by the Information Society Development Committee and the Ministry of the Interior of the Republic of Lithuania (hereinafter – the Ministry of the Interior).

The Information Society Development Committee is a body under the Ministry of Economy and Innovation, which is responsible for coordinating State information resources development, the re-use of public data and the provision of information technology services. Furthermore, two experts of the Information Society Development Committee have been proposed as candidates for the election of members of the Group of Specialists on Access to Official Documents.

The Ministry of the Interior is the leading actor in charge of coordinating the efforts in public administration, the provision of administrative and public services, including the right to receive information from State and municipal institutions and bodies.

- b. *The involvement, participation or consultation with relevant non-state stakeholders including NGOs, civil society and any other relevant stakeholder in the implementation of the Convention.*

All related information on the Convention and its implementation has been distributed to [the Seimas Ombudsmen's Office](#) which is a state official appointed by the Seimas of the Republic of Lithuania. The Seimas Ombudsmen's Office protects human rights and freedoms, investigates the complainants' complaints about abuse of office by or bureaucracy of officials, and seeks to upgrade public administration.

In addition, the information on the Convention has been shared with [Transparency International Lithuania](#), a non-political organization that develops and promotes civic accountability and anti-corruption initiatives in Lithuania by co-operating and coordinating its activities with governmental and non-governmental institutions in both Lithuania and abroad.

## II. Legislative and other measures giving effect to the provisions of the Convention

### Article 1 – General provisions

There are two main laws related to the access to official documents in Lithuania:

- 1) [The Law on the Right to Receive Information and Re-use of Data of the Republic of Lithuania](#) (hereinafter – the Law on the Right to Receive Information) *ensures the right of persons to obtain information* from State and municipal institutions, public bodies, or associations of such entities *about their activities* and *data* which could be reused for commercial or non-commercial purposes, and which they hold and/or process while exercise public administrative powers conferred on them in accordance with the procedure laid down in the Law on Public Administration of the Republic of Lithuania, as well as the functions laid down in other laws, including public service functions.

- 2) [The Law on Public Administration of the Republic of Lithuania](#) (hereinafter – The Law on Public Administration) provides the principles of public administration, the areas of public administration, the system of public administration entities, *guarantees the right of persons to appeal against administrative decisions or inactions of public administration entities*, as well as the right to an objective examination of the applications and complaints; ensures other rights and obligations of persons and public administration entities in the field of public administration.

**1.1 The definition of “public authorities” as adopted in national legal and/or policy frameworks relating to access to official documents, including specifications and/or examples of authorities covered by this definition.**

According to Article 2 of the Law on the Right to Receive Information, the Law shall apply to:

1. State and municipal institutions and bodies, enterprises carrying out public functions, including public bodies owned by the State or municipality and which are financed from State or municipal budgets or public money funds, including libraries, museums, and state archives, as well as associations of such entities and regional development councils (hereinafter – ‘**Institutions**’);
2. Public bodies owned by the State or municipality and which are not financed from state and municipal budgets or state money funds, but which perform public functions, as well as to public companies or private limited-liability companies in which the State or the municipality directly or indirectly owns shares, conferring more than half of the votes at the general meeting of shareholders and the State or municipality may exercise, directly or indirectly, a dominant influence in the election and termination of the manager of a public limited liability company or of a private limited-liability company, as well as more than half of the members of the board or supervisory board, and which provide public services in at least one of the following areas: gas and heat, electricity, water management, transport services, ports and airports, postal services, oil and gas extraction, exploration for or production of coal or other solid fuels, public passenger transport in accordance with Article 2 of Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70, as amended, the operation of air services pursuant to Article 16 of Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on standard rules for the operation of air services in the Community (recast), as amended, for the provision of public service services pursuant to Article 4 of Council Regulation (EEC) No 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage), as amended (hereinafter – ‘**State-owned entities**’).

According to Article 2 of the Law on Public Administration, ‘**Public administration entity**’ means a public legal person, collegial or sole institution, which does not have legal personality, or a natural person having a special status established by law and authorized to carry out public administration by the procedure laid down in this Law.

**1.2 The definition of “official documents” as adopted in relevant national legal and/or policy frameworks, including specific information as to whether this definition covers information stored electronically or in databases.**

The Law on the Right to Receive Information in Article 3 defines ‘*information*’ and ‘*data*’ as follows:

- *'Information'* means the knowledge held by the institution in the performance of its public functions;
- *'Data'* means the recorded information on the activities of an institution or a state-owned entity, regardless of its presenting manner, form, and medium (paper or electronic form or as a sound, visual or audiovisual recording), including register data, register information, data submitted to the register and/or their copies, data from the state information system.

## **Article 2 – Right of access to official documents**

### **2.1 *The legal and/or policy framework guaranteeing the right of access to official documents, including specific information on relevant domestic laws, regulations and policies recognizing the right of access to official documents.***

The fundamental rules on access to official documents are found in the Law on the Right to Receive Information. According to Article 1(1), the Law on the Right to Receive Information *ensures the right of persons to obtain information from State and municipal institutions, public bodies or associations of such entities* about their activities and data which could be reused for commercial or non-commercial purposes, and which they hold and/or process while exercise public administrative powers conferred on them by the procedure laid down in the Law on Public Administration of the Republic of Lithuania, as well as the functions laid down in other laws, including public service functions.

### **2.2 *Specifications as to whether the right of access to official documents is guaranteed to everyone, including non-nationals of the Party.***

Regarding persons entitled to public information and data, the Law on the Right to Receive Information in Article 3(15) defines *'Applicant'* as a natural or legal person of the Republic of Lithuania or the other Member States of the European Union as well as countries of the European Economic Area or an entity without legal personality and/or its branch and representative office.

Moreover, Article 4(2) of the Law on the Right to Receive Information states that data shall be provided to natural, legal persons, entities without legal personality, branches, and representative offices of other countries except for the Member States of the European Union and the European Economic Area, in accordance with the same procedure as applicants, provided that this is not contrary to the laws of the Republic of Lithuania, international treaties, European Union legal acts and other regulatory acts.

In addition, the Law on Public Administration defines principles of activities of public administration entities, including the *principle of equality*. According to Article 3(6) of the Law on Public Administration, this principle shall mean that an entity of public administration, when adopting administrative decisions, must take into consideration the fact that all people are equal before the law and no one's rights may be restricted or privileges conferred on any ground of someone's sex, race, nationality, language, origin, social status, property, education, religion, political opinion, type or character of activity, place of residence, and other circumstances.

### **2.3 *Whether the Party guarantees the right of access to official documents irrespective of the use of the information received by the applicants of access.***

According to Article 8(1) of the Law on the Right to Receive Information, without the separate consent of an institution or a state-owned entity and a contract, the applicant is allowed to use the received data as follows:

- 1) make public by any means, including making them available to the public on the Internet;
- 2) reproduce in any form or manner;

- 3) translate into other languages;
- 4) adapt or otherwise process;
- 5) distribute and otherwise provide (transfer) to third parties.

### Article 3 – Possible limitations to access to official documents

3.1. Whether the Party has introduced **limitations** to the right of access to official documents, including specific information on such limitations, whether they are set by law and whether the relevant legal and/or policy frameworks provide for limitations of the right of access to official documents which pursue aims not listed in Article 3(1), and if so, specifying which ones:

According to Article 2(2) of the Law on the Right to Receive Information, it shall not apply to the following:

- 1) data handling which *is not related to the fulfillment of public service functions* delegated by legal acts to institutions, except for information about the salary of employees;
- 2) data which is *the object of industrial property rights* or of copyright or related rights of third parties or *sui generis* rights of database authors;
- 3) data that according to laws, is recognised as confidential for the reasons of *national or public security*, national defense interests, or restricted use of statistical data, or which includes *state, official, commercial, professional or bank secrets*, as well as in other cases provided by laws;
- 4) data the supply of which is restricted by law or other regulatory acts, as well as where applicants have to justify the purpose of the use of the data requested;
- 5) data consisting solely of *logos, ornaments, and/or emblems*;
- 6) data to which access is refused for *the protection of personal data* under European Union or national law on the protection of personal data;
- 7) data used by the Lithuanian Radio and Television and other broadcasters financed from the state budget;
- 8) data is held by state and municipal *educational institutions*, higher education institutions, except of higher education institutions' libraries, and state research institutes. This provision shall not apply to research data when such research is financed from public funds and has already been made public by researchers, research performing organisations, or research funding organisations;
- 9) data held by *theatres, concert institutions*, other bodies acting in accordance with the laws governing the activities of cultural institutions, except of libraries and museums;
- 10) data held by state-owned entities and are used for purposes other than the provision of public services or where these data relate to activities directly exposed to competition.

3.2 Specification as to why the limitations to the right of access to official documents are **necessary** and as to their **proportionality** to the aims listed in Article 3, paragraph 1;

Limitations to the right of access to official documents are determined to prevent harm to the security and defense interests of the state, foreign policy interests, prosecution and the territorial integrity or public order of the state, the rights, and legitimate interests of others; or the information would be essential for the protection of human health and morals.

3.3 Whether the Party's legal and/or policy framework contains provisions which permit **refusal of access to official documents in compliance with Article 3, paragraph 2;**

The functions are performed in accordance with the established regulation and all official documents are provided by the Law on the Right to Receive Information.

3.4 How does the public authority evaluate an overriding public interest when deciding to disclose official documents that would harm one of the interests listed in Article 3, paragraph 1.

According to the principles of the rule of law and administration, the functions are performed in strict compliance with the law, so if the provision of information is allowed, it is provided, if not, it is not provided.

#### **Article 4 – Requests for access to official documents**

According to the Law on the Right to Receive Information, institutions shall follow certain principles while providing the data to the applicants. One of the principles is data availability principle stating that institutions shall facilitate the use of the data by applicants irrespective of the purpose and legal form of the applicant's activities and, where necessary, set out only minimum legal, technical, and/or financial conditions for the provision of data to applicants.

In addition, [The Rules for Considering Applications and Complaints and Providing Services to Persons at Entities of Public Administration](#) (hereinafter 'the Rules') are approved by the Government.

The Rules provide that applications may be submitted in writing directly by the person or his/her representative upon arrival at the institution, by sending an application by post or by electronic means: electronically via a dedicated information system, fax or e-mail. Oral requests may be made directly by the person or his/her representative upon arrival at the institution or by electronic means: by telephone or using remote transmission and recording of sound and video. Requests may be made orally by electronic means only in respect of which a person is not required to provide an identity document in accordance with the description of the administrative or public service activity approved by the institution.

The request in writing must include the name and surname of the person or a name of a legal person (in case the request is on behalf of the legal person), the address, or other contact details for further communication.

4.1 Whether the Party's legal and/or policy framework on access to official documents guarantees that the applicant shall not be obliged to **give reasons** for having access to official documents;

The obligation to give the reasons for the request is not provided by law (except for possible exceptions where it is necessary to justify the lawfulness of processing documents).

4.2 Whether **anonymous** requests for access to official documents are authorised and if so, how the public authorities implement this in practice and how are the applicants informed about this possibility;

On the one hand, according to the 40<sup>th</sup> point of the Rules, „a request or complaint submitted in writing without complying with the requirements of the Rules shall be returned within 5 working days from the date of receipt of the request or complaint using the contact information provided in the person's request or complaint to the person who submitted the request or complaint, stating the reasons for the return of such request or complaint, proposing to rectify the identified deficiencies and setting a time limit, which may not be less than 5 working days, unless the head

of the institution or his / her authorized person decides otherwise". On the other hand, there are no practical problems, as the indication of the name and surname is a purely formal requirement as the person is not identified at a high level of identification.

4.3 Measures taken to assess the necessity of the **formalities** applicable to requests for access to official documents or to periodically review such formalities.

The review takes place through legislative measures during the natural genesis of legal acts, taking into account the problems that arise and the public authorities' obligation arising from the Constitution of the Republic of Lithuania to serve the people.

## Article 5 – Processing of requests for access to official documents

5.1 Measures taken by public authorities to **process requests** for access to official documents and to **provide assistance** to a person requesting such access;

According to the Law on the Right to Receive Information, institutions shall follow certain principles while providing data to the applicants. The focus of 'assistance' states that institutions shall assist applicants in exercising their right to data.

Regarding *the redirection of the application to the competent public authority*, Article 11(4) of the Law on Public Administration defines that in case the public administration entity does not have the powers to deal with the question set out in the request, it shall transfer the request to a competent public administration entity within 5 working days of receipt of the request, and shall inform the person about it.

5.2 Measures taken by public authorities to ensure that requests for access to official documents are dealt with on an equal basis and that **no distinction** is made on the basis of the nature of the request or the status of the applicant;

Regarding equal basis, the *principle of equality* is set out in the Law on Public Administration. According to Article 3(6) of the Law on Public Administration, an entity of public administration, when adopting administrative decisions, must take into consideration the fact that all people are equal before the law and no one's rights may be restricted or privileges conferred on any ground of someone's sex, race, nationality, language, origin, social status, property, education, religion, political opinion, type or character of activity, place of residence, and other circumstances.

5.3 Whether a maximum **time limit** is set for public authorities, by law, any other applicable policy framework or through practice, to reach a decision on a request for access to official documents, notify the applicant about the decision, to make the document available if the decision is favourable, and to inform the applicant about any possible delays;

The Law on Public Administration specifies that the public administration entity shall take an administrative decision on a person's application or complaint *within 20 working days* of receipt of a request or complaint. Where, for objective reasons, an administrative decision cannot be taken within that period, the public administration may extend that period by a maximum of 10 working days. The person concerned shall be informed in writing about an extension and the reasons for the extension within 5 working days from the decision to extend the time limit.

5.4 *Whether the public authority gives reasons in cases of refusal of access to official documents, wholly or in part, on its own initiative and whether it provides justification in writing to the applicant upon his/her request for explanations about the refusal.*

Furthermore, the Law on Public Administration defines cases when an application may be refused. According to Article 11(3), at the decision of the head of an entity of public administration or a person authorised by him a complaint or *application may not be considered in the following cases:*

- 1) if it does not contain the person's name and surname or the title, address or other data for communication and there is no possibility to identify the person who has submitted the complaint or application;
- 2) if the complaint or application is based on clearly false facts or if its content is not concrete and understandable and the entity of public administration may not consider such a complaint or application because of that;
- 3) if it emerges that a reply has already been produced or a decision taken for the same question by the entity of public administration who was addressed or by any other competent entity of public administration and the person does not present any new actual data allowing to doubt the validity of the previous reply or to challenge the decision taken by the entity of public administration;
- 4) if it emerges that an out-of-court settlement body or court has initiated a complaint on the same matter;
- 5) if more than six months have passed from the day the violations became apparent for the person until the day the complaint was lodged;
- 6) the request or complaint to the public administration is not within its competence.

Further the Article 11(4) specifies that if, the public administration entity has no authority to deal with the questions set out in the request or complaint or to take a decision on the administrative procedure on the matter set out in the request or complaint, it shall not examine it and refer it to the competent public administration entity within 5 working days of receipt of the request or complaint, and inform the person about this. If there is no other public administration entity to which the request or complaint may be referred for consideration within the scope of competence, the public administration entity shall inform the person concerned about this no later than within 5 working days from the receipt of the request or complaint *explaining to him the reasons for non-consideration of his complaint or application.*

## **Article 6 – Forms of access to official documents**

6.1 *The form or format in which official documents are made available to the applicant once access to these documents is granted as well as information on whether the applicant has the possibility to choose the form of the document he/she wishes to consult in compliance with Article 6, paragraph 1;*

According to Article 13 of the Law on the Right to Receive Information, depending on the applicant's request, the institution and the state-owned entity shall provide information and data to the applicant orally, in writing, or electronically by electronic means of communication.

If the request does not specify how the information and data are provided, the information and data shall be provided in the same way as the request.

Where data are provided in data sets or subsets of data, priority shall be given to the transfer of data via the internet or by electronic means of communication.



Furthermore, Article 14 of the Law on the Right to Receive Information specifies that the data shall be provided to the applicant in a format and content that is used by an institution or a State-owned entity without further adaptation, processing, or other adjustments. If the content or format of the data or data sets no longer meet the needs of the applicants, the institution or the state-owned entity shall adapt their content and/or format to the needs of the applicants. An authorized institution shall establish recommended data formats and standards.

Data and datasets shall be provided online or by electronic means in such a way as to make it convenient for applicants to access and use them. The applicant shall not be required to purchase special paid software. Together with their metadata, data sets shall be made available to applicants in open formats. Other electronic formats may only be used by mutual agreement between the institution or the State-owned entity and the applicant.

6.1 *How the public authority deals with requests to access official documents for which some of the information cannot be disclosed due to applicable limitations. Information on whether the rest of the document is released and whether the relevant decision of the public authority gives clear indications as to where and how much information is **deleted** and indicates the limitation justifying each deletion.*

According to Article 14(3) of the Law on the Right to Receive Information, if the applicant requests data containing a certain part of the unpublished data referred to in this Law, only the part of the data not referred to in this Law as an unpublished shall be provided.

#### **Article 7 – Charges for access to official documents**

7. *Whether inspection of official documents on the premises of the public authority is ensured **free of charge**, whether the applicant can obtain a copy of the requested official documents free of charge or in the case that **fees** are charged information on whether they are published and if so, how and where.*

Article 10 of the Law on the Right to Receive Information sets out that public data shall be provided to applicants *free of charge*, unless the laws of the Republic of Lithuania or European Union legislation provide otherwise.

If there is a fee for making data available for re-use, it shall not exceed the marginal costs of reproducing, providing, and publishing the data, including anonymisation and taking measures to protect confidential business information. This requirement does not apply to: (1) State-owned entities; (2) institutions that are required to generate revenue to cover the majority (more than 50 %) of the costs incurred in carrying out their public functions (3) libraries, including higher education libraries, museums, and state archives.

The total income from supplying data of state-owned entities and aforementioned institutions shall not exceed the costs of their collection, production, reproduction, dissemination, and data storage, the anonymisation of personal data, measures taken to protect commercially confidential information, and a reasonable return on investment.

As regards the total income from supplying data of libraries, museums, and state archives, it shall not exceed the costs of their collection, production, reproduction, distribution, data storage, paying for intellectual property rights and — where applicable — the anonymisation of personal data and measures taken to protect commercially confidential information, together with a reasonable return on investment.

According to Article 11 of the Law on the Right to Receive Information, the amount of the fee for the data, the legal basis for its calculation, and payment procedure shall be published on the website of the institution or the state-owned entity.

## Article 8 – Review procedure

- 8.1 Whether the relevant legal and/or the policy framework provides for a review procedure, before a court or another independent and impartial body established by law, which is accessible by the person whose request for having access to official documents has been denied;

Under Article 18 of the Law on the Right to Receive Information, a person has the right to appeal against action, inaction, or administrative decision of an institution, as well as any delay by an institution in the performance of activity falling within its competence to the institution or a higher public administration entity under its authority, to an out-of-court settlement of disputes or the administrative court.

In addition, the applicant has the right to appeal against action, inaction, or delay of the state-owned entity to the same state-owned entity or the general competence court.

- 8.2 The type of decisions made by the court or the independent body, notably whether the latter is able to overturn decisions taken by public authorities which it considers to not comply with the applicable law/s, or to request the public authority in question to reconsider its position;

According to Article 14 of The Law on Public Administration, a person has the right to appeal against an administrative decision or action (inaction) taken by a public administration entity, as well as for delaying a public administration entity, or other laws governing the settlement of disputes arising out of administrative legal relations, to an institution for the out-of-court settlement of disputes, or to an administrative court.

- 8.3 The duration in time of the review procedure involving either reconsideration by a public authority or by the court or the independent body and whether fees are charged for it.

Public administration entities review their decisions in the same general manner as considering applications and complaints for the duration of 20 working days.

## Article 9 – Complementary measures

- 9.1 Measures taken by public authorities to inform the public about its right of access to official documents and how this right can be exercised;

To achieve greater public openness, Lithuania's Government joined [the Open Government Partnership initiative](#) in 2011. The initiative's goal is to create greater transparency, increase civic participation and use new technologies to make government more open, effective, and accountable. Lithuania takes part in the initiative by drafting and implementing two-year national action plans. They set out two-year commitments in line with the open governance principles and actions to implement them, responsible authorities, and expected results.

- 9.2 Training and any other measures taken to ensure that public authorities are aware of and knowledgeable about their duties and obligations concerning the implementation of the right of access to official documents;

Knowledge of the law is a prerequisite for the performance of civil servants' functions. No centralized measures are implemented. Institutions ensure civil servants' duties and obligations concerning the implementation of the right of access to official documents individually.

9.3 Measures taken by public authorities to set up effective systems for the **management and storage** of official documents that they hold, including information on how such measures facilitate access to official documents.

According to Article 10 of [the Law on Documents and Archives of the Republic of Lithuania](#), the documents of a state or municipal institution, body or enterprise activity must be effectively managed and made available to meet the needs of itself and other persons, to protect them from damage, loss, illegal use, alteration and destruction. The head of that institution, body, or enterprise, or another person authorized by that institution, body or enterprise shall be responsible for the organization of the document management of a state or municipal institution, body, or enterprise in accordance with the procedure established by legal acts.

**Article 10 – Documents made public at the initiative of the public authorities**

10.1 Measures taken to encourage transparency by public authorities through the publication of official documents that they hold, notably information on the criteria used by public authorities to determine which documents they should publish **proactively**;

Under Article 5 of the Law on the Right to Receive information, information about the institution's activities shall be public and published on the institution's website, and the mobile application, if the institution has it, in accordance with the procedure laid down by the Government. The institutions' website and mobile application shall comply with the accessibility requirements established by the Government.

The following information must be published on the institution's website in accordance with the requirements for protection of personal data, state, service, commercial and professional secrets:

- 1) anonymised references of the Seimas Ombudsmen's Office regarding the investigation of the complaint;
- 2) anonymised judicial decisions establishing an infringement within the institution as well as information on the measures taken to remedy violations of this legislation;
- 3) anonymised information on misconducts detected by the institution and the applicable penalties imposed for them;
- 4) anonymised information on the promotions and rewards received by civil servants of the institution;
- 5) the average fixed salary of civil servants, state politicians, judges, public officials, and employees working under an employment contract according to the position held by the institution;
- 6) other information specified by the Government, including the contact details of the employees of the institutions, if they are published for the purposes of lawful processing of personal data.

All information on the institution's activities shall be provided free of charge.

The general obligation for institutions and state-owned entities to provide the applicants with information on the institution's activities and public data is laid down in the Law on the Right to Receive Information. Moreover, the same Law sets up an obligation for institutions and state-owned entities to invent their data and to open (to make public) data by publishing on the [Lithuanian Open Data Portal](#) on applicants' demand.

Article 15 of the Law on the Right to Receive Information obliges institutions to inventory their data to know what data are owned by the state and open the data on user demand. This way, the free of charge and easily accessible public data make the public sector more open to innovation and offers more opportunities to businesses, researchers, and society to contribute to economic development and job creation.

10.2 *How these official documents are **made public**, in which format and whether any measures are taken to facilitate the public's understanding of these documents.*

The Lithuanian Open Data Portal is one place for open data publicly available 24/7. If there is no data the applicants need, they can register their requests for open data at the same portal. Institutions and state-owned entities are obliged to open their data on applicants demand under the Article 15 of the Law on the Right to Receive Information. Currently there are more than 1500 open datasets made public on the Open Data Portal.

Furthermore, the Information Society Development Committee, the authority responsible for open data policy implementation, carries out an open data project. The project's plan is to open more than 400 new high-demand datasets from 50 public sector institutions by 2023. The data sets will be immediately accessible via Lithuanian and European open data portals.

In addition, various events promoting open data for society and workshops providing methodological assistance for institutions in opening their data are organised by competent authorities every year.