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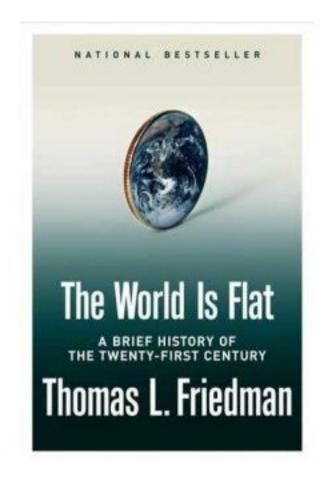


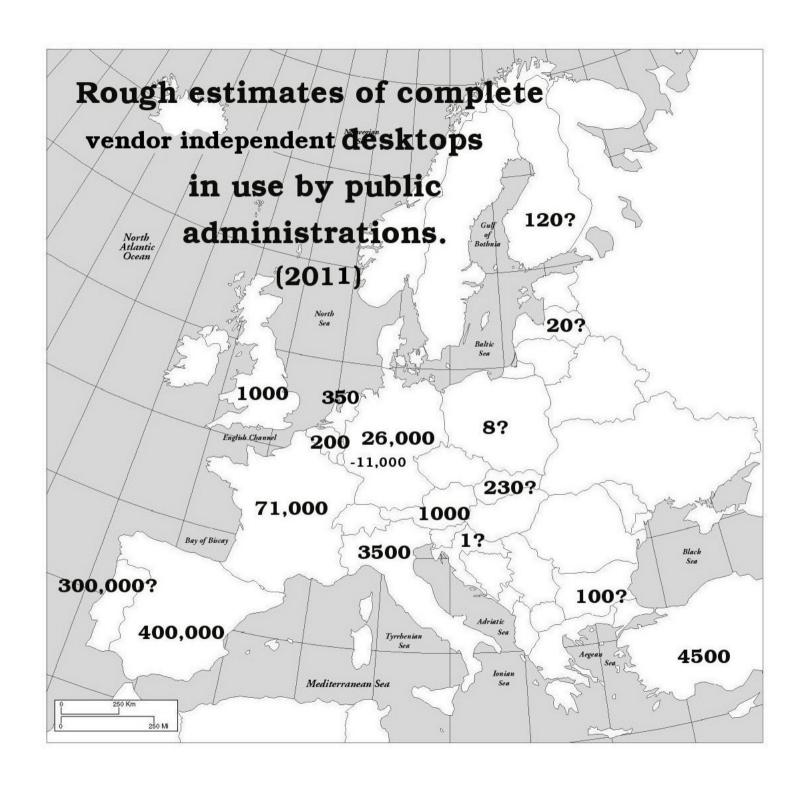
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Minister of Justice, Ms Tuija Brax, heads the Ministry of Justice.

Presentation of the Minister on the Government's website (incl. personal details) Pictures of the Minister on the website of the Government

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Updated on December 1, 2009

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CH: Proprietary competitors delay unwrapping of open source DMS

by Gijs Hillenius - published on Jul 29, 2011

- filed under: [GL] Other European Countries, [T] Legal Aspects

A protest by Swiss proprietary software vendors is delaying the publication as open source of OpenJustitia, a document management system (DMS) developed in-house by the federal court. The court planned to unwrap the DMS in late August, but will now wait until after the court's control committee in the parliament has looked into the complaints. This committee will consider the case sometime after the summer.

The federal court (Bundesgericht) began development of its internal document management system in 2007. The IT department decided to develop OpenJustitia "after finding that none of the existing solutions on the market satisfied met the technological and quality needs" of the court.

Two years later it decided to make the source code available as open source, under the GPLv3, planned for this summer. It also started to present the DMS to interested courts in the country. OpenJustitia offers courts an efficient way to search through court decisions, the Bundesgericht explains in a statement.

Swiss newspapers on 1 July wrote how this caused one Swiss IT vendor, Weblaw, to fear that it will lose a number of bids with such courts for its own, proprietary search engine. The vendor, in a statement sent to Inside IT: "Instead of operating an oversized IT department funded by tax-payers, the Federal Court should investigate the existing products available on the market. This would be sustainable and cost effective."

The vendor is supported by Swiss ICT, an IT trade group. The Neue Zürcher Zeitung on 1 July quoted Swiss ICT's chairman Thomas Flatt: "It is incomprehensible that a state institution interferes in a market where several competitors are active. This is not about open source or proprietary solutions, but about using the term open source to conceal cross subsidization."

Flatt is ceo of Abraxas, one of the country's largest software companies and formed in 1998 out of the IT

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LATEST NEWS ON OPEN PROCUREMENT

NHS database: Digital disaster

Aug 04, 2011

The Guardian - The figures speak for themselves. This week's public accounts committee (PAC) report on the NHS national computer system uses moderate language, but ought to cause outrage. It underlines the calamity of a project that was supposed to transform patient care in England but which has instead achieved little except enrich IT consultants and waste billions.

The scheme was launched in 2002, with a budget of £11.4bn, of which £6.4bn has already been spent. "The possibilities are enormous if we can get this right," Tony Blair promised at the start, overlooking the possibility of getting it wrong. The aim was to replace paper medical records with a centralised national electronic database, allowing a patient from Hull to walk into a hospital in Hereford and find all their details ready at the click of a mouse.

It never happened. The scheme quickly degraded into a mass of regional and incompatible systems, provided by two companies, BT and Computer Sciences Corporation, who have been paid about £1.8bn. Neither has been able to deliver even the reduced capability specified in their contracts. BT is being paid £9m to install systems at each NHS site, although other parts of the NHS outside the national programme are paying the same company only £2m for the same systems. For once the cliche is true. The PAC report really is a catalogue of disaster.

OPEN PROCUREMENT

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Maximise competition

Drive innovation

Deliver best value

Minimise regulatory compliance liabilities

Avoid discriminatory terms and conditions

Lower barrier to entry for SMEs

UK PUBLIC SECTOR IT PROCUREMENT

OFE responds to European wide cost cutting agenda following its two Public Procurement reviews.

Public Sector spending on ICT in the UK is approximately £16.9 billion (4.6% of Public Sector expenditure) each year with the the top 12 suppliers getting 60% of the IT spend (source John Suffolk HM Government CIO speech, Shifting the paradigm of Government ICT) ...Read Paper



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OSOR Guidelines. Public procurement and Open Source Software public draft version 1.0:

10 October 2008. Contractors: Unisys Belgium. UNU-MERIT. Authors: ...

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News

European Commission renews controversial Microsoft contract

△ Mark Ballard

✓ Thursday 03 February 2011 10:24

The European Commission has extended its controversial Microsoft software contract, while under intensifying scrutiny over its deals with proprietary vendors.

Computer Weekly has learned that the EC Directorate for Informatics (Digit) renewed its €49m contract with Microsoft reseller Fujitsu on 8 December. the day after the Free Software Foundation Europe (FSFE) launched a campaign against this and other large proprietary software deals. The contract was not due for renewal until February. Digit then proposed an extraordinary increase of its expenditure on Microsoft software, according to further reports.

A Digit spokesman confirmed the unit had extended the Fujitsu contract for 12 months to 29 February 2012. This was the last of two optional one-year extensions the 2008 contract allowed without any further competition or notification.



But questions have been raised over the legality of the Fujitsu contract. The deal allows the commission and 45 other public bodies to buy Microsoft software, while excluding competing firms who might otherwise vie for the business.

FSFE president Karsten Gerloff raised the matter in a letter to Digit director general Francisco Garcia-Moran on 15 December, the day Digit opted to extend its purchase of Microsoft software using exceptional procurement

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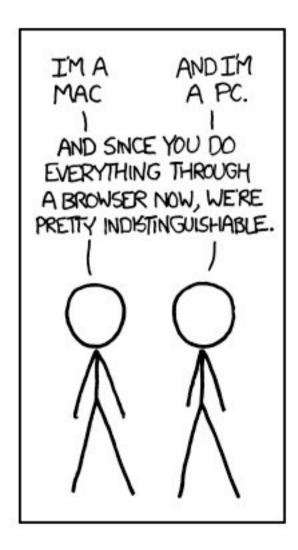
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EU-law on re-use of public sector data may include source code

by Gijs Hillenius - published on Aug 05, 2011

- filed under: [T] Legal Aspects, [GL] Other European Countries, Legal aspects of FLOSS in public sector, [GL] EU and Europe-wide

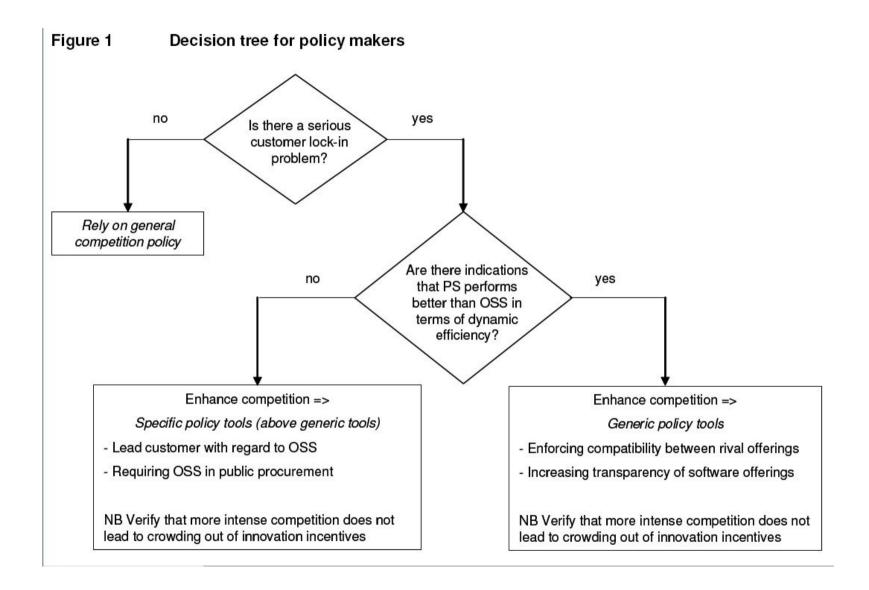
Public administrations in the EU facing resistance to their publishing of software as open source, are likely supported by a European Law, the 'Directive on the re-use of public sector information'. The PSI-directive, part of member states' national laws since 2005, obliges public administrations to avoid discrimination between market players, when making information available for re-use. Making source code available as open source is one way to avoid favouritism.

The PSI-directive may be relevant, if ever there is a complaint over public funding of open source software, confirms the EC's Directorate General for Competition. A spokesperson: "We are not aware of any state aid complaints regarding public funding of open source software."

The EU's DG Competition declined to comment further on recent complaints by Swiss proprietary software vendors over the planned publication as open source of OpenJustitia, a document management system developed by the Swiss Federal Court. The DG says it cannot take a position on a situation outside its jurisdiction.

Swiss newspapers last month quoted Weblaw, an IT vendor, and other sources, objecting to the publication of OpenJustitia, which they fear will compete with their proprietary software. Because of this, the publication of OpenJustitia, scheduled for this month, has been postponed until after a discussion in the Swiss parliament later this summer.

Other IT sources in the European Commission concur with DG Competition that it is likely the first time that a public administration's open source project is criticised for competing against commercial applications.



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