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DIGITAL SUPPORT FROM CRISIS  
TO PROGRESSIVE CHANGE  
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**Panel, Workshop or Meeting Title:**  
***European Union data strategy - Data Governance Act a legislative proposal to boost the data economy in European Union***

***Chair (or Co-chairs)***

**Aleš Veršič**, Secretary

Ministry of Public Administration, Slovenia

[aversic@gov.si](mailto:aversic@gov.si)

***Panelists / Presenters / Active participants***

**Yvo Volman**, Acting Director, Directorate-General for Communications Networks, Content and Technology, Data (CNECT)

European Commission

[Yvo.VOLMAN@ec.europa.eu](mailto:Yvo.VOLMAN@ec.europa.eu)

**Martin Semberger**, Bundesministerium für Digitalisierung und Wirtschaftsstandort (BMDV), Austria

[martin.semberger@oesterreich.gv.at](mailto:martin.semberger@oesterreich.gv.at)

**Mariane ter Veen**, INNOPAY, Netherland

[mariane.terveen@innopay.com](mailto:mariane.terveen@innopay.com)

**Stefaan Verhulst**, Co-Founder, The GovLab, Tandon School of Engineering, NYU, USA

[sv39@nyu.edu](mailto:sv39@nyu.edu)

**Barbara Ubaldi**, Deputy Head of Division and Head of Digital Government and Open Data Team, OECD

[Barbara.UBALDI@oecd.org](mailto:Barbara.UBALDI@oecd.org)

**Flavio Fuart**, Project Manager, Consultant at the Chamber of Commerce and Industry of Slovenia, ICT Horizontal Network, Slovenian Gaia-X Hub

[Flavio.Fuart@gzs.si](mailto:Flavio.Fuart@gzs.si)

### **Panel Outline**

The European Data Strategy and the Proposal for a Regulation of the European Parliament and of the Council on European Data Governance present new challenges and new data services related to systemic regulation of the re-use of proprietary data.

The purpose of this panel is to present and discuss the key elements of the proposal for an EU Data Governance Regulation (DGA) and its impact on the European data economy. The participants from business, public administration, non-governmental organizations, academia, and international organizations will present their views on the purpose and objective of the Regulation.

The proposal for a Regulation on Data Governance, which was published on 25 November 2020, is an important building block for the creation of a single data market in the EU. It is also the first in a series of measures announced in the European Data Strategy which is a package of policies and investments aimed at ensuring the EU's competitive advantage by accelerating the use of large amounts of data.

We would particularly like to highlight the need for amendments with regard to the national legislation as it has been envisaged by the DGA proposal that Member States shall designate one or more competent authorities to support the public sector bodies that allow the re-use of proprietary data.

The proposed legislative framework for regulating and facilitating the exchange and re-use of data, stemming from the existing legal bases for data exchange, including the GDPR, is extremely important, as has been demonstrated during the current health crisis. For the EU, it poses a challenge to accelerate the development of a thriving data economy and to achieve leadership in the area of large technological platforms.

### **Purpose and goal of the DGA proposal**

The DGA Proposal aims to foster the availability of data for use by increasing trust in data intermediaries and by strengthening data sharing mechanisms across the EU:

- facilitate the re-use of those types of public sector data in respect of which there are legal restrictions on access (eg protection of personal data, intellectual property, business secrets);
- facilitate the exchange of data between companies (B2B) also through payment.
- enable the use of personal data through data intermediaries (C2B) in accordance with the GDPR; in
- enable the use of data provided on a voluntary or altruistic basis.

### **Key contents of the proposal for a DGA Regulation:**

#### **• A secure environment for the re-use of protected public sector data**

The proposed DGA Regulation provides for the possibility of re-using, under special conditions, protected public sector data (e.g. business data, micro-statistics, personal data, intellectual property data). The envisaged method of access and processing is similar to that offered by National Statistical Office to researchers for research purposes in accordance with national legislation.

#### **• Data sharing service providers**

New services are envisaged on the data market, namely enabling the exchange of data between data holders and users, between data subjects and data users, and the exchange of data within data cooperatives (technical and legal services). The exchange of data has been envisaged to take place through a data platform, which will also have to provide adequate information security.

#### **• Data altruism**

Data altruism organizations (DAOs) that provide data altruism services will have to operate on a non-profit basis. DAO will be an intermediary between an individual (natural person) and potential interested data users (eg personal data from smartwatches or personal devices that have a lot of added value). The DAO will act as an intermediary and will arrange everything (in line with the GDPR) so that users will be able to use the data. The owner of data will be able to withdraw the consent at any time. The organization which will be registered in the national register will have the status of "EU recognized data altruism organization".

#### **• European Data Innovation Committee**

It is an expert group composed of representatives of the competent authorities of the Member States, the European Data Protection Board, the Commission, and the relevant data rooms. The Committee will assist the Commission in developing a consistent practice for public sector bodies in processing re-use requests under the DGA Regulation. It will help improve interoperability and data sharing services between different sectors.