









Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2020/0340(COD) Awaiting committee decision
European data governance (Data Governance Act)	
Subject 1.20.05 Public access to information and documents, administrative practice 1.20.09 Protection of privacy and data protection 2.40 Free movement of services, freedom to provide 2.80 Cooperation between administrations 3.30.06 Information and communication technologies, digital technologies 3.30.25 International information networks and society, internet 3.50.04 Innovation	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Industry, Research and Energy	 NIEBLER Angelika	17/12/2020
		Shadow rapporteur	
		 KUMPULA-NATRI Miapetra	
		 LIZZI Elena	
		 MELBÄRDE Dace	
	Committee for opinion	Rapporteur for opinion	Appointed
	 Internal Market and Consumer Protection		
	 Legal Affairs		
	 Civil Liberties, Justice and Home Affairs		
Council of the European Union			
European Commission	Commission DG	Commissioner	
	Communications Networks, Content and Technology	BRETON Thierry	
European Economic and Social Committee			
European Committee of the Regions			

Key events			
25/11/2020	Legislative proposal published	COM(2020)0767	Summary
14/12/2020	Committee referral announced in Parliament, 1st reading/single reading		

Technical information	
Procedure reference	2020/0340(COD)

Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the EU TFEU 114-p1
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Awaiting committee decision
Committee dossier	ITRE/9/04735

Documentation gateway

Legislative proposal	COM(2020)0767	25/11/2020	EC	Summary
Document attached to the procedure	SEC(2020)0405	25/11/2020	EC	
Document attached to the procedure	SWD(2020)0295	25/11/2020	EC	
Document attached to the procedure	SWD(2020)0296	25/11/2020	EC	

2020/0340(COD) - 25/11/2020 Legislative proposal

PURPOSE: to promote the availability of data for use, by proposing measures to stimulate data sharing and to support the European Data Spaces.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: this proposal for a Regulation on European Data Governance (Data Governance Act) is the first concrete action in the framework of the [European Data Strategy](#).

In its Data Strategy, the Commission described the vision of a common European data space, a Single Market for data in which data could be used irrespective of its physical location of storage in the EU in compliance with applicable law. It also called for the free and safe flow of data with third countries, subject to exceptions and restrictions for public security, public order and other legitimate public policy objectives of the European Union.

The Commission proposed to establish domain specific common European data spaces, as the concrete arrangements in which data sharing and data pooling can happen. Such common European data spaces can cover areas such as health, mobility, manufacturing, financial services, energy, or agriculture or thematic areas, such as the European green deal or European data spaces for public administration or skills.

In this context, it is necessary to improve the conditions for data sharing in the internal market, by creating a harmonised framework for data exchanges.

A single market for data should ensure that data from the public sector, businesses and citizens can be accessed and used in the most effective and responsible manner possible, while businesses and citizens keep control of the data they generate and the investments made into their collection are safeguarded.

IMPACT ASSESSMENT: according to the impact assessment support study, while in the baseline scenario the data economy and the economic value of data sharing is expected to increase to an estimated EUR 510-533 billion (3.87% of GDP), this would rise to EUR 540.7-544.4 billion (3.92%-3.95% of GDP) depending on the preferred option.

CONTENT: the proposed Regulation aims to promote the availability of data for use, by increasing trust in data intermediaries and strengthening data sharing mechanisms across the EU.

Re-use of certain data held by the public sector

The proposal creates a mechanism to enhance the use of certain public sector data, conditional on the respect of the rights of others (notably on grounds of protection of personal data, but also protection of intellectual property rights and commercial confidentiality).

Public sector bodies authorising such re-use should be technically equipped to ensure that data protection, privacy and confidentiality are fully preserved.

The proposal:

- defines a set of harmonised basic conditions, the respect of which would allow the re-use of data (e.g. the non-exclusivity requirement);
- obliges Member States to set up (i) a single contact point to help researchers and innovative companies select identify suitable data, and (ii)

structures that will support public sector bodies with technical means and legal assistance.

Creation of a notification regime for data sharing service providers

In order to increase trust in the sharing of personal and non-personal data and lower transaction costs to B2B and C2B data sharing by creating a notification regime for data sharing providers, providers of data-sharing services would have to comply with a number of requirements, including the obligation to remain neutral with regard to the data exchanged and not to use such data for other purposes.

A competent authority designated by the Member States would be responsible for monitoring compliance with the requirements relating to the provision of data sharing services.

Data Altruism

In order to facilitate altruistic data (data voluntarily made available by individuals or companies for the common good), the proposal gives data altruistic organisations the possibility to register as a Data Altruism Organisation recognised in the EU in order to increase trust in their operations.

Governance

The proposal:

- sets out the requirements for the functioning of the competent authorities designated to monitor and implement the notification framework for data-sharing service providers and entities engaged in data altruism. It also contains provisions on the right to lodge complaints against the decisions of such bodies and on the means of judicial redress;

- creates a formal expert group (the European Data Innovation Board), which will facilitate the emergence of best practice by Member State authorities and advise the Commission on the governance of cross-sectoral standardisation.