



EU Open data policy

**Big and open data for EU supreme audit institutions
European Court of Auditors, Luxembourg - 27 November 2019**

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The potential of data

European Council Conclusions (21 – 22 March 2019)

*"The EU needs to go further in developing a competitive, secure, inclusive and ethical digital economy with world-class connectivity. **Special emphasis should be placed on access to, sharing of and use of data, on data security and on Artificial Intelligence, in an environment of trust.**"*

Societal benefits

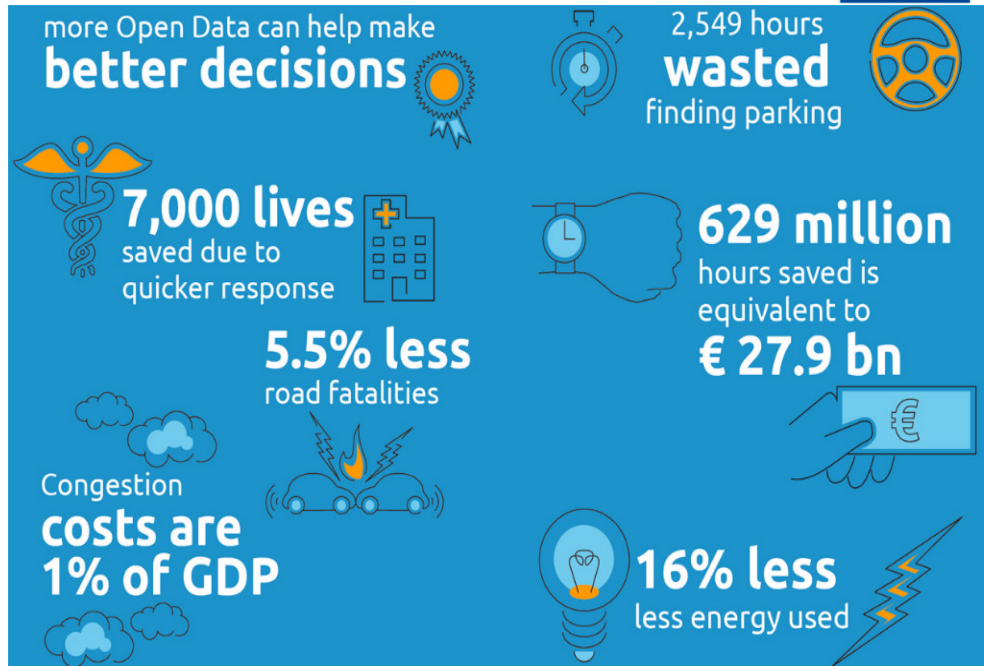
Easier and better lives for individuals

Addressing societal challenges

Economic growth

Potential to double the size of data economy (6.3% of EU GDP by 2025)

Data can improve efficiency of all economic sectors



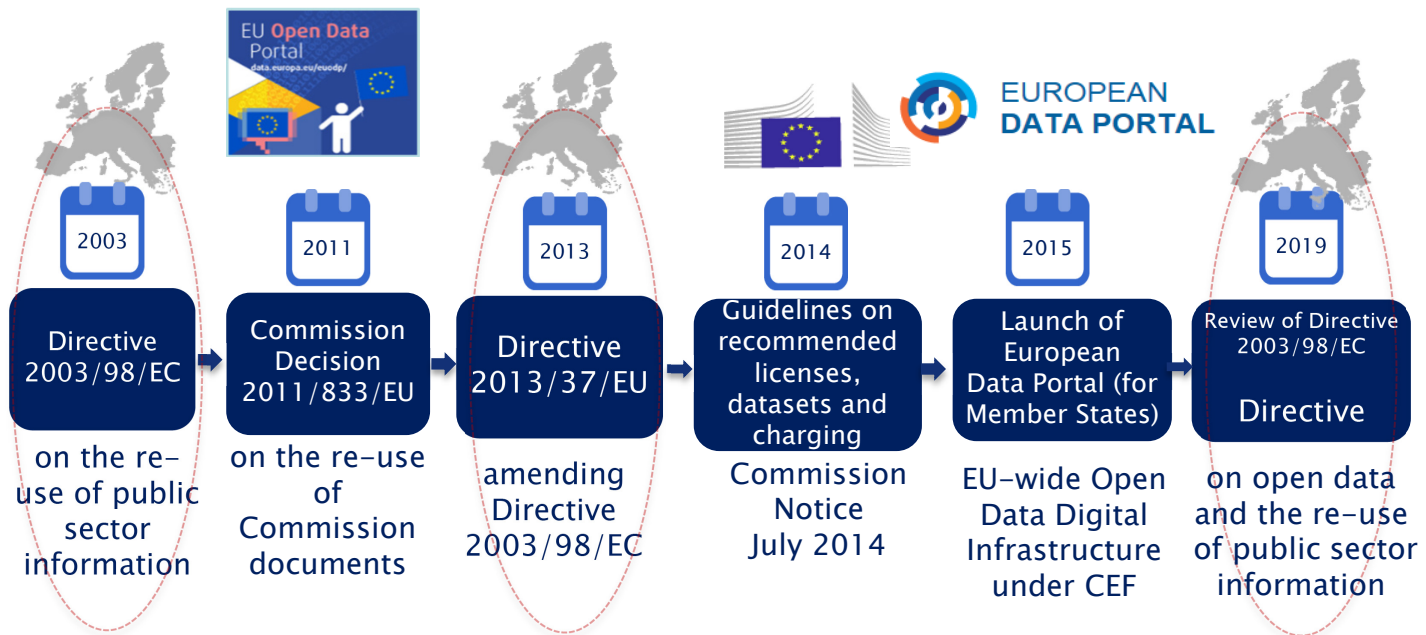
Benefits of Open (government) Data



- Weather apps re-use meteorological data
- Car navigation is based on satellite data, cartography, traffic
- Consultants re-use data from company registers to help investors
- Real estate companies use cadastral data and statistics to value property



Milestones of the EU open data policy



What is the aim of the Open Data Directive?

Introduces a minimal set of rules to make data from the public sector easier and cheaper to re-use for any commercial and non-commercial purposes

Competition
instrument

Open Data
Directive

Open Data
instrument

The Directive does not apply to:

- data not publicly accessible* under access to information regimes
- information protected by third party intellectual property rights
- data of:

Public broadcasters; educational and research establishments (except for publicly funded and accessible research data)

The application of the Directive must fully respect the Union and the national data protection rules

**Access rules are set by the MS. The PSI Directive regulates the re-use of already accessible information*

Open Data Directive

What it covers (articles 1&2):

- Any type of content held by public bodies
- Accessible to the public
- Not subject to third party copyright

Who is concerned (article 1)

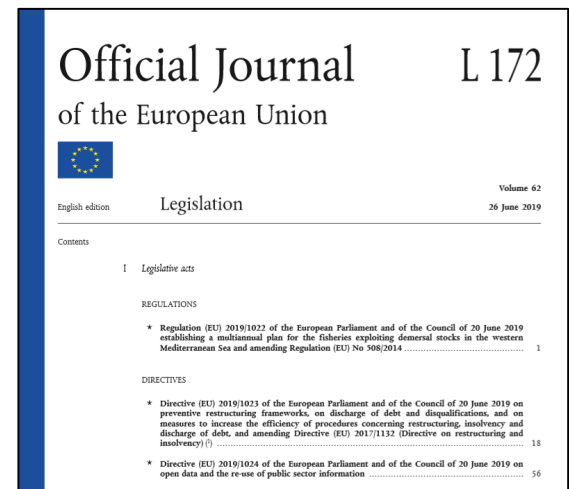
- Bodies of public administration – central, regional, local
- Certain cultural institutions: Museums, libraries and archives
- Certain public undertakings
- Research funding and research performing organisations

Obligations on public sector data holders

- be transparent on conditions for re-use;
- avoid any form of discrimination between re-users, including a re-use by the public sector body itself;
- deal with applications for re-use within a time limit;
- not enter into exclusive arrangements other than in exceptional circumstances.
- Limit charges (Free re-use by default; covering marginal cost of reproduction is possible; narrowly defined exceptions that allow full recovery of costs of data)

From PSI to Open Data: The new 'Open Data' Directive 2019/1024/EU

- Wider scope of the Directive towards data held by some public undertakings and accessible research data resulting from public funding
- Enhanced re-use of dynamic data via APIs
- Free re-use by default (with narrowly defined exceptions that allow the recovery of costs)
- Stronger transparency requirements for public-private agreements involving public sector information, avoiding 'data lock-in'
- List of High Value Datasets (HVDs) to be defined in an implementing act



High value datasets – key points

Datasets listed in an implementing act have to be made available:

- **for free**
- **in machine-readable formats**
- **via APIs**
- **and (where relevant) as bulk downloads**

Exceptions:

- Free availability requirement shall not apply to public undertakings if there is a risk of competition distortion
- In case of a substantial impact on the budget of the public bodies involved, free availability can be delayed by up to 2 years

Thematic categories of high value datasets

Geospatial

Earth observation and environment

Meteorological

Statistics

Companies and company ownership

Mobility

An Implementing Regulation planned to be adopted in 2021 will define the list of specific high-value data sets within the 6 thematic categories set out in Annex I of the Open Data directive

Examples in recital 66:

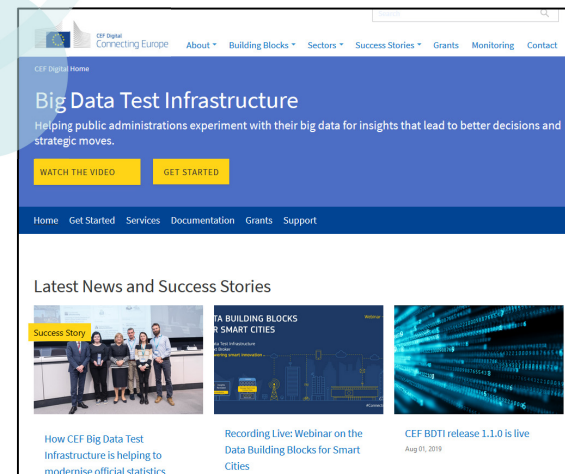
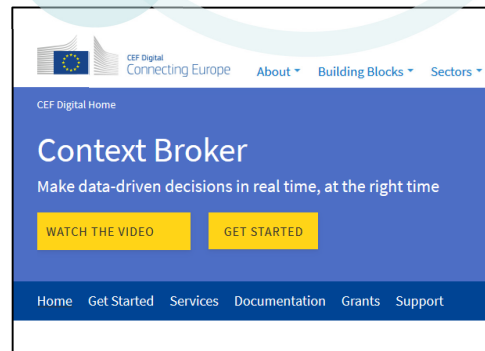
"the thematic categories listed in the Annex could inter alia cover postcodes, national and local maps (Geospatial), energy consumption and satellite images (Earth observation and environment), in situ data from instruments and weather forecasts (Meteorological), demographic and economic indicators (Statistics), business registers and registration identifiers (Companies and company ownership), road signs and inland waterways (Mobility)."

Categories can be extended (delegated act).

The Digital Service Infrastructure on Open Data



Open
Data
DSI





Thank you for your attention

For further questions:

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Internet pages with more information:

<https://ec.europa.eu/digital-single-market/en/open-data>

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019L1024>