



Implementation of legal framework in Danish legislation

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DIGITALISERINGSSTYRELSEN

EU regulation supporting data spaces

Open Data Directive

Data Governance Regulation

Data Act

- Plus sector specific
 - INSPIRE (geospatial data)
 - ITS (transport data)
 - EHDS (health data)

Open Data Directive (the directive formerly known as ‘PSI’)

- Supports data spaces by enabling reuse of public sector information by making **open** data more accessible
- Does not mandate authorities TO make their data available but sets limits on possible conditions for reuse WHEN they make their data available
- Implemented in Danish law in 2007 (last revised in 2021 and adjusted i 2023)
- ODD introduces the concept of HVD (High Value Datasets) with particularly strict rules
 - Data must be documented, free to use and available through an API
 - DIGST is currently working on identifying the specific datasets and making sure they are fully documented
 - <https://datavejviser.dk> is the Danish national access point

Data Governance Regulation (DGA)

- Supports data spaces by enabling reuse of public sector information by making **protected** data more accessible and by establishing a legal framework for commercial data mediation
 - Went into force on 24/9 2023
- Sets requirements very similar to ODD regarding public sector data
 - <https://datavejviser.dk> is the Danish national access point
- DGA introduces the concepts of data intermediaries and data altruism
 - DIGST is the competent authority for advising potential organisations and ensuring compliance
- DGA also establishes the EDIB (European Data Innovation Board)
 - New central body to coordinate standards, specifications and practices

Data Act (DA)

- Supports data spaces by ensuring portability of product generated data

- Expected to be formally enacted in Q4 2023
 - Formal text in all languages is being finalised this week
 - Will enter into force in stages from 20 to 44 months after publication

- The Danish implementation will be decided when the regulation is finalised

Other relevant EU regulation

□ Specific Data space regulations

- European Health Data Space (EHDS) – under negotiation
- Public Procurement Data Space Act (PPDS) – proposed by the Commission
- More will likely follow, e.g. for mobility, energy etc.

□ eIDAS (eID Regulation)

- Establishes a legal framework for mutual recognition of eIDs across internal borders
- Is being revised including the creation of digital wallets for all EU citizens

□ SDG – Single Digital Gateway

- Establishes a technical infrastructure for data exchange

Questions



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