

EU boosts its data economy as Council approves deal on wider reuse of publicly funded data

Vast amounts of **data held by the public sector**, such as meteorological and environment data, will be **more quickly and easily available** for the creation of new products and services, as well as for the development of data-based society in general. Today, member states' ambassadors confirmed the agreement between the Romanian presidency and the European Parliament on a reform which will bring EU rules on the reuse of public-sector data up to date with advances in digital technologies. The new rules will further stimulate digital innovation, especially in the field of artificial intelligence. A provisional agreement was reached on 22 January.

This reform is a major step in providing key raw material for artificial intelligence and other applications which rely on the availability of large amounts of data. It creates great opportunities for all sectors of the economy, stimulating new jobs and growth.

Alexandru Petrescu, Minister for Communications and the Information Society of Romania, President of the Council

The agreement **extends the scope** of the rules on re-use of public sector information (PSI) beyond public sector bodies, to **include public undertakings in the transport and utilities sectors**. There will be no obligation on these sectors to make data available unless required in national or Union law or the PSI directive itself, but if they decide to release data, they will have to respect the same principles as public sector bodies, including on transparency, non-discrimination and exclusive arrangements. A safeguard against a competitive disadvantage will protect public undertakings which operate in direct competition with private companies.

The reform introduces the concept of **high-value datasets** which are to be made available for free through an application programming interface (API). The text lays down six broad categories of high-value datasets: geospatial, earth observation and environment, meteorological, statistics, companies and company ownership, and mobility. This list will be updated and specific datasets from within those categories (e.g. maps and postcodes from the geospatial category) will be selected through secondary legislation.

The rules will also cover publicly funded **research data** that is already available in public repositories, and encourage the dissemination of **dynamic data**, such as real-time transport or weather data coming from sensors or satellites.

Overall, public sector data will normally be available either for **free or at marginal cost**. However, as some public sector bodies need to generate revenue, limited charges for data are allowed in certain situations.

As the new directive also promotes the use of **open data** (data in open formats that can be freely used and shared for any purpose), the notion of open data has been added to its title to reflect this.

Member states will have two years from the directive's entry into force to incorporate its provisions into national law. As the directive only lays down minimum standards, member states are free to go beyond them in their national rules.

The proposal is a key component of the 'data package' published by the Commission in April 2018 under the digital single market strategy.

After today's endorsement in the Permanent Representatives Committee, the text will be checked from the legal and linguistic point of view. The legal act then needs to be formally adopted by the European Parliament and the Council. This is expected to take place this spring.

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