



2020/0340(COD)

28.4.2021

AMENDMENTS

500 - 739

Draft report

Angelika Niebler

(PE691.139v03-00)

European data governance (Data Governance Act)

Proposal for a regulation

(COM(2020)0767 – C9-0377/2020 – 2020/0340(COD))

Amendment 500
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 11 – paragraph 1 – point 1

Text proposed by the Commission

(1) the provider may not use the data for which it provides services for other purposes than to put them at the disposal of data users **and** data sharing services shall be placed in a separate legal entity;

Amendment

(1) the provider may not use the data for which it provides services for other purposes than to put them at the disposal of data users; data sharing services shall be placed in a separate legal entity;

Or. en

Justification

The proposed change is increasing clarity on the regulatory intention.

Amendment 501
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 11 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1 a) the provider may not make the commercial terms, including pricing, for the provision of data sharing services to a data holder or data user dependent upon whether or to what degree the data holder or data user uses other services from the same provider or a related enterprise;

Or. en

Justification

The change introduces a safeguard against lock-in effects.

Amendment 502
Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation
Article 11 – paragraph 1 – point 2

Text proposed by the Commission

(2) the metadata collected from the provision of the data sharing service may be used only for the development of that service;

Amendment

(2) the metadata collected from the provision of the data sharing service may be used only for the development of that service ***respecting the GDPR as a legal basis of processing of personal data;***

Or. en

Amendment 503

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragoș Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer, Susana Solís Pérez

Proposal for a regulation
Article 11 – paragraph 1 – point 2

Text proposed by the Commission

(2) the metadata collected from the provision of the data sharing service may be used only for the development of that service;

Amendment

(2) the metadata collected from the provision of the data sharing service may be used only for the development of that service ***and should be made available to the data holders upon request;***

Or. en

Amendment 504

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation
Article 11 – paragraph 1 – point 2

Text proposed by the Commission

(2) the metadata collected from the provision of the data sharing service may be used only for the ***development*** of that service;

Amendment

(2) the metadata collected from the provision of the data sharing service may be used only for the ***improvement*** of that service;

Justification

The change improves the clarity of the text and provides a competition safeguard

Amendment 505

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 11 – paragraph 1 – point 3

Text proposed by the Commission

(3) the provider shall ensure that the procedure for access to its service is fair, transparent and non-discriminatory for both data holders and data users, including as regards prices;

Amendment

(3) the provider shall ensure that the procedure for access to its service is fair, transparent and non-discriminatory for both data holders and data users, including as regards *to terms of service and* prices;

Or. en

Justification

This proposal is meant to improve transparency.

Amendment 506

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 11 – paragraph 1 – point 3

Text proposed by the Commission

(3) the provider shall ensure that the procedure for access to its service is fair, transparent and non-discriminatory for both data holders and data users, including as regards prices;

Amendment

(3) the provider shall ensure that the procedure for access to its service is fair, transparent and non-discriminatory for both data holders and data users, including as regards *to* prices;

Or. en

Amendment 507
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 11 – paragraph 1 – point 3 a (new)

Text proposed by the Commission

Amendment

(3 a) the provider shall avoid lock-in effects and ensure interoperability with other data sharing services, in particular by providing openly accessible application programming interfaces and using open data formats, where technically feasible;

(i) Within 12 months of the entry into force of this law, the Commission shall issue guidance on interoperability standards;

(ii) The Commission shall consult Member States and relevant stakeholders for the purpose of issuing such guidance.

Or. en

Justification

The change responds to the need to avoid lock-in effects and ensure interoperability.

Amendment 508
Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation
Article 11 – paragraph 1 – point 3 a (new)

Text proposed by the Commission

Amendment

(3 a) the provider cannot condition the commercial terms, (including pricing) of data sharing services by the fact whether or to what degree the data holder or data user uses other services from the same company, even if under separate legal entity;

Or. en

Amendment 509

Elena Lizzi, Paolo Borchia, Isabella Tovaglieri, Gianna Gancia, Joëlle Mélin

Proposal for a regulation

Article 11 – paragraph 1 – point 4 a (new)

Text proposed by the Commission

Amendment

(4 a) the data intermediary may offer additional specific services to data holders facilitating the exchange of the data, such as aggregation, curation, pseudonymisation and anonymisation; with the aim of improving the quality or conversion of data to data holders or data users, or other related services, and those tools shall be used only at the explicit request or approval of the data holder in the framework of business-to-business agreements;

Or. en

Amendment 510

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 11 – paragraph 1 – point 4 a (new)

Text proposed by the Commission

Amendment

(4 a) the provider may offer additional specific tools to data holders facilitating the exchange of the data, such as aggregation, analysis, improving the quality of data or anonymization, only at the explicit request or approval of the data holder. The third-party tools offered in that context shall not use data for purposes other than those requested or approved by the data holder;

Or. en

Amendment 511

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 11 – paragraph 1 – point 5

Text proposed by the Commission

(5) the provider shall have procedures in place to prevent fraudulent or abusive practices in relation to access to data from parties seeking access through their services;

Amendment

(5) the provider ***must ensure and*** shall have procedures in place to prevent fraudulent or abusive practices in relation to access to data from parties seeking access through their services ***and is liable for damages resulting from security breaches***;

Or. en

Amendment 512

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragoș Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer, Susana Solís Pérez

Proposal for a regulation

Article 11 – paragraph 1 – point 5

Text proposed by the Commission

(5) the provider shall have procedures in place to prevent fraudulent or abusive practices in relation to access to data from parties seeking access through their services;

Amendment

(5) the provider shall have procedures in place to prevent ***and monitor potential*** fraudulent or abusive practices in relation to access to data from parties seeking access through their services;

Or. en

Amendment 513

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 11 – paragraph 1 – point 5

Text proposed by the Commission

Amendment

(5) the provider shall have procedures in place to prevent fraudulent or abusive practices in relation to access to data from parties seeking access through their services;

(5) the provider shall have procedures **and sanctions** in place to prevent fraudulent or abusive practices in relation to access to data from parties seeking access through their services;

Or. en

Amendment 514

Nicola Danti, Ivars Ijabs, Andrus Anšip, Klemen Grošelj, Martina Dlabajová, Dragoș Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer, Susana Solís Pérez

Proposal for a regulation

Article 11 – paragraph 1 – point 6

Text proposed by the Commission

(6) the provider shall ensure a reasonable continuity of provision of its services and, in the case of services which ensure storage of data, shall have sufficient guarantees in place that allow data holders and data users to obtain access to their data in case of insolvency;

Amendment

(6) the provider shall ensure a reasonable continuity of provision of its services and, in the case of services which ensure storage of data, shall have sufficient guarantees in place that allow data holders and data users to obtain access to **and to retrieve** their data in case of insolvency **of the provider**;

Or. en

Amendment 515

Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation

Article 11 – paragraph 1 – point 6 a (new)

Text proposed by the Commission

Amendment

(6 a) the provider shall avoid lock-in effects and ensure interoperability with the other data intermediaries (as defined in article 2) in particular by providing openly accessible application programming interfaces and using open data formats, where technically feasible;

Amendment 516

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 11 – paragraph 1 – point 6 a (new)

Text proposed by the Commission

Amendment

(6 a) the provider to the extent possible shall ensure interoperability with other data sharing services;

Or. en

Amendment 517

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 11 – paragraph 1 – point 6 b (new)

Text proposed by the Commission

Amendment

(6 b) The intermediary services should follow the interoperability requirements defined in the common European data spaces.

Or. en

Amendment 518

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 11 – paragraph 1 – point 7

Text proposed by the Commission

Amendment

(7) the provider shall put in place adequate technical, legal and organisational

(7) the provider shall put in place adequate technical, legal and organisational

measures in order to prevent transfer or access to **non-personal** data that is unlawful under Union law;

measures in order to prevent transfer or access to data that is unlawful under Union law;

Or. en

Justification

All data needs to be safeguarded, regardless of its character.

Amendment 519

Angelika Niebler, Pilar del Castillo Vera, Tom Berendsen, Dan-Ștefan Motreanu, Eva Maydell, Franc Bogovič, Marion Walsmann, Jens Gieseke, Henna Virkkunen, Adam Jarubas, François-Xavier Bellamy, Seán Kelly, Maria da Graça Carvalho, Ivan Štefanec, Cristian-Silviu Bușoi, Ioan-Rareș Bogdan

Proposal for a regulation

Article 11 – paragraph 1 – point 8

Text proposed by the Commission

(8) the **provider** shall take measures to ensure a high level of security for the storage and transmission of non-personal data;

Amendment

(8) the **data intermediary** shall take measures to ensure a high level of security, **including state-of-the-art cybersecurity**, for the storage and transmission of non-personal data **and the intermediary shall further ensure the highest level of security, including state-of-the-art cybersecurity, for the storage and transmission of competitively sensitive information; the data intermediary shall inform the competent authority without delay of any security breach that jeopardises the security of data.**

Or. en

Amendment 520

Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation

Article 11 – paragraph 1 – point 8

Text proposed by the Commission

Amendment

(8) the provider shall take measures to ensure a high level of security for the storage and transmission of non-personal data;

(8) the provider shall take measures to ensure a high level of security for the storage and transmission of non-personal data ***in the case of breach of personal data, such as health data, the data intermediary shall without undue delay, and where feasible, not later than 72 hours after becoming aware of it, notify the personal data breach to the competent supervisory authority as defined by Article 33 of the Regulation (EU) 216/679.***

Or. en

Amendment 521

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragoș Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer, Susana Solís Pérez

Proposal for a regulation

Article 11 – paragraph 1 – point 8

Text proposed by the Commission

(8) the provider shall take measures to ensure a high level of security for the storage and transmission of non-personal data;

Amendment

(8) the provider shall take measures to ensure a high level of security, ***including cybersecurity standards***, for the storage and transmission of non-personal data;

Or. en

Amendment 522

Antonio Tajani, Andrea Caroppo, Salvatore De Meo, Aldo Patriciello, Massimiliano Salini

Proposal for a regulation

Article 11 – paragraph 1 – point 8

Text proposed by the Commission

(8) the ***provider*** shall take measures to ensure a high level of security for the storage and transmission of non-personal data;

Amendment

(8) the ***data intermediary*** shall take measures to ensure a high level of security for the storage, ***process*** and transmission of non-personal data;

Or. en

Justification

Data sharing intermediaries should be able to guarantee a high level of security not only for storage and transmission of data (as per Article 11) but also for processing.

Amendment 523

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 11 – paragraph 1 – point 8

Text proposed by the Commission

(8) the provider shall take measures to ensure a high level of security for the storage and transmission of ***non-personal*** data;

Amendment

(8) the provider shall take measures to ensure a high level of security for the storage and transmission of data;

Or. en

Amendment 524

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 11 – paragraph 1 – point 8

Text proposed by the Commission

(8) the provider shall take measures to ensure a high level of security for the storage and transmission of ***non-personal*** data;

Amendment

(8) the provider shall take measures to ensure a high level of security for the storage and transmission of data;

Or. en

Justification

All data needs to be safeguarded, regardless of its character.

Amendment 525

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation
Article 11 – paragraph 1 – point 10

Text proposed by the Commission

(10) **the provider** offering services to data subjects shall act in the data subjects' best interest when facilitating the exercise of their rights, in particular by advising data subjects on potential data uses and standard terms and conditions attached to such uses;

Amendment

(10) **providers** offering services to data subjects shall act in the data subjects' best interest when facilitating the exercise of their rights, in particular by advising data subjects on potential data uses and standard terms and conditions attached to such uses;

Or. en

Justification

Change suggested in order to improve the legibility of the text.

Amendment 526
Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation
Article 11 – paragraph 1 – point 11

Text proposed by the Commission

(11) where a provider provides tools for obtaining consent from data subjects or permissions to process data made available by legal persons, it shall specify the jurisdiction or jurisdictions in which the data use is intended to take place.

Amendment

(11) where a provider provides tools for obtaining consent from data subjects or permissions to process data made available by legal persons, it shall specify the jurisdiction or jurisdictions in which the data use is intended to take place. ***Such a consent does not replace the need to have a lawful basis for data processing as set by the GDPR.***

Or. en

Amendment 527
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 11 – paragraph 1 – point 11

Text proposed by the Commission

(11) where a provider provides tools for obtaining consent from data subjects or permissions to process data made available by legal persons, it shall specify the jurisdiction or jurisdictions in which the data use is intended to take place.

Amendment

(11) where a provider provides tools for obtaining consent from data subjects or permissions to process data made available by legal persons, it shall specify the jurisdiction or jurisdictions in which the data use is intended to take place ***and provide to the data subject tools for tracking the use of that data and consent withdrawal.***

Or. en

Justification

The provision has been completed to ensure consistency with the GDPR model and improve the implementation of the existing rights.

Amendment 528

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 11 – paragraph 1 – point 11

Text proposed by the Commission

(11) where a provider provides tools for obtaining consent from data subjects or permissions to process data made available by legal persons, it shall specify the jurisdiction or jurisdictions in which the data use is intended to take place.

Amendment

(11) where a provider provides tools for obtaining consent from data subjects or permissions to process data made available by legal persons, it shall specify the jurisdiction or jurisdictions in which the data use is intended to take place ***and ensure that data subjects are also provided with tools to withdraw consent.***

Or. en

Amendment 529

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation
Article 11 – paragraph 1 – point 11 a (new)

Text proposed by the Commission

Amendment

(11 a) (1 a) the data intermediary must ensure the right conditions to keep data secured.

Or. en

Amendment 530

Antonio Tajani, Andrea Caroppo, Salvatore De Meo, Aldo Patriciello, Massimiliano Salini

Proposal for a regulation
Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11 a

Data intermediary should ensure quality and security of the services they offer. This control of quality should also be periodically monitored and reviewed. Recommendations or guidance by the Commission, in cooperation with data users in the market, could improve the services of the providers.

Or. en

Justification

Incentivizing data sharing through trusted service providers will rely on the attractiveness, quality and security of the services they offer. This control of quality should also be periodically monitored and reviewed. Recommendations or guidance by the Commission, in cooperation with data users in the market, could then be agreed to improve the services of these trusted providers.

Amendment 531

Antonio Tajani, Andrea Caroppo, Salvatore De Meo, Aldo Patriciello, Massimiliano Salini

Proposal for a regulation
Article 11 b (new)

Text proposed by the Commission

Amendment

Article 11 b

It should ensure data portability by adhering to the « Switching Cloud Providers and Porting Data » Association, facilitated by the European Commission in application of Art. 6 of the EU Free Flow of Non-Personal Data Regulation ((EU) 2018/1807) and aimed at developing voluntary Codes of Conduct to offer services with data portability

Or. en

Justification

Since 2021 a concrete operational tool is available in the digital market that will allow providers adhering to SWIPO codes of conduct to offer services with 'data portability' and therefore consistent with the goal of creating a fair and contestable digital market.

Amendment 532

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

Amendment

(1) Each Member State shall designate in its territory one or more authorities competent to carry out the tasks related to the notification framework and shall communicate to the Commission the identity of those designated authorities by [date of application of this Regulation]. It shall also communicate to the Commission any subsequent modification.

(1) Each Member State shall designate in its territory one or more authorities competent, ***including its data protection authority***, to carry out the tasks related to the notification framework and shall communicate to the Commission the identity of those designated authorities by [date of application of this Regulation]. It shall also communicate to the Commission any subsequent modification.

Or. en

Amendment 533

Ivo Hristov

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

(2) The designated competent authorities shall comply with Article 23.

Amendment

(2) The designated competent authorities ***under Regulation 2018/679*** shall comply with Article 23”.

Or. en

Amendment 534
Marina Kaljurand

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

(3) The designated competent authorities, the data protection authorities, the national competition authorities, the authorities in charge of cybersecurity, and other relevant sectorial authorities shall exchange the information which is necessary for the exercise of their tasks in relation to data sharing providers.

Amendment

(3) The designated competent authorities, the data protection authorities, the national competition authorities, the authorities in charge of cybersecurity, and other relevant sectorial authorities shall exchange the information which is necessary for the exercise of their tasks in relation to data sharing providers. ***The data protection authorities shall be designated as the main competent authorities for the supervision and enforcement of the provisions under Chapter IV of the Regulation.***

Or. en

Amendment 535
Angelika Niebler, Pilar del Castillo Vera, Tom Berendsen, Dan-Ştefan Motreanu, Eva Maydell, Franc Bogovič, Marion Walsmann, Jens Gieseke, Henna Virkkunen, Adam Jarubas, François-Xavier Bellamy, Seán Kelly, Maria da Graça Carvalho, Ivan Štefanec, Cristian-Silviu Buşoi, Ioan-Rareş Bogdan

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

(3) The designated competent authorities, the data protection authorities, the national competition authorities, the authorities in charge of cybersecurity, and other relevant sectorial authorities shall exchange the information which is necessary for the exercise of their tasks in relation to data sharing providers.

Amendment

(3) The designated competent authorities, the data protection authorities, the national competition authorities, the authorities in charge of cybersecurity, and other relevant sectorial authorities shall exchange the information which is necessary for the exercise of their tasks in relation to data sharing providers ***and ensure consistency of the decisions taken in application of this directive.***

Or. en

Amendment 536

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragoș Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Susana Solís Pérez

**Proposal for a regulation
Article 12 – paragraph 3**

Text proposed by the Commission

(3) The designated competent authorities, the data protection authorities, the national competition authorities, the authorities in charge of cybersecurity, and other relevant sectorial authorities shall exchange the information which is necessary for the exercise of their tasks in relation to data sharing providers.

Amendment

(3) The designated competent authorities, the data protection authorities, the national competition authorities, the authorities in charge of cybersecurity, and other relevant sectorial authorities shall ***build up a strong cooperation and*** exchange the information which is necessary for the exercise of their tasks in relation to data sharing providers.

Or. en

Amendment 537

Marisa Matias

on behalf of the The Left Group

**Proposal for a regulation
Article 13 – paragraph 2**

Text proposed by the Commission

Amendment

(2) The competent authority shall have the power to request from providers of data sharing services all the information that is necessary to verify compliance with the requirements laid down in Articles 10 and 11. Any request for information shall be proportionate to the performance of the task and shall be reasoned.

(2) The competent authority shall have the power to request from providers of data sharing services all the information that is necessary to verify compliance with the requirements laid down in Articles 10 and 11. Any request for information shall be proportionate to the performance of the task and shall be reasoned. ***In case a data sharing service does not submit a notification, he is submitted to Article 31.***

Or. en

Amendment 538

Elena Lizzi, Paolo Borchia, Isabella Tovaglieri, Gianna Gancia, Joëlle Mélin

Proposal for a regulation Article 13 – paragraph 3

Text proposed by the Commission

(3) Where the competent authority finds that a provider of data sharing services does not comply with one or more of the requirements laid down in Article 10 or 11, it shall notify that provider of those findings and give it the opportunity to state its views, within a ***reasonable time limit***.

Amendment

(3) Where the competent authority finds that a provider of data sharing services does not comply with one or more of the requirements laid down in Article 10 or 11, it shall notify that provider of those findings and give it the opportunity to state its views, within a ***maximum of six months***.

Or. en

Amendment 539

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragoș Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Susana Solís Pérez

Proposal for a regulation Article 13 – paragraph 3

Text proposed by the Commission

(3) Where the competent authority finds that a provider of data sharing services does not comply with one or more of the requirements laid down in Article 10

Amendment

(3) Where the competent authority finds that a provider of data sharing services does not comply with one or more of the requirements laid down in Article 10

or 11, it shall notify that provider of those findings and give it the opportunity to state its views, within *a reasonable time limit*.

or 11, it shall notify that provider of those findings and give it the opportunity to state its views, within *the shortest delay*.

Or. en

Amendment 540

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 13 – paragraph 4 – introductory part

Text proposed by the Commission

(4) The competent authority shall have the power to require the cessation of the breach referred to in paragraph 3 *either immediately or* within a reasonable time limit and shall take appropriate and proportionate measures aimed at ensuring compliance. In this regard, the competent authorities shall be able, where appropriate:

Amendment

(4) The competent authority shall have the power to require the cessation of the breach referred to in paragraph 3 within a reasonable time limit *or, in extreme and duly justified cases, immediately*, and shall take appropriate and proportionate measures aimed at ensuring compliance. In this regard, the competent authorities shall be able, where appropriate:

Or. en

Amendment 541

Elena Lizzi, Paolo Borchia, Isabella Tovaglieri, Gianna Gancia, Joëlle Mélin

Proposal for a regulation

Article 13 – paragraph 4 – introductory part

Text proposed by the Commission

(4) The competent authority shall have the power to require the cessation of the breach referred to in paragraph 3 either immediately or within a *reasonable time limit* and shall take appropriate and proportionate measures aimed at ensuring compliance. In this regard, the competent authorities shall be able, where appropriate:

Amendment

(4) The competent authority shall have the power to require the cessation of the breach referred to in paragraph 3 either immediately or within a *maximum of six months* and shall take appropriate and proportionate measures aimed at ensuring compliance. In this regard, the competent authorities shall be able, where appropriate:

Amendment 542

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 13 – paragraph 4 – point a

Text proposed by the Commission

(a) to impose dissuasive financial penalties which may include periodic penalties with retroactive effect;

Amendment

(a) to impose dissuasive financial penalties which may include periodic penalties with retroactive effect. ***The penalties should be proportionate to the size of the provider and the severity of the breach.***

Or. en

Amendment 543

Cyrus Engerer

Proposal for a regulation

Article 13 – paragraph 4 – point a

Text proposed by the Commission

(a) to impose dissuasive financial penalties which may include periodic penalties with retroactive effect;

Amendment

(a) to impose dissuasive financial penalties which may include periodic penalties with retroactive effect; ***these should be proportionate to the size of the provider and the severity of the breach.***

Or. en

Amendment 544

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 13 – paragraph 4 – point a

Text proposed by the Commission

Amendment

(a) to impose **dissuasive financial penalties** which may include periodic penalties with retroactive effect;

(a) to impose **fin**es which may include periodic penalties, **including ones** with retroactive effect;

Or. en

Amendment 545

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 13 – paragraph 4 – point b

Text proposed by the Commission

Amendment

(b) to require **cessation or** postponement of the provision of the data sharing service.

(b) to require postponement **or cessation** of the provision of the data sharing service, **the latter in case where serious breaches have not been addressed, despite being previously identified and communicated;**

Or. en

Amendment 546

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 13 – paragraph 4 – point b

Text proposed by the Commission

Amendment

(b) to **require** cessation or postponement of the provision of the data sharing service.

(b) to **impose immediate** cessation or postponement of the provision of the data sharing service.

Or. en

Justification

The change improves enforcement by allowing temporary administrative orders in order to prevent imminent damages.

Amendment 547

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 13 – paragraph 5

Text proposed by the Commission

(5) The competent authorities shall communicate the measures imposed pursuant to paragraph 4 **and** the reasons on which they are based to the entity concerned without delay and shall stipulate a reasonable period for the entity to comply with the measures.

Amendment

(5) The competent authorities shall communicate the measures imposed pursuant to paragraph 4, the reasons on which they are based **as well as the necessary steps to be taken to rectify the relevant shortcomings** to the entity concerned without delay and shall stipulate a reasonable period for the entity to comply with the measures.

Or. en

Amendment 548

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 13 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

(6 a) Upon the request of a data intermediary the competent authority shall confirm that the data intermediary complies with the requirements laid down Articles 10 and 11.

Or. en

Amendment 549

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 14

Text proposed by the Commission

Amendment

Article 14

deleted

Exceptions

This Chapter shall not apply to not-for-profit entities whose activities consist only in seeking to collect data for objectives of general interest, made available by natural or legal persons on the basis of data altruism.

Or. en

Justification

The exception was no longer needed in the new structure of the text.

Amendment 550

Christophe Grudler, Valérie Hayer, Dragoş Pîslaru, Sylvie Brunet, Sandro Gozi, Stéphanie Yon-Courtin, Catherine Chabaud

Proposal for a regulation Article 14 – paragraph 1

Text proposed by the Commission

Amendment

This Chapter shall not apply to ***not-for-profit entities whose activities consist only in seeking to collect data for objectives of general interest, made available by natural or legal persons on the basis of data altruism.***

This Chapter shall not apply to:

Or. en

Amendment 551

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation Article 14 – paragraph 1

Text proposed by the Commission

Amendment

This Chapter shall not apply to not-for-profit *entities whose activities consist only in seeking to collect data for objectives of general interest, made available by natural or legal persons on the basis of data altruism.*

This Chapter shall not apply to not-for-profit *organisations that collect data which is released under non-exclusive free licenses for the benefit of any users and hence should explicitly be recognised as compatible with* general interest.

Or. en

Justification

The wording on free licences is in line with recital 82 of CDSM

Amendment 552

Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

This Chapter shall not apply to not-for-profit entities whose activities consist only in seeking to collect data for objectives of *general* interest, made available by natural or legal persons on the basis of data altruism.

Amendment

This Chapter shall not apply to not-for-profit entities whose activities consist only in seeking to collect data for objectives of *public* interest, made available by natural or legal persons on the basis of data altruism.

Or. en

Amendment 553

Christophe Grudler, Valérie Hayer, Dragoş Pîslaru, Sylvie Brunet, Sandro Gozi, Stéphanie Yon-Courtin, Catherine Chabaud

Proposal for a regulation
Article 14 – paragraph 1 – point a (new)

Text proposed by the Commission

Amendment

(a) public sector bodies that offer data sharing facilities on a non-commercial basis;

Or. en

Amendment 554

Christophe Grudler, Valérie Hayer, Dragoş Pîslaru, Sylvie Brunet, Sandro Gozi, Stéphanie Yon-Courtin, Catherine Chabaud

Proposal for a regulation

Article 14 – paragraph 1 – point b (new)

Text proposed by the Commission

Amendment

(b) not-for-profit entities whose activities consist only in seeking to collect data for objectives of general interest, made available by natural or legal persons on the basis of data altruism.

Or. en

Justification

Certain public entities deliver data sharing services in relation to their public service mission. The goal of these entities should exempt them from the obligations enforced to data sharing service provider that operate for commercial purposes as the main objective of these obligations is to prevent conflicts of interests.

Amendment 555

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Chapter IV – title

Text proposed by the Commission

Amendment

IV data altruism

IV voluntary data sharing in the public interest

Or. en

Justification

The title needs to be changed in order to better reflect the regulatory intention.

Amendment 556

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation
Article 15 – title

Text proposed by the Commission

Amendment

Register of *recognised* data altruism organisations

Register of *authorised* data altruism organisations

Or. en

Justification

This change is needed in for consistency

Amendment 557
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 15 – paragraph -1 (new)

Text proposed by the Commission

Amendment

(-1) The collection of data based on voluntary data sharing in the public interest, as referred to in Article 6(1)(e) of Regulation (EU) 2016/679 is subject to general authorisation by a competent authority, referred to in Article 20. Such authorisation shall be valid in all Member States of the European Union.

Or. en

Justification

In order to ensure that all safeguards are in place, and to create incentives for registration, the proposal changes the approach to regulating entities that undertake collection of data based on voluntary data sharing.

Amendment 558
Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation
Article 15 – paragraph 1

Text proposed by the Commission

(1) Each competent authority designated pursuant to Article 20 shall keep a register of recognised data altruism organisations.

Amendment

(1) ***Donating personal or non-personal data is a voluntary and free act of the data subject and hence subject to high-level safeguards.*** Each competent authority designated pursuant to Article 20 shall keep a ***public*** register of recognised data altruism organisations.

Or. en

Amendment 559

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 15 – paragraph 1

Text proposed by the Commission

(1) Each competent authority designated pursuant to Article 20 shall keep a register of recognised data altruism organisations.

Amendment

(1) Each competent authority designated pursuant to Article 20 shall keep a ***regularly-updated public*** register of recognised data altruism organisations.

Or. en

Amendment 560

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 15 – paragraph 1

Text proposed by the Commission

(1) Each competent authority designated pursuant to Article 20 shall keep a register of ***recognised*** data altruism organisations.

Amendment

(1) Each competent authority designated pursuant to Article 20 shall keep a ***public*** register of ***authorised*** data altruism organisations.

Or. en

Justification

Change needed for text consistency

Amendment 561

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 15 – paragraph 2

Text proposed by the Commission

(2) The Commission shall maintain a Union register of recognised data altruism organisations.

Amendment

(2) The Commission shall maintain a **public** Union register of recognised data altruism organisations. **The Commission shall monitor and audit the register of recognised data altruism organizations.**

Or. en

Amendment 562

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 15 – paragraph 2

Text proposed by the Commission

(2) The Commission shall maintain a Union register of recognised data altruism organisations.

Amendment

(2) The Commission shall maintain a **publicly accessible and regularly updated** Union register of recognised data altruism organisations.

Or. en

Amendment 563

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 15 – paragraph 2

Text proposed by the Commission

Amendment

(2) The Commission shall maintain a Union register of **recognised** data altruism organisations.

(2) The Commission shall maintain a **public** Union register of **authorised** data altruism organisations.

Or. en

Justification

Change needed for text consistency

Amendment 564

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Dragoș Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Valérie Hayer, Susana Solís Pérez

**Proposal for a regulation
Article 15 – paragraph 3**

Text proposed by the Commission

Amendment

(3) An entity registered in the register in accordance with Article 16 may refer to itself as a ‘data altruism organisation recognised in the Union’ in its written and spoken communication.

(3) An entity registered in the register in accordance with Article 16 may refer to itself as a ‘data altruism organisation recognised in the Union’ in its written and spoken communication. ***The entity shall use a EU dedicated logo or QR code linking to the European register of recognised data altruism organisations, both online and offline. The logo shall have the objective of providing a coherent visual identity to European Union data altruism organisations and contribute to increase trust for data subjects and legal entities. The logo must be created and displayed with rules established in a separate implementing act in accordance with the procedure referred to in Article 29.***

Or. en

Amendment 565

Christophe Grudler, Valérie Hayer, Dragoș Pîslaru, Sylvie Brunet, Sandro Gozi, Stéphanie Yon-Courtin, Catherine Chabaud

Proposal for a regulation
Article 15 – paragraph 3

Text proposed by the Commission

(3) An entity registered in the register in accordance with Article 16 may refer to itself as a ‘data altruism organisation recognised in the Union’ in its written and spoken communication.

Amendment

(3) An entity registered in the register in accordance with Article 16 may refer to itself as a ‘data altruism organisation recognised in the Union’ in its written and spoken communication. ***The entity shall use a EU dedicated logo and link to the European register of recognised data altruism organisations. The logo shall have the objective of providing a coherent visual identity to European Union data altruism organisations and contribute to increase trust for data subjects and legal entities. The logo must be created and displayed with rules established in a separate implementing act in accordance with the procedure referred to in Article 29.***

Or. en

Amendment 566
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 15 – paragraph 3

Text proposed by the Commission

(3) ***An entity registered in the register*** in accordance with Article 16 may refer to ***itself*** as a ‘data altruism organisation ***recognised*** in the Union’ in ***its*** written and spoken communication.

Amendment

(3) ***Only entities authorised*** in accordance with Article 16 may ***collect data made available by natural or legal persons on the basis of voluntary data sharing in the public interest, as referred to in paragraph -1, perform the activities linked to the data processing in public interest and*** refer to ***themselves*** as a ‘data altruism organisation ***authorised*** in the Union’ in ***their*** written and spoken communication.

Or. en

Justification

Change needed to ensure consistency and incentives for registration.

Amendment 567

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 16 – title

Text proposed by the Commission

Amendment

General requirements for **registration**

General requirements for **authorisation**

Or. en

Justification

Change needed for consistency

Amendment 568

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 16 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

In order to qualify for registration, the data altruism organisation shall:

1. In order to qualify for registration, the data altruism organisation shall:

Or. en

Justification

Change needed in order to implement the new structure of the article

Amendment 569

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 16 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

In order to qualify for **registration**, the data altruism organisation shall:

In order to qualify for **authorisation**, the data altruism organisation shall:

Or. en

Justification

Change needed for consistency.

Amendment 570

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 16 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) be a legal entity constituted to meet objectives of **general** interest;

(a) be a legal entity constituted to meet objectives of **public** interest **and recognised as such according to the applicable law**;

Or. en

Justification

Alignment of text with the previous changes and existing national provisions.

Amendment 571

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 16 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) be a legal entity constituted to meet objectives of **general** interest;

(a) be a legal entity constituted to meet objectives of **public** interest;

Or. en

Amendment 572

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 16 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

**(a a) fit definition of data altruism
under article 2-10**

Or. en

Amendment 573

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 16 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) operate on a not-for-profit basis and be independent from any entity that operates on a for-profit basis;

(b) operate on a not-for-profit basis and be independent from any entity that operates on a for-profit basis; ***in case the entity undertakes other activities on a not-for-profit basis, it shall ensure the legal and functional separation of such activities from the activities related to the collection of data based on voluntary data sharing in the public interest. The entity may not use the data collected based on voluntary data sharing in the public interest for other activities;***

Or. en

Justification

Introducing additional safeguards aimed at increasing trust.

Amendment 574

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation
Article 16 – paragraph 1 – point b

Text proposed by the Commission

(b) operate on a not-for-profit basis and be independent from any entity that operates on a for-profit basis;

Amendment

(b) operate on a not-for-profit basis and be **legally and structurally** independent from any entity that operates on a for-profit basis;

Or. en

Amendment 575
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 16 – paragraph 1 – point c

Text proposed by the Commission

(c) perform the activities related to **data altruism take place** through a legally independent structure, separate from other activities it has undertaken.

Amendment

(c) perform the activities related to **voluntary data sharing in the public interest** through a legally independent structure, separate from other activities it has undertaken, **including for-profit activities**.

Or. en

Justification

Introducing trust building safeguards.

Amendment 576
Dace Melbārde
on behalf of the ECR Group
Evžen Tošenovský

Proposal for a regulation
Article 16 – paragraph 1 – point c

Text proposed by the Commission

(c) perform the activities related to data altruism **take place** through a legally

Amendment

(c) perform the activities related to data altruism through a legally independent

independent structure, separate from other activities it has undertaken.

structure, separate from other activities it has undertaken.

Or. en

Amendment 577

Zdzisław Krasnodebski, Evžen Tošenovský, Elżbieta Kruk, Pietro Fiocchi

Proposal for a regulation

Article 16 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) be able to process the data within the secure processing environment operated by the entity;

Or. en

Amendment 578

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 16 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) provide to the competent authority an operational data security plan;

Or. en

Justification

Enhancing trust and security safeguards.

Amendment 579

Zdzisław Krasnodebski, Evžen Tošenovský, Elżbieta Kruk, Pietro Fiocchi

Proposal for a regulation

Article 16 – paragraph 1 – point c b (new)

Text proposed by the Commission

Amendment

(c b) have effective oversight mechanism to ensure high standards of scientific ethics;

Or. en

Amendment 580

Zdzislaw Krasnodebski, Evžen Tošenovský, Elżbieta Kruk, Pietro Fiocchi

Proposal for a regulation

Article 16 – paragraph 1 – point c c (new)

Text proposed by the Commission

Amendment

(c c) have effective technical means to withdraw or modify context at any moment as well as means for data subjects to stay informed about th use of data they made available;

Or. en

Amendment 581

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 16 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

In case personal data is processed in the context of voluntary data sharing in the public interest, such processing shall be compliant with the requirements laid down in Regulation (EU) 2016/679, including the provisions on transfers of personal data to third countries or international organisations

Or. en

Justification

Clarifying that priority is given to Regulation (EU) 2016/679.

Amendment 582

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 17 – paragraph 1

Text proposed by the Commission

(1) Any entity which meets the requirements of Article 16 may request to be entered in the register of recognised data altruism organisations referred to in Article 15 (1).

Amendment

(1) Any entity which meets the requirements of Article **2 (10) and** 16 may request to be entered in the register of recognised data altruism organisations referred to in Article 15 (1).

Or. en

Amendment 583

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 17 – paragraph 1

Text proposed by the Commission

(1) Any entity which meets the requirements of Article 16 may request to be entered in the register of **recognised** data altruism organisations referred to in Article 15 (1).

Amendment

(1) Any entity which meets the requirements of Article 16 may request to be entered in the register of **authorised** data altruism organisations referred to in Article 15 (1).

Or. en

Justification

Change needed for consistency

Amendment 584

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 17 – paragraph 2

Text proposed by the Commission

Amendment

(2) For the purposes of this Regulation, an entity engaged in activities based on ***data altruism*** with establishments in more than one Member State, shall register in the Member State in which it has its main establishment.

(2) For the purposes of this Regulation, an entity engaged in activities based on ***voluntary data sharing in the public interest*** with establishments in more than one Member State, shall register in the Member State in which it has its main establishment.

Or. en

Justification

Change needed for consistency

Amendment 585

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 17 – paragraph 3

Text proposed by the Commission

Amendment

(3) ***An entity that is not established in the Union, but meets the requirements in Article 16, shall appoint a legal representative in one of the Member States where it intends to collect data based on data altruism. For the purpose of compliance with this Regulation, that entity shall be deemed to be under the jurisdiction of the Member State where the legal representative is located.***

deleted

Or. en

Amendment 586

Elena Lizzi, Paolo Borchia, Isabella Tovaglieri, Gianna Gancia, Joëlle Mélin

Proposal for a regulation

Article 17 – paragraph 3

Text proposed by the Commission

Amendment

(3) An entity that is not established in

(3) An entity that is not established in

the Union, but meets the requirements in Article 16, shall ***appoint a legal representative*** in one of the Member States where it intends to collect data based on data altruism. For the purpose of compliance with this Regulation, that entity shall be deemed to be under the jurisdiction of the Member State where the ***legal representative*** is located.

the Union, but meets the requirements in Article 16, shall ***establish a company located and registered*** in one of the Member States ***in the Union with an adequate number of employees***, where it intends to collect data based on data altruism. For the purpose of compliance with this Regulation, that entity shall be deemed to be under the jurisdiction of the Member State where the ***company*** is located.

Or. en

Amendment 587

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 17 – paragraph 3

Text proposed by the Commission

(3) An entity that is not established in the Union, but meets the requirements in Article 16, shall appoint a legal representative in one of the Member States where it intends to collect data based on ***data altruism***. For the purpose of compliance with this Regulation, that entity shall be deemed to be under the jurisdiction of the Member State where the legal representative is located.

Amendment

(3) An entity that is not established in the Union, but meets the requirements in Article 16, shall appoint a legal representative in one of the Member States where it intends to collect data based on ***voluntary data sharing in the public interest***. For the purpose of compliance with this Regulation, that entity shall be deemed to be under the jurisdiction of the Member State where the legal representative is located.

Or. en

Justification

Change needed for consistency.

Amendment 588

Elena Lizzi, Paolo Borchia, Isabella Tovaglieri, Gianna Gancia, Joëlle Mélin

Proposal for a regulation

Article 17 – paragraph 4 – point c

Text proposed by the Commission

Amendment

(c) the statutes of the entity, **where appropriate**;

(c) the statutes of the entity;

Or. en

Amendment 589

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 17 – paragraph 4 – point f

Text proposed by the Commission

Amendment

(f) a website where information on the entity and the activities can be found;

(f) a **public** website where information on the entity and the activities can be found **including as a minimum the information as referred to in letters a, b, d, e and h of this paragraph**;

Or. en

Justification

Alignment with the similar approach to the provisions above.

Amendment 590

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 17 – paragraph 4 – point f

Text proposed by the Commission

Amendment

(f) a website where information on the entity and the activities can be found;

(f) a website where information on the entity and the activities can be found **including as a minimum the information as referred to in letters a, b, d, e and h of this paragraph**;

Or. en

Amendment 591
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 17 – paragraph 4 – point h

Text proposed by the Commission

(h) the purposes of **general** interest it intends to promote when collecting data;

Amendment

(h) the purposes of **public** interest it intends to promote when collecting data;

Or. en

Justification

Change needed for consistency.

Amendment 592
Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation
Article 17 – paragraph 4 – point h

Text proposed by the Commission

(h) the purposes of **general** interest it intends to promote when collecting data;

Amendment

(h) the purposes of **public** interest it intends to promote when collecting data;

Or. en

Amendment 593
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 17 – paragraph 5

Text proposed by the Commission

(5) Where the entity has submitted all necessary information pursuant to paragraph 4 and the competent authority considers that the entity complies with the

Amendment

(5) Where the entity has submitted all necessary information pursuant to paragraph 4 and the competent authority considers that the entity complies with the

requirements of Article 16, it shall register the entity in the register of **recognised** data altruism organisations within twelve weeks from the date of application. The registration shall be valid in all Member States. Any registration shall be communicated to the Commission, for inclusion in the Union register of **recognised** data altruism organisations.

requirements of Article 16, it shall register the entity in the register of **authorised** data altruism organisations within twelve weeks from the date of application. The registration shall be valid in all Member States. Any registration shall be communicated to the Commission, for inclusion in the Union register of **authorised** data altruism organisations.

Or. en

Justification

Change needed for consistency

Amendment 594

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Dragoș Pișlaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer, Susana Solís Pérez

Proposal for a regulation Article 17 – paragraph 6

Text proposed by the Commission

(6) The information referred to in paragraph 4, points (a), (b), (f), (g), and (h) shall be published in the national register of recognised data altruism organisations.

Amendment

(6) The information referred to in paragraph 4, points (a), (b), (f), (g), and (h) shall be published in the national **public** register of recognised data altruism organisations.

Or. en

Amendment 595

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation Article 17 – paragraph 6

Text proposed by the Commission

(6) The information referred to in paragraph 4, points (a), (b), (f), (g), and (h) shall be published in the national register

Amendment

(6) The information referred to in paragraph 4, points (a), (b), (f), (g), and (h) shall be published in the national register

of *recognised* data altruism organisations.

of *authorised* data altruism organisations.

Or. en

Justification

Change needed for consistency.

Amendment 596

Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation
Article 17 – paragraph 7

Text proposed by the Commission

(7) Any entity entered in the register of recognised data altruism organisations shall submit any changes of the information provided pursuant to paragraph 4 to the competent authority within 14 calendar days from the day on which the change takes place.

Amendment

(7) Any entity entered in the register of recognised data altruism organisations shall submit any changes of the information provided pursuant to paragraph 4 to the competent authority within 14 calendar days from the day on which the change takes place. ***The competent authority shall inform the Commission by electronic means of each such notification without delay.***

Or. en

Amendment 597

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Dragoş Pişlaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer, Susana Solís Pérez

Proposal for a regulation
Article 17 – paragraph 7

Text proposed by the Commission

(7) Any entity entered in the register of recognised data altruism organisations shall submit any changes of the information provided pursuant to paragraph 4 to the competent authority within 14 calendar days from the day on

Amendment

(7) Any entity entered in the ***public*** register of recognised data altruism organisations shall submit any changes of the information provided pursuant to paragraph 4 to the competent authority within 14 calendar days from the day on

which the change takes place.

which the change takes place.

Or. en

Amendment 598

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 17 – paragraph 7

Text proposed by the Commission

(7) Any entity entered in the register of **recognised** data altruism organisations shall submit any changes of the information provided pursuant to paragraph 4 to the competent authority within 14 calendar days from the day on which the change takes place.

Amendment

(7) Any entity entered in the register of **authorised** data altruism organisations shall submit any changes of the information provided pursuant to paragraph 4 to the competent authority within 14 calendar days from the day on which the change takes place.

Or. en

Justification

Change needed for consistency.

Amendment 599

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 17 – paragraph 7

Text proposed by the Commission

(7) **Any entity entered in the register of** recognised data altruism organisations shall submit any changes of the information provided pursuant to paragraph 4 to the competent authority within 14 calendar days from the day on which the **change** takes place.

Amendment

(7) **Entities registered as** recognised data altruism organisations shall submit any changes of the information provided pursuant to paragraph 4 to the competent authority within 14 calendar days from the day on which the **changes** takes place.

Or. en

Amendment 600
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 18 – paragraph 1 – introductory part

Text proposed by the Commission

(1) Any entity entered in the national register of **recognised** data altruism organisations shall keep full and accurate records concerning:

Amendment

(1) Any entity entered in the national register of **authorised** data altruism organisations shall keep full and accurate **public** records concerning:

Or. en

Justification

Change needed for consistency

Amendment 601
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 18 – paragraph 2 – introductory part

Text proposed by the Commission

(2) Any entity entered in the register of **recognised** data altruism organisations shall draw up and transmit to the competent national authority an annual activity report which shall contain at least the following:

Amendment

(2) Any entity entered in the register of **authorised** data altruism organisations shall draw up and transmit to the competent national authority an annual activity report which shall contain at least the following:

Or. en

Justification

Change needed for consistency.

Amendment 602
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 18 – paragraph 2 – point b

Text proposed by the Commission

(b) a description of the way in which the **general** interest purposes for which data was collected have been promoted during the given financial year;

Amendment

(b) a description of the way in which the **public** interest purposes for which data was collected have been promoted during the given financial year;

Or. en

Justification

Change needed for consistency

Amendment 603
Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation
Article 18 – paragraph 2 – point b

Text proposed by the Commission

(b) a description of the way in which the **general** interest purposes for which data was collected have been promoted during the given financial year;

Amendment

(b) a description of the way in which the **public** interest purposes for which data was collected have been promoted during the given financial year;

Or. en

Amendment 604
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 18 – paragraph 2 – point c

Text proposed by the Commission

(c) a list of all natural and legal persons that were allowed to use data it holds, **including** a summary description of the **general** interest purposes pursued by such data use and the description of the

Amendment

(c) a list of all natural and legal persons that were allowed to use data it holds, **their contact details**, a summary description of the **public** interest purposes pursued by such data use and the description of the

technical means used for it, including a description of the techniques used to preserve privacy and data protection;

technical means used for it, including a description of the techniques used to preserve privacy and data protection;

Or. en

Justification

Change needed for consistency.

Amendment 605

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 18 – paragraph 2 – point c

Text proposed by the Commission

(c) a list of all natural and legal persons that were allowed to use data it holds, including a summary description of the **general** interest purposes pursued by such data use and the description of the technical means used for it, including a description of the techniques used to preserve privacy and data protection;

Amendment

(c) a list of all natural and legal persons that were allowed to use data it holds, including a summary description of the **public** interest purposes pursued by such data use and the description of the technical means used for it, including a description of the techniques used to preserve privacy and data protection;

Or. en

Amendment 606

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 19 – paragraph 1 – introductory part

Text proposed by the Commission

(1) Any entity entered in the register of recognised data altruism organisations shall inform data holders:

Amendment

(1) ***A mandatory authorisation framework for data altruistic organisations shall be provided to ensure a higher level of trust.*** Any entity entered in the register of recognised data altruism organisations shall inform data holders:

Amendment 607

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragoș Pîslaru, Iskra Mihaylova, Sandro Gozi, Bart Groothuis, Susana Solís Pérez

Proposal for a regulation

Article 19 – paragraph 1 – introductory part

Text proposed by the Commission

(1) Any entity entered in the register of recognised data altruism organisations shall inform data **holders**:

Amendment

(1) Any entity entered in the register of recognised data altruism organisations shall inform data **subjects and legal entities in a clear and easy-to-understand manner**:

Or. en

Amendment 608

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 19 – paragraph 1 – introductory part

Text proposed by the Commission

(1) Any entity entered in the register of **recognised** data altruism organisations shall inform data holders:

Amendment

(1) Any entity entered in the register of **authorised** data altruism organisations shall inform data holders, **prior to any processing of their data** :

Or. en

Justification

Change needed for consistency.

Amendment 609

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 19 – paragraph 1 – introductory part

Text proposed by the Commission

(1) Any entity entered in the register of recognised data altruism organisations shall inform data holders:

Amendment

(1) Any entity entered in the register of recognised data altruism organisations shall inform data holders ***prior to any processing of their data***:

Or. en

Amendment 610

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 19 – paragraph 1 – point a

Text proposed by the Commission

(a) about the purposes of ***general*** interest for which it permits the processing of their data by a data user in an easy-to-understand manner;

Amendment

(a) about the purposes of ***public*** interest for which it permits the processing of their data by a data user in an easy-to-understand manner;

Or. en

Amendment 611

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 19 – paragraph 1 – point a

Text proposed by the Commission

(a) about the purposes of ***general*** interest for which it permits the processing of their data by a data user in an easy-to-understand manner;

Amendment

(a) about the purposes of ***public*** interest for which it permits the processing of their data by a data user in an easy-to-understand manner;

Or. en

Justification

Change needed for consistency.

Amendment 612

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragos Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer, Susana Solís Pérez

Proposal for a regulation

Article 19 – paragraph 1 – point a

Text proposed by the Commission

(a) about the purposes of general interest for which it permits the processing of their data by a data user ***in an easy-to-understand manner***;

Amendment

(a) about the purposes of general interest for which it permits the processing of their data by a data user;

Or. en

Amendment 613

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 19 – paragraph 1 – point b

Text proposed by the Commission

(b) ***about any processing outside the Union.***

Amendment

deleted

Or. en

Amendment 614

Elena Lizzi, Paolo Borchia, Isabella Tovaglieri, Gianna Gancia, Joëlle Mélin

Proposal for a regulation

Article 19 – paragraph 1 – point b

Text proposed by the Commission

(b) about any processing outside the Union.

Amendment

(b) about ***the location of*** any processing outside the Union. ***In addition, the non-profit entities will request an authorisation to data holders with approval regarding all the information pursuant in accordance with paragraph 4***

of Article 17. The authorisation should be issued by competent authorities designated pursuant to Article 20.

Or. en

Amendment 615

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Dragoș Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer

Proposal for a regulation

Article 19 – paragraph 1 – point b

Text proposed by the Commission

(b) about any processing outside the Union.

Amendment

(b) about *the purposes of general interest for which it permits* any processing *of their data by a data user* outside the Union.

Or. en

Amendment 616

Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation

Article 19 – paragraph 1 – point b

Text proposed by the Commission

(b) about any processing outside the Union.

Amendment

(b) about any processing outside the Union *as well as the localisation of the process;*

Or. en

Amendment 617

Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation

Article 19 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) about any processing outside the Union.

(b) about any processing outside the Union ***and the location of such processing.***

Or. en

Justification

This change provides increased transparency.

Amendment 618

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 19 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) the effective means and tools for withdrawal of consent according to Article 7 of GDPR.

Or. en

Justification

This provision is meant to increase transparency and trust.

Amendment 619

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 19 – paragraph 2

Text proposed by the Commission

Amendment

(2) The entity shall also ensure that the data is not be used for other purposes than those of general interest for which it permits the processing.

(2) The entity shall also ensure that the data is not be used for other purposes than those of general interest for which it permits the processing. ***Safeguards shall be provided to ensure that misleading marketing practices are not used to solicit donations of data. Possibilities for***

sanctions shall be provided for when acting against public interests, according to national laws.

Or. en

Amendment 620

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 19 – paragraph 2

Text proposed by the Commission

(2) The entity shall also ensure that the data is not be used for other purposes than those of general interest for which it permits the processing.

Amendment

(2) The entity shall also ensure that the data is not be used for other purposes than those of general interest for which it permits the processing *as well as that the obtained consent from data subjects or permissions to process data made available by legal persons can be easily withdrawn.*

Or. en

Amendment 621

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 19 – paragraph 2

Text proposed by the Commission

(2) The entity shall also ensure that the data is not be used for other purposes than those of *general* interest for which it permits the processing.

Amendment

(2) The entity shall also ensure that the data is not be used for other purposes than those of *public* interest for which it permits the processing.

Or. en

Amendment 622

Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 19 – paragraph 2

Text proposed by the Commission

(2) The entity shall also ensure that the data is not be used for other purposes than those of **general** interest for which it permits the processing.

Amendment

(2) The entity shall also ensure that the data is not be used for other purposes than those of **public** interest for which it permits the processing.

Or. en

Justification

Change needed for consistency.

Amendment 623
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 19 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(2 a) The entity shall take measures to ensure a high level of security for the storage and processing of data that it has collected based on voluntary data sharing in the public interest or is responsible for in the exercise of its activities.

Or. en

Justification

This provision is introducing cybersecurity safeguards and increases trust.

Amendment 624
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 19 – paragraph 3

Text proposed by the Commission

(3) Where an entity entered in the register of **recognised** data altruism organisations provides tools for obtaining consent from data subjects or permissions to process data made available by legal persons, it shall specify the jurisdiction or jurisdictions in which the data use is intended to take place.

Amendment

(3) Where an entity entered in the register of **authorised** data altruism organisations provides tools for obtaining consent from data subjects or permissions to process data made available by legal persons, it shall specify the jurisdiction or jurisdictions in which the data use is intended to take place **and provide tools for withdrawal of the consent.**

Or. en

Justification

Alignment with previous changes.

Amendment 625

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 19 – paragraph 3

Text proposed by the Commission

(3) Where an entity entered in the register of recognised data altruism organisations provides tools for obtaining consent from data subjects or permissions to process data made available by legal persons, it shall specify the jurisdiction or jurisdictions in which the data use is intended to take place.

Amendment

(3) Where an entity entered in the register of recognised data altruism organisations provides tools for obtaining consent from data subjects or permissions to process data made available by legal persons, it shall specify the jurisdiction or jurisdictions **outside the Union** in which the data use is intended to take place.

Or. en

Amendment 626

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 20 – title

Text proposed by the Commission

Competent authorities for registration

Amendment

Competent authorities for registration *of data altruism organisations*

Or. en

Amendment 627

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

(1) Each Member State shall designate one or more competent authorities responsible for the register of recognised data altruism organisations and for the monitoring of compliance with the requirements of this Chapter. The designated competent authorities shall meet the requirements of Article 23.

Amendment

(1) Each Member State shall designate one or more competent authorities responsible for the register of recognised data altruism organisations and for the monitoring of compliance with the requirements of this Chapter. The designated competent authorities *for the registration of data altruism organisations* shall meet the requirements of Article 23.

Or. en

Amendment 628

Ivo Hristov

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

(1) Each Member State shall designate one or more competent authorities responsible for the register of recognised data altruism organisations and for the monitoring of compliance with the requirements of this Chapter. The designated competent authorities shall

Amendment

(1) Each Member State shall designate one or more competent authorities *under Regulation 2018/679* responsible for the register of recognised data altruism organisations and for the monitoring of compliance with the requirements of this Chapter. The designated competent

meet the requirements of Article 23.

authorities shall meet the requirements of Article 23.

Or. en

Amendment 629

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

(1) Each Member State shall designate **one or more competent** authorities responsible for the register of recognised data altruism organisations and for the monitoring of compliance with the requirements of this Chapter. The designated competent authorities shall meet the requirements of Article 23.

Amendment

(1) Each Member State shall designate **its data protection** authorities responsible for the register of recognised data altruism organisations and for the monitoring of compliance with the requirements of this Chapter. The designated competent authorities shall meet the requirements of Article 23.

Or. en

Justification

simplification / article 7, 12 and 20 should be the same competent authority(ies)

Amendment 630

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

(1) Each Member State shall designate one **or more** competent authorities responsible for the register of **recognised** data altruism organisations and for the monitoring of compliance with the requirements of this Chapter. The designated competent **authorities** shall meet the requirements of Article 23.

Amendment

(1) Each Member State shall designate one competent authorities responsible for the register of **authorised** data altruism organisations and for the monitoring of compliance with the requirements of this Chapter. The designated competent **authority** shall meet the requirements of Article 23.

Justification

Text alignment and introducing the concept of similar single points of contact.

Amendment 631**Damian Boeselager**

on behalf of the Greens/EFA Group

Proposal for a regulation**Article 20 – paragraph 2***Text proposed by the Commission*

(2) Each Member State shall inform the Commission of the identity of the designated **authorities**.

Amendment

(2) Each Member State shall inform the Commission of the identity of the designated **authority**.

Or. en

Justification

Change needed for consistency.

Amendment 632**Marina Kaljurand****Proposal for a regulation****Article 20 – paragraph 3***Text proposed by the Commission*

(3) The competent authority shall undertake its tasks in cooperation with the data protection authority, where such tasks are related to processing of personal data, and with relevant sectoral bodies of the same Member State. For any question requiring an assessment of compliance with Regulation (EU) 2016/679, the competent authority shall first seek an opinion or decision by the competent supervisory authority established pursuant to that Regulation and comply with that opinion or decision.

Amendment

(3) The competent authority shall undertake its tasks in cooperation with the data protection authority, where such tasks are related to processing of personal data, and with relevant sectoral bodies of the same Member State. For any question requiring an assessment of compliance with Regulation (EU) 2016/679, the competent authority shall first seek an opinion or decision by the competent supervisory authority established pursuant to that Regulation and comply with that opinion or decision. ***The data protection authorities shall be designated as the***

main competent authorities for the supervision and enforcement of the provisions under Chapter IV of the Regulation.

Or. en

Amendment 633

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 20 – paragraph 3

Text proposed by the Commission

(3) The competent authority shall undertake its tasks in cooperation with the data protection authority, where such tasks are related to processing of personal data, and with relevant sectoral bodies of the same Member State. For any question requiring an assessment of compliance with Regulation (EU) 2016/679, the competent authority shall first seek an opinion or decision by the competent supervisory authority established pursuant to that Regulation and comply with that opinion or decision.

Amendment

(3) The competent authority *for the registration of data altruism organisations* shall undertake its tasks in cooperation with the data protection authority, where such tasks are related to processing of personal data, and with relevant sectoral bodies of the same Member State. For any question requiring an assessment of compliance with Regulation (EU) 2016/679, the competent authority shall first seek an opinion or decision by the competent supervisory authority established pursuant to that Regulation and comply with that opinion or decision.

Or. en

Amendment 634

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 21 – paragraph 1

Text proposed by the Commission

(1) The *competent authority* shall monitor and supervise compliance of entities entered in the register of

Amendment

(1) The *data protection authorities* shall monitor and supervise compliance of entities entered in the register of

recognised data altruism organisations with the conditions laid down in this Chapter.

recognised data altruism organisations with the conditions laid down in this Chapter.

Or. en

Amendment 635

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 21 – paragraph 1

Text proposed by the Commission

(1) The competent authority shall monitor and supervise compliance of entities entered in the register of **recognised** data altruism organisations with the conditions laid down in this Chapter.

Amendment

(1) The competent authority shall monitor and supervise compliance of entities entered in the register of **authorised** data altruism organisations with the conditions laid down in this Chapter.

Or. en

Justification

Change needed for consistency.

Amendment 636

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 21 – paragraph 2

Text proposed by the Commission

(2) The competent authority shall have the power to request information from entities included in the register of **recognised** data altruism organisations that is necessary to verify compliance with the provisions of this Chapter. ***Any request for information shall be proportionate to the performance of the task and shall be reasoned.***

Amendment

(2) The competent authority shall have the power to request information from entities included in the register of **authorised** data altruism organisations ***and all natural or legal persons that were given the possibility to process data held by data altruism organisations,*** that is necessary to verify compliance with the provisions of this Chapter.

*Justification**Change needed for consistency***Amendment 637****Miapetra Kumpula-Natri**

on behalf of the S&D Group

Proposal for a regulation**Article 21 – paragraph 3***Text proposed by the Commission*

(3) Where the competent authority finds that an entity does not comply with one or more of the requirements of this Chapter it shall notify the entity of those findings and give it the opportunity to state its views, within *a reasonable time limit*.

Amendment

(3) Where the competent authority finds that an entity does not comply with one or more of the requirements of this Chapter it shall notify the entity of those findings and give it the opportunity to state its views, within **30 days**.

Or. en

Amendment 638**Damian Boeselager**

on behalf of the Greens/EFA Group

Proposal for a regulation**Article 21 – paragraph 5 – point a***Text proposed by the Commission*

(a) lose its right to refer to itself as a ‘data altruism organisation *recognised* in the Union’ in any written and spoken communication;

Amendment

(a) lose its right to *collect data made available by natural or legal persons on the basis of data altruism, perform the activities linked to the realisation of the data altruism purpose and* refer to itself as a ‘data altruism organisation *authorised* in the Union’ in any written and spoken communication *and are obliged to delete the data collected*;

Or. en

Justification

Alignment of the sanctions to the changes made in art. 15-17

Amendment 639

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 21 – paragraph 5 – point b

Text proposed by the Commission

(b) be removed from the **register of recognised** data altruism organisations.

Amendment

(b) be removed from the **national and Union registers of authorised** data altruism organisations.

Or. en

Justification

Alignment of the sanctions to the changes made in art. 15-17

Amendment 640

Elena Lizzi, Paolo Borchia, Isabella Tovaglieri, Gianna Gancia, Joëlle Mélin

Proposal for a regulation

Article 21 – paragraph 5 – point b a (new)

Text proposed by the Commission

Amendment

(b a) In the case that the entity wishes to make the request again, an appropriate period of at least 12 months must pass. If the entity runs into criminal problems of a certain entity, neither the company nor the persons responsible in other companies will no longer be able to apply for registration.

Or. en

Amendment 641

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation
Article 21 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

(5 a) In this regard, the competent authorities shall be able, where appropriate:

(a) to impose dissuasive financial penalties which may include periodic penalties with retroactive effect;

(b) to impose immediate cessation or postponement of the provision of the data sharing service.

Or. en

Justification

Alignment of the sanctions to the changes made in art. 15-17

Amendment 642

Elena Lizzi, Paolo Borchia, Isabella Tovaglieri, Gianna Gancia, Joëlle Mélin

Proposal for a regulation
Article 21 – paragraph 6

Text proposed by the Commission

Amendment

(6) If an entity included in the register of recognised data altruism organisations has its main establishment or legal representative in a Member State but is active in other Member States, the competent authority of the Member State of the main establishment or where the legal representative is located and the competent authorities of those other Member States shall cooperate and assist each other as necessary. Such assistance and cooperation may cover information exchanges between the competent authorities concerned and requests to take the supervisory measures referred to in this Article.

(6) If an entity included in the register of recognised data altruism organisations has its main establishment or legal representative in a Member State but is active in other Member States, the competent authority of the Member State of the main establishment or where the legal representative is located and the competent authorities of those other Member States shall cooperate and assist each other as necessary **and they shall also comply with the rules of the most restrictive Member States in which they operate.** Such assistance and cooperation may cover information exchanges between the competent authorities concerned and requests to take the supervisory measures

referred to in this Article.

Or. en

Amendment 643

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 21 – paragraph 6

Text proposed by the Commission

(6) If an entity included in the register of **recognised** data altruism organisations has its main establishment or legal representative in a Member State but is active in other Member States, the competent authority of the Member State of the main establishment or where the legal representative is located and the competent authorities of those other Member States shall cooperate and assist each other as necessary. Such assistance and cooperation may cover information exchanges between the competent authorities concerned and requests to take the supervisory measures referred to in this Article.

Amendment

(6) If an entity included in the register of **authorised** data altruism organisations has its main establishment or legal representative in a Member State but is active in other Member States, the competent authority of the Member State of the main establishment or where the legal representative is located and the competent authorities of those other Member States shall cooperate and assist each other as necessary. Such assistance and cooperation may cover information exchanges between the competent authorities concerned and requests to take the supervisory measures referred to in this Article.

Or. en

Justification

Change needed for consistency.

Amendment 644

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 22 – title

Text proposed by the Commission

European data altruism consent **form**

Amendment

European data altruism consent **tools**

Justification

Change needed to ensure consistency with the new content of the article.

Amendment 645**Damian Boeselager**

on behalf of the Greens/EFA Group

Proposal for a regulation**Article 22 – paragraph 1***Text proposed by the Commission*

(1) In order to facilitate the collection of data based on *data altruism*, the Commission *may* adopt *implementing* acts developing *a* European data altruism consent *form*. *The* form shall allow the collection of consent across Member States in a uniform format. Those *implementing* acts shall be adopted in accordance with the advisory procedure referred to in Article 29 (2).

Amendment

(1) In order to facilitate the collection of data based on *voluntary data sharing in the public interest*, the Commission *shall* adopt *delegated* acts developing European data altruism consent *tools, including a standardised form and requirements for online consent tools*. *The standardised* form shall allow the collection of consent across Member States in a uniform format. Those *delegated* acts shall be adopted in accordance with the advisory procedure referred to in Article 28.

Justification

This change is needed in order to ensure legal clarity and a harmonised approach

Amendment 646**Marisa Matias**

on behalf of the The Left Group

Proposal for a regulation**Article 22 – paragraph 1***Text proposed by the Commission*

(1) In order to facilitate the collection of data based on data altruism, the *Commission may adopt implementing acts developing* a European data altruism

Amendment

(1) In order to facilitate the collection of data based on data altruism, the *European Data Protection Board (EDPB) may develop* a European data altruism

consent form. The form shall allow the collection of consent across Member States in a uniform format. ***Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 29 (2).***

consent form. ***The Commission may be consulted.*** The form shall allow the collection of consent across Member States in a uniform format.

Or. en

Amendment 647

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 22 – paragraph 1

Text proposed by the Commission

(1) In order to facilitate the collection of data based on data altruism, the Commission may adopt implementing acts developing a European data altruism consent form. The form shall allow the collection of consent across Member States in a uniform format. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 29 (2).

Amendment

(1) In order to facilitate the collection of data based on data altruism, the Commission may adopt implementing acts developing a European data altruism consent form ***with cooperation of Data innovation board.*** The form shall allow the collection of consent across Member States in a uniform format. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 29 (2).

Or. en

Amendment 648

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 22 – paragraph 1

Text proposed by the Commission

(1) In order to facilitate the collection of data based on data altruism, the Commission may adopt implementing acts developing a European data altruism

Amendment

(1) In order to facilitate ***and ease*** the collection of data based on data altruism, the Commission may adopt implementing acts developing a European data altruism

consent form. The form shall allow the collection of consent across Member States in a uniform format. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 29 (2).

consent form. The form shall allow the collection of consent across Member States in a uniform format. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 29 (2).

Or. en

Amendment 649

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 22 – paragraph 2

Text proposed by the Commission

(2) The European data altruism consent form shall use a modular approach allowing customisation for specific sectors and for different purposes.

Amendment

(2) The European data altruism consent form shall use a modular approach allowing customisation for specific sectors and for different purposes ***leading to full understanding of the purpose.***

Or. en

Amendment 650

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 22 – paragraph 2

Text proposed by the Commission

(2) The European data altruism consent ***form*** shall use a modular approach allowing customisation for specific sectors and for different purposes.

Amendment

(2) The European data altruism consent ***tools*** shall use a modular approach allowing customisation for specific sectors and for different purposes.

Or. en

Justification

Change needed to ensure consistency.

Amendment 651

Ivo Hristov

Proposal for a regulation

Article 22 – paragraph 3

Text proposed by the Commission

(3) Where personal data are provided, the European data altruism consent form shall ensure that data subjects are able to give consent to and withdraw consent from a specific data processing operation in compliance with the requirements of Regulation (EU) 2016/679.

Amendment

(3) Where personal data are provided, the European data altruism consent form shall ensure that data subjects are able to give consent to and withdraw consent from a specific data processing operation in compliance with the requirements of Regulation (EU) 2016/679. ***Data subjects shall be informed of the purposes of any subsequent use before they give their consent.***

Or. en

Amendment 652

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 22 – paragraph 3

Text proposed by the Commission

(3) Where personal data are provided, the European data altruism consent ***form*** shall ensure that data subjects are able to give consent to and withdraw consent from a specific data processing operation in compliance with the requirements of Regulation (EU) 2016/679.

Amendment

(3) Where personal data are provided, the European data altruism consent ***tools*** shall ensure that data subjects are able to give consent to and withdraw consent from a specific data processing operation in compliance with the requirements of Regulation (EU) 2016/679. ***Agreement to non personal data processing shall be facilitated in a similar manner.***

Or. en

Justification

The change ensure consistency and adds legal clarity.

Amendment 653

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 22 – paragraph 3

Text proposed by the Commission

(3) Where personal data are provided, the European data altruism consent form shall ensure that data subjects are able to give consent to and withdraw consent from a specific data processing operation in compliance with the requirements of Regulation (EU) 2016/679.

Amendment

(3) Where personal data are provided, the European data altruism consent form shall ensure that data subjects are able to give **free and unambiguous** consent to and **to be able** withdraw **their** consent from a specific data processing operation in compliance with the requirements of Regulation (EU) 2016/679 **at any time**.

Or. en

Amendment 654

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 22 – paragraph 4

Text proposed by the Commission

(4) The form shall be available in a **manner that can** be printed on paper and read by humans as well as in **an electronic**, machine-readable form.

Amendment

(4) The form shall be available in a **digital format that also permits it to** be printed on paper and read by humans as well as in **a** machine-readable form.

Or. en

Amendment 655

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 22 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(4 a) The online consent tools shall include a minimal list of checks and balances allowing consent to be given and withdrawn in an easy to understand, timely and modular manner and a set of standardised visual indicators.

Or. en

Justification

The change introduces measures meant to facilitate the activity of organisations and efficiently protect the applicable rights.

Amendment 656

Elena Lizzi, Paolo Borchia, Isabella Tovaglieri, Gianna Gancia, Joëlle Mélin

Proposal for a regulation

Article 23 – title

Text proposed by the Commission

Amendment

Requirements relating to competent authorities

Requirements **and procedures** relating to competent authorities

Or. en

Amendment 657

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 23 – paragraph 1

Text proposed by the Commission

Amendment

(1) The competent authorities designated pursuant to Article 12 and Article 20 shall be legally distinct from, and functionally independent of any provider of data sharing services or entity included in the register of recognised data altruism organisations.

(1) The competent authorities designated pursuant to Article 12 and Article 20 shall be legally distinct from, and functionally independent of any provider of data sharing services or entity included in the register of recognised data altruism organisations. ***The functions of the competent authorities designated***

pursuant to Article 12 and Article 20 may be carried out by the same entity.

Or. en

Amendment 658

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 23 – paragraph 1

Text proposed by the Commission

(1) The competent authorities designated pursuant to Article 12 and Article 20 shall be legally distinct from, and functionally independent of any provider of data sharing services or entity included in the register of **recognised** data altruism organisations.

Amendment

(1) The competent authorities designated pursuant to Article 12 and Article 20 shall be legally distinct from, and functionally independent of any provider of data sharing services or entity included in the register of **authorised** data altruism organisations.

Or. en

Justification

The change ensure consistency and adds legal clarity.

Amendment 659

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 23 – paragraph 2

Text proposed by the Commission

(2) Competent authorities shall exercise their tasks in an impartial, transparent, consistent, reliable and timely manner.

Amendment

(2) Competent authorities shall exercise their tasks in an impartial, transparent, consistent, reliable and timely manner **and safeguard fair competition and non-discriminatory access for individuals and small actors at all times.**

Or. en

Justification

Ensuring that enforcement serves multiple aims.

Amendment 660

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 23 – paragraph 5

Text proposed by the Commission

(5) The competent authorities shall have at their disposal the adequate financial *and* human resources to carry out the tasks assigned to them, *including the necessary technical knowledge and resources*.

Amendment

(5) The competent authorities shall have at their disposal the adequate financial, human *and technical* resources to carry out the tasks assigned to them.

Or. en

Amendment 661

Elena Lizzi, Paolo Borchia, Isabella Tovaglieri, Gianna Gancia, Joëlle Mélin

Proposal for a regulation

Article 23 – paragraph 6

Text proposed by the Commission

(6) The competent authorities of a Member State shall provide the Commission and competent authorities from other Member States, on reasoned request, with the information necessary to carry out their tasks under this Regulation. Where a national competent authority considers the information requested to be confidential in accordance with Union and national rules on commercial and professional confidentiality, the Commission and any other competent authorities concerned shall ensure such confidentiality.

Amendment

(6) The competent authorities of a Member State shall provide the Commission and competent authorities from other Member States, on reasoned request, with the information necessary to carry out their tasks under this Regulation. Where a national competent authority considers the information requested to be confidential in accordance with Union and national rules on *national security*, commercial and professional confidentiality, the Commission and any other competent authorities concerned shall ensure such confidentiality *reporting directly to the government of the Member*

States.

Or. en

Amendment 662

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 24 – paragraph 1

Text proposed by the Commission

(1) Natural and legal persons shall have the right to lodge a complaint with the relevant national competent authority against a provider of data sharing services or an entity entered in the register of **recognised** data altruism organisations.

Amendment

(1) Natural and legal persons shall have the right to lodge a complaint, **individually or by the representatives of one or more natural persons**, with the relevant national competent authority against a provider of data sharing services or an entity entered in the register of **authorised** data altruism organisations.

Or. en

Justification

The change ensure consistency and adds legal clarity.

Amendment 663

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 24 – paragraph 2

Text proposed by the Commission

(2) The authority with which the complaint has been lodged shall inform the complainant of the progress of the proceedings and of the decision taken, and shall inform the complainant of the right to an effective judicial remedy provided for in Article 25.

Amendment

(2) The authority with which the complaint has been lodged shall inform the complainant of the progress of the proceedings and of the decision taken, **take immediate measures to prevent further infringements** and shall inform the complainant of the right to an effective judicial remedy provided for in Article 25.

Justification

The competent authority needs to be able to prevent further infringements, issuing temporary measure pending a judicial remedy.

Amendment 664**Damian Boeselager**

on behalf of the Greens/EFA Group

Proposal for a regulation**Article 25 – paragraph 1 – point -a (new)***Text proposed by the Commission**Amendment*

(-a) a breach of obligations stemming from the current Regulation, including but not limited to the purposes of data processing, consent mechanisms and exercise of voluntary data sharing for public interest activities by organisations that are not listed in the national data altruism registry.

Or. en

Justification

This change clarifies the scope of judicial redress.

Amendment 665**Damian Boeselager**

on behalf of the Greens/EFA Group

Proposal for a regulation**Article 25 – paragraph 1 – point b***Text proposed by the Commission**Amendment*

(b) decisions of the competent authorities referred to in Articles 13, 17 and 21 taken in the management, control and enforcement of the notification regime for providers of data sharing services and the monitoring of entities entered into the register of ***recognised*** data altruism

(b) decisions of the competent authorities referred to in Articles 13, 17 and 21 taken in the management, control and enforcement of the notification regime for providers of data sharing services and the monitoring of entities entered into the register of ***authorised*** data altruism

organisations.

organisations.

Or. en

Justification

Change needed for consistency

Amendment 666

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 25 – paragraph 2

Text proposed by the Commission

(2) Proceedings pursuant to this Article shall be brought before the courts of the Member State in which the authority against which the judicial remedy is sought is located.

Amendment

(2) Proceedings pursuant to this Article shall be brought before the courts of the Member State in which the authority against which the judicial remedy is sought is located ***individually or by the representatives of one or more natural persons.***

Or. en

Justification

Alignment with existing practice on representation.

Amendment 667

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Chapter V a (new)

Text proposed by the Commission

Amendment

V a A governance for common European data spaces

Article 25

a Design Principles for common European data spaces

(1) The design of European data spaces should follow following principles;

(i) The capability of a natural person or organisation for exclusive self-determination with regards to her personal data or its economic data goods.

(ii) New entrants shall face no insurmountable barriers to entry because of monopolistic situations. Entry to data spaces is open to every actor that complies with its rules. Every actor is also free to exit from data space, subject to reasonable exit plan.

(iii) The data spaces shall be a federated architecture and/or a collection of interoperable implementations of decentralised systems which comply to a unified set of agreements in all dimensions; functional, technical, operational, legal and economic.

(iv) All stakeholders in a data space shall be accordingly represented and engaged in the governance of the data space.

(2) The data spaces and the sharing of data within the space shall be cybersecurity by design and according to union law;

(3) The data space should appoint a representative to represent the space at Data Innovation Board and/or Exchange Board.

Or. en

Amendment 668

Zdzisław Krasnodębski, Elżbieta Kruk, Pietro Fiocchi

Proposal for a regulation

Article 26

Text proposed by the Commission

Amendment

Article 26

deleted

European Data Innovation Board

(1) The Commission shall establish a European Data Innovation Board (“the Board”) in the form of an Expert Group, consisting of the representatives of competent authorities of all the Member States, the European Data Protection Board, the Commission, relevant data spaces and other representatives of competent authorities in specific sectors.

(2) Stakeholders and relevant third parties may be invited to attend meetings of the Board and to participate in its work.

(3) The Commission shall chair the meetings of the Board.

(4) The Board shall be assisted by a secretariat provided by the Commission.

Or. en

Justification

The tasks proposed in this chapter should be entrusted to an already existing advisory expert group, namely 'European Multi-Stakeholder Platform on ICT standardisation' by broadening its competences and eventual changing its name to a European Data innovation Board.

Amendment 669

Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation **Article 26 – paragraph 1**

Text proposed by the Commission

(1) The Commission shall establish a European Data Innovation Board (“the Board”) ***in the form of an Expert Group***, consisting of the representatives of competent authorities of all the Member States, the European Data Protection Board, the Commission, relevant data spaces and other representatives of competent authorities in specific sectors.

Amendment

(1) The Commission shall establish a European Data Innovation Board (“the Board”), consisting of the representatives of competent authorities of all the Member States, the European Data Protection Board, the Commission, relevant data spaces ***the representative of data space support center***, and other representatives of competent authorities in specific sectors, ***and standardisation organisations.***

Or. en

Amendment 670

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragos Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Susana Solís Pérez

Proposal for a regulation

Article 26 – paragraph 1

Text proposed by the Commission

(1) The Commission shall establish a European Data Innovation Board (“the Board”) in the form of an Expert Group, consisting of the representatives of competent authorities of all the Member States, the European Data Protection Board, the Commission, **relevant data spaces** and other representatives of competent authorities in specific sectors.

Amendment

(1) The Commission shall establish a European Data Innovation Board (“the Board”) in the form of an Expert Group, consisting of the representatives of competent authorities of all the Member States, the European Data Protection Board, the Commission, **the EU SME Envoy or a representative appointed by the network of SME envoys** and other representatives of **relevant Agencies or** competent authorities in specific sectors.

Or. en

Amendment 671

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 26 – paragraph 1

Text proposed by the Commission

(1) The Commission shall establish a European Data Innovation Board (“the Board”) in the form of an Expert Group, consisting of the representatives of competent authorities of all the Member States, the European Data Protection Board, the Commission, **relevant data spaces** and other representatives of competent authorities in specific sectors.

Amendment

(1) The Commission shall establish a European Data Innovation Board (“the Board”) in the form of an Expert Group, consisting of the representatives of competent authorities of all the Member States, the European Data Protection Board, the Commission, **European social partners, civil society organisations** and other representatives of competent authorities in specific sectors.

Or. en

Amendment 672

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 26 – paragraph 1

Text proposed by the Commission

(1) The Commission shall establish a European Data Innovation Board (“the Board”) **in the form of an Expert Group**, consisting of the representatives of competent authorities of all the Member States, the European Data Protection Board, the Commission, relevant data spaces and other representatives of competent authorities in specific sectors.

Amendment

(1) The Commission shall establish a European Data Innovation Board (“the Board”), consisting of the representatives of competent authorities of all the Member States, the European Data Protection Board, the Commission, relevant data spaces and other representatives of competent authorities in specific sectors , **as well as standardisation organisations.**

Or. en

Justification

The Board can benefit from wider participation.

Amendment 673

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 26 – paragraph 1

Text proposed by the Commission

(1) The Commission shall establish a European Data Innovation Board (“the Board”) in the form of an Expert Group, consisting of the representatives of competent authorities of all the Member States, the European Data Protection Board, the Commission, relevant data spaces and other representatives of **competent authorities** in specific sectors.

Amendment

(1) The Commission shall establish a European Data Innovation Board (“the Board”) in the form of an Expert Group, consisting of the representatives of competent authorities of all the Member States, the European Data Protection Board, the Commission, relevant data spaces and other representatives of **relevant stakeholders** in specific sectors.

Or. en

Amendment 674

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 26 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(1 a) The composition shall guarantee a fair distribution of the different third parties between public actors including the Commission, private actors as well as civil society and social partners;

Or. en

Amendment 675

Angelika Niebler, Adam Jarubas, Jerzy Buzek

Proposal for a regulation

Article 26 – paragraph 2

Text proposed by the Commission

Amendment

(2) Stakeholders and **relevant** third parties **may be** invited to attend meetings of the Board and to participate in its work.

(2) The Board shall establish a Data Innovation Advisory Council (the “Advisory Council”). The Advisory Council shall be composed of relevant representatives from industry, SMEs, research, standardisation organisations and other relevant stakeholders and third parties invited from all Member States to maintain geographically balanced representativeness. The Advisory Council shall nominate a representative to attend meetings of the Board and to participate in its work.

Or. en

Amendment 676

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation
Article 26 – paragraph 2

Text proposed by the Commission

(2) Stakeholders **and relevant** third parties **may be invited** to attend meetings of the Board and to participate in its work.

Amendment

(2) **The Board shall establish a Data Innovation Advisory Council (the “Advisory Council”). The Advisory Council shall be proportionally composed of a number between 15 to 30 representatives from industry including SMEs, research, civils society, standardisation organisations and other relevant stakeholders or third parties appointed by the Board. The Advisory Council shall nominate a representative to attend meetings of the Board and to participate in its work.**

Or. en

Justification

Introducing an Advisory Council and clarifying its membership.

Amendment 677

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragoș Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer, Susana Solís Pérez

Proposal for a regulation
Article 26 – paragraph 2

Text proposed by the Commission

(2) Stakeholders and relevant third parties **may** be invited to attend meetings of the Board and to participate in its work.

Amendment

(2) Stakeholders and relevant third parties, **including representatives of national, trans-national or Common European data spaces, businesses, researchers, civil society shall** be invited **regularly** to attend meetings of the Board and to participate in its work.

Or. en

Amendment 678
Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation
Article 26 – paragraph 2

Text proposed by the Commission

(2) Stakeholders and relevant third parties **may** be invited to attend meetings of the Board and to participate in its work.

Amendment

(2) Stakeholders, ***civil society organisations*** and relevant third parties, ***including SME representatives and social partners, shall*** be invited to attend meetings of the Board and to participate in its work, ***where relevant***.

Or. en

Amendment 679
Cyrus Engerer

Proposal for a regulation
Article 26 – paragraph 2

Text proposed by the Commission

(2) Stakeholders and relevant third parties **may** be invited to attend meetings of the Board and to participate in its work.

Amendment

(2) Stakeholders, ***civil society organisations*** and relevant third parties, ***including SME representatives and social partners, shall*** be invited to attend meetings of the Board and to participate in its work, ***where relevant***.

Or. en

Amendment 680
Marisa Matias
on behalf of the The Left Group

Proposal for a regulation
Article 26 – paragraph 2

Text proposed by the Commission

(2) Stakeholders and relevant third

Amendment

(2) Stakeholders and relevant third

parties may be invited to attend meetings of the Board and to participate in its work.

parties may be invited to attend meetings of the Board and to participate in its work ***provided a public report of their communication to the Board.***

Or. en

Amendment 681

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 26 – paragraph 2

Text proposed by the Commission

(2) Stakeholders and relevant third parties ***may*** be invited to attend meetings of the Board and to participate in its work.

Amendment

(2) Stakeholders and relevant third parties ***shall*** be invited to attend meetings of the Board and to participate in its work.

Or. en

Amendment 682

Cyrus Engerer

Proposal for a regulation

Article 26 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(2 a) The Commission shall ensure a balanced composition of the invitations of stakeholders to participate in the work of the Board, accounting for gender as well as geographical diversity, and made up of members with diverse industrial backgrounds, with a well thought out selection process.

Or. en

Amendment 683

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation
Article 26 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(2 a) The Commission shall ensure a balanced composition of the invitations of stakeholders to participate in the work of Board, accounting for gender as well as geographical diversity, and made up of members with diverse industrial backgrounds, with a well thought out selection process.

Or. en

Amendment 684

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Dragoș Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer, Susana Solís Pérez

Proposal for a regulation
Article 26 – paragraph 3

Text proposed by the Commission

Amendment

(3) The Commission shall chair the meetings of the Board.

(3) The Commission shall chair the meetings of the Board ***which may be conducted in different configurations, depending on the subjects to be discussed.***

Or. en

Amendment 685

Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 26 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(4 a) The selection of the Board and the members of the Advisory Council shall be

made based on gender balanced nominations and with a view of achieving gender balance in the representation.

Or. en

Justification

Introducing gender mainstreaming provisions.

Amendment 686

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 26 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(4 a) The data protection supervisory authorities established under national and Union law are the “competent authority”, insofar as the processing of personal data is concerned.

Or. en

Amendment 687

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 26 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

(4 a) The Board's deliberations and, where relevant, documents shall be made public.

Or. en

Amendment 688

Dace Melbārde
on behalf of the ECR Group
Evžen Tošenovský

Proposal for a regulation
Article 27 – title

Text proposed by the Commission

Tasks of the Board

Amendment

Tasks of the *European Data Innovation*
Board

Or. en

Amendment 689
Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation
Article 27 – paragraph 1 – point -a (new)

Text proposed by the Commission

Amendment

(-a) to assist and advise the Commission and the emerging data spaces on how to enable the interoperability, and if possible, scalability, of the emerging data spaces within the Union. This assistance could include assistance on agreeing principles on soft infrastructure (standards) as well as assistance on how to get the best out of the financial help under Digital Europe Programme.

Or. en

Amendment 690
Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation
Article 27 – paragraph 1 – point -a a (new)

Text proposed by the Commission

Amendment

(-a a) to advise and assist the Commission on a soft infrastructure with data sovereignty as key design principle, to form a set of agreements enabling a unified way for control over data

Or. en

Amendment 691

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 27 – paragraph 1 – point b

Text proposed by the Commission

(b) to advise and assist the Commission in developing a consistent practice of the competent authorities in the application of requirements applicable to data sharing providers;

Amendment

(b) to advise and assist the Commission in developing a consistent practice of the competent authorities in the application of requirements applicable to data sharing providers *as well as entities carrying out activities in relation to data altruism*;

Or. en

Amendment 692

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragoş Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer, Susana Solís Pérez

Proposal for a regulation

Article 27 – paragraph 1 – point b

Text proposed by the Commission

(b) to advise and assist the Commission in developing a consistent practice of the competent authorities in the application of requirements applicable to data sharing providers;

Amendment

(b) to advise and assist the Commission in developing a consistent practice of the competent authorities in the application of requirements applicable to data sharing providers *and data altruism organisations*;

Or. en

Amendment 693

Angelika Niebler, Pilar del Castillo Vera, Tom Berendsen, Dan-Ştefan Motreanu, Eva Maydell, Franc Bogovič, Marion Walsmann, Jens Gieseke, Henna Virkkunen, Adam Jarubas, Seán Kelly, Maria da Graça Carvalho, Ivan Štefanec, Cristian-Silviu Buşoi, Ioan-Rareş Bogdan

Proposal for a regulation

Article 27 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) to advise and assist the Commission in developing consistent guidelines on how to best protect, in the context of this Regulation, commercially sensitive data of non-personal nature, notably trade secrets, but also non-personal data representing content protected by intellectual property rights from unlawful access that may lead to IP theft or industrial espionage.

Or. en

Amendment 694

Elena Lizzi, Paolo Borchia, Isabella Tovaglieri, Gianna Gancia, Joëlle Mélin

Proposal for a regulation

Article 27 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) to advise and assist the Commission in developing consistent guidelines for increase a data literacy and that looks at the technology transfer from research, thanks to an expansion of the resources available to those involved in data literacy training, associations, cooperatives and in general to innovation brokers.

Or. en

Amendment 695

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation
Article 27 – paragraph 1 – point c

Text proposed by the Commission

(c) to advise the Commission on the prioritisation of cross-sector standards to be used and developed for data use and cross-sector data sharing, cross-sectoral comparison and exchange of best practices with regards to sectoral requirements for security, access procedures, while taking into account sector-specific standardisations activities;

Amendment

(c) to advise the Commission on the prioritisation of cross-sector standards to be used and developed for data use and cross-sector data sharing ***between emerging data spaces***, cross-sectoral comparison and exchange of best practices with regards to sectoral requirements for security, access procedures, while taking into account sector-specific standardisations activities ***in particular in clarifying and distinguishing which standards and practices are cross-sectoral and which are sectoral;***

Or. en

Amendment 696
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 27 – paragraph 1 – point c

Text proposed by the Commission

(c) to advise the Commission on the prioritisation of cross-sector standards to be used and developed for data use and cross-sector data sharing, cross-sectoral comparison and exchange of best practices with regards to sectoral requirements for security, access procedures, while taking into account sector-specific standardisations activities;

Amendment

(c) to advise the Commission on the prioritisation of cross-sector standards to be used and developed for data use and cross-sector data sharing, cross-sectoral comparison and exchange of best practices with regards to sectoral requirements for security, access procedures, while taking into account sector-specific standardisations activities, ***in particular in clarifying and distinguishing which standards and practices are cross-sectoral and which are sectoral;***

Or. en

Justification

Increasing the clarity of the text.

Amendment 697

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 27 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) to collaborate with sectoral boards and expert groups which may be established in establishing data spaces to perform similar but sector specific tasks defined in (a) – (e) for The Board for cross-sectoral data sharing.

Or. en

Amendment 698

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 27 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) to assist the Commission in enhancing the interoperability of data as well as data sharing services between different sectors and domains, building on existing European, international or national standards;

(d) to assist the Commission in enhancing the interoperability of data as well as data sharing services between different sectors and domains, building on existing European, international or national standards ***and to assist and advice the EU institutions and the emerging data spaces, including on financial assistance through European programmes such as the Digital Europe Programme;***

Or. en

Justification

Increasing synergies in Union initiatives.

Amendment 699

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragos Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Susana Solís Pérez

Proposal for a regulation

Article 27 – paragraph 1 – point d

Text proposed by the Commission

(d) to assist the Commission in enhancing the interoperability of data as well as data sharing services between different sectors and domains, building on existing European, international or national standards;

Amendment

(d) to assist the Commission in ***addressing fragmentation of the data economy in the single market by*** enhancing the interoperability of data as well as data sharing services between different sectors and domains, building on existing European, international or national standards, ***inter alia with the aim of encouraging the creation of Common European data spaces;***

Or. en

Amendment 700

Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation

Article 27 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) establish a permanent sub group called the Data Exchange Board (“the DEB”) in the form of an expert group consisting of actors that have a direct interest in the establishment, governance, and adoption of a standardised approach to data sharing and exchange with the help of European data spaces and to support it in defining the interoperability measures for the data intermediaries. These actors should be researchers, practitioners, and public and private initiatives for data sharing and exchange.

Amendment 701

Elena Lizzi, Paolo Borchia, Isabella Tovaglieri, Gianna Gancia, Joëlle Mélin

Proposal for a regulation

Article 27 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) In addition, it should assist the Commission in defining policies and strategies with the aim of avoiding any cases of data manipulation and the creation of "false data", which could cause serious damage to various sectors. With reference to 'false data', the Board could evaluate the possibility of creating a "data passport" containing certified or certifiable data, in order to exclude any attempt to falsify the data.

Or. en

Amendment 702

Eva Kaili

Proposal for a regulation

Article 27 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) to maintain a registry of applications and use cases that demonstrate the value of data sharing, contributing to a level playing field and enabling participating stakeholders to identify which data assets to share for and the corresponding objectives of the exchange scheme;

Or. en

Amendment 703

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Dragoș Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Susana Solís Pérez

**Proposal for a regulation
Article 27 – paragraph 1 – point d a (new)**

Text proposed by the Commission

Amendment

(d a) To advise the Member States and the Commission on the possibility to set harmonised conditions allowing for re-use of data referred to in Article 3 (1) held by public sector bodies across the single market;

Or. en

**Amendment 704
Dace Melbārde**
on behalf of the ECR Group
Evžen Tošenovský

**Proposal for a regulation
Article 27 – paragraph 1 – point d a (new)**

Text proposed by the Commission

Amendment

(d a) to advise and assist the Commission in developing consistent guidelines for cybersecurity requirements for the exchange and storage of data;

Or. en

**Amendment 705
Miapetra Kumpula-Natri**
on behalf of the S&D Group

**Proposal for a regulation
Article 27 – paragraph 1 – point d b (new)**

Text proposed by the Commission

Amendment

(d b) The data innovation board shall task the permanent Data Exchange Board to detail, maintain and adopt the

agreements, that will ultimately define the soft infrastructure. The DEP shall also leverage all existing technological developments and collect the input from all stakeholders (data space users, data intermediaries, technology providers, public sector, etc.).

Or. en

Amendment 706
Eva Kaili

Proposal for a regulation
Article 27 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(d b) to advise the Commission on the improvement of funding of use cases through mechanisms such as Horizon Europe and the Digital Europe Programme, building on the knowledge gathered from the applications and use cases within its registry;

Or. en

Amendment 707
Eva Kaili

Proposal for a regulation
Article 27 – paragraph 1 – point d c (new)

Text proposed by the Commission

Amendment

(d c) to advise the Commission in providing guidance to Member States on the contractual arrangements, rights and responsibilities for data sharing;

Or. en

Amendment 708

Angelika Niebler, Pilar del Castillo Vera, Tom Berendsen, Dan-Ștefan Motreanu, Eva Maydell, Franc Bogovič, Marion Walsmann, Jens Gieseke, Henna Virkkunen, Adam Jarubas, Seán Kelly, Maria da Graça Carvalho, Ivan Štefanec, Cristian-Silviu Bușoi, Ioan-Rareș Bogdan

Proposal for a regulation

Article 27 – paragraph 1 – point e

Text proposed by the Commission

(e) to facilitate the cooperation between national competent authorities under this Regulation through capacity-building and the exchange of information, in particular by establishing methods for the efficient exchange of information relating to the notification procedure for data sharing service providers and the registration and monitoring of recognised data altruism organisations.

Amendment

(e) to facilitate the cooperation between national competent authorities, **the Commission and other European and international bodies** under this Regulation through capacity-building and the exchange of information, in particular by establishing methods for the efficient exchange of information relating to the notification procedure for data sharing service providers and the registration and monitoring of recognised data altruism organisations.

Or. en

Amendment 709

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 27 – paragraph 1 – point e

Text proposed by the Commission

(e) to facilitate the cooperation between national competent authorities under this Regulation through capacity-building and the exchange of information, in particular by establishing methods for the efficient exchange of information relating to the notification procedure for data sharing service providers and the registration and monitoring of recognised data altruism organisations.

Amendment

(e) to facilitate the cooperation between national competent authorities **and, where relevant, European and international bodies** under this Regulation through capacity-building and the exchange of information, in particular by establishing methods for the efficient exchange of information relating to the notification procedure for data sharing service providers and the registration and monitoring of recognised data altruism organisations.

Amendment 710

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 27 – paragraph 1 – point e

Text proposed by the Commission

(e) to facilitate the cooperation between national competent authorities under this Regulation through capacity-building and the exchange of information, in particular by establishing methods for the efficient exchange of information relating to the notification procedure for data sharing service providers and the registration and monitoring of **recognised** data altruism organisations.

Amendment

(e) to facilitate the cooperation between national competent authorities under this Regulation through capacity-building and the exchange of information, in particular by establishing methods for the efficient exchange of information relating to the notification procedure for data sharing service providers and the registration and monitoring of **authorised** data altruism organisations.

Or. en

Justification

Change needed for consistency.

Amendment 711

Miapetra Kumpula-Natri

on behalf of the S&D Group

Proposal for a regulation

Article 27 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(e a) The advise the European Commission on data protection matters and the development of consistent practices related to the processing of personal data that do not fall within the competences attributed to the European Data Innovation Board.

Or. en

Amendment 712

Zdzisław Krasnodebski, Evžen Tošenovský, Elżbieta Kruk, Pietro Fiocchi

Proposal for a regulation

Article 27 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(e a) to facilitate cooperation between Member States in relation to the rules on penalties laid down by the Member States pursuant to Article 31 and to issue recommendations as regards the harmonisation of those penalties across the Union.

Or. en

Justification

Harmonisation of penalties and even establishment of a European system of penalties would prevent fragmentation of the common market and abuse of the system in countries setting unjustified low penalties.

Amendment 713

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragoş Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer, Susana Solís Pérez

Proposal for a regulation

Article 27 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(e a) to advise the Commission in the decision of adopting implementing acts referred to in article 5 (9);

Or. en

Amendment 714

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragoş Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer, Susana Solís Pérez

Proposal for a regulation
Article 27 – paragraph 1 – point e b (new)

Text proposed by the Commission

Amendment

(e b) to assist the Commission in the discussions conducted at bilateral, plurilateral or multilateral level with third countries aimed at improving the regulatory environment for non-personal data, including standardisation, at global level;

Or. en

Amendment 715
Evžen Tošenovský, Zdzisław Krasnodębski, Jessica Stegrud

Proposal for a regulation
Article 28

Text proposed by the Commission

Amendment

Article 28

deleted

Exercise of the Delegation

(1) The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

(2) The power to adopt delegated acts referred to in Article 5 (11) shall be conferred on the Commission for an indeterminate period of time from [...].

(3) The delegation of power referred to in Article 5 (11) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

(4) Before adopting a delegated act, the Commission shall consult experts

designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

(5) As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

(6) A delegated act adopted pursuant to Article 5 (11) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of three months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by three months at the initiative of the European Parliament or of the Council.

Or. en

Amendment 716

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 28 – paragraph 6

Text proposed by the Commission

(6) A delegated act adopted pursuant to Article 5 (11) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of three months of notification of that act to the European Parliament and to the Council ***or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object.*** That period shall be extended by three months at the initiative of the European Parliament or of the Council.

Amendment

(6) A delegated act adopted pursuant to Article 5 (11) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of three months of notification of that act to the European Parliament and to the Council. That period shall be extended by three months at the initiative of the European Parliament or of the Council.

Amendment 717

Zdzisław Krasnodębski, Evžen Tošenovský, Elżbieta Kruk, Pietro Fiocchi

Proposal for a regulation

Article 29 – paragraph 2

Text proposed by the Commission

(2) Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

Amendment

(2) Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Or. en

Justification

The nature of this Regulation and its potentially significant impact requires to substitute the proposed advisory procedure with an examination procedure

Amendment 718

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

(1) The public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing provider or the entity entered in the register of recognised data altruism organisations, as the case may be, shall take all reasonable technical, legal and organisational measures in order to **prevent** transfer or access to non-personal data held in the Union **where such transfer or access would create a conflict with Union law or the law of the relevant Member State, unless the transfer or access are in line with paragraph 2 or 3.**

Amendment

(1) The public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing provider or the entity entered in the register of recognised data altruism organisations, as the case may be, shall take all reasonable technical, legal and organisational measures in order to **forbid** transfer or access to non-personal data held in the Union.

Or. en

Amendment 719

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

(1) The public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing provider or the entity entered in the register of **recognised** data altruism organisations, as the case may be, shall take all reasonable technical, legal and organisational measures in order to prevent transfer or access to non-personal data held in the Union where such transfer or access would create a conflict with Union law or the law of the relevant Member State, unless the transfer or access are in line with paragraph 2 or 3.

Amendment

(1) The public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing provider or the entity entered in the register of **authorised** data altruism organisations, as the case may be, shall take all reasonable technical, legal and organisational measures in order to prevent transfer or access to non-personal data held in the Union where such transfer or access would create a conflict with Union law or the law of the relevant Member State, unless the transfer or access are in line with paragraph 2 or 3.

Or. en

Justification

Change needed for consistency.

Amendment 720

Christophe Grudler, Valérie Hayer, Dragoş Pîslaru, Sylvie Brunet, Sandro Gozi, Stéphanie Yon-Courtin, Catherine Chabaud

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

(1) The public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing provider or the entity entered in the register of recognised data altruism organisations, as the case may be, shall take all reasonable technical, legal and organisational measures in order to prevent

Amendment

(1) The public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing provider or the entity entered in the register of recognised data altruism organisations, as the case may be, shall take all reasonable technical, legal and organisational measures in order to prevent

transfer or access to non-personal data held in the Union where such transfer or access would create a conflict with Union law or the law of the relevant Member State, ***unless the transfer or access are in line with*** paragraph 2 or 3.

transfer or access to non-personal data held in the Union where such transfer or access would create a conflict with Union law or the law of the relevant Member State, ***without prejudice to*** paragraph 2 or 3.

Or. en

Amendment 721

Elena Lizzi, Paolo Borchia, Isabella Tovaglieri, Gianna Gancia, Joëlle Mélin

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

(1) The public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing provider or the entity entered in the register of recognised data altruism organisations, as the case may be, shall take all reasonable technical, legal and organisational measures in order to prevent transfer or access to non-personal data held in the Union where such transfer or access would create a conflict with Union law or the law of the relevant Member State, ***unless the transfer or access are in line with paragraph 2 or 3.***

Amendment

(1) The public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing provider or the entity entered in the register of recognised data altruism organisations, as the case may be, shall take all reasonable technical, legal and organisational measures in order to prevent transfer or access to non-personal ***sensitive*** data held in the Union where such transfer or access would create a conflict with Union law or the law of the relevant Member State ***prohibiting such*** transfer or access.

Or. en

Amendment 722

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 30 – paragraph 2

Text proposed by the Commission

(2) Any judgment of a court or tribunal and any decision of an administrative authority of a third country requiring a

Amendment

(2) Any judgment of a court or tribunal and any decision of an administrative authority of a third country requiring a

public sector body, a natural or legal person to which the right to re-use data was granted under Chapter 2, a data sharing provider or entity entered in the register of **recognised** data altruism organisations to transfer from or give access to non-personal data subject to this Regulation in the Union may only be recognised or enforceable in any manner if based on an international agreement, such as a mutual legal assistance treaty, in force between the requesting third country and the Union or any such agreement between the requesting third country and a Member State concluded before [the entry into force of this Regulation].

public sector body, a natural or legal person to which the right to re-use data was granted under Chapter 2, a data sharing provider or entity entered in the register of **authorised** data altruism organisations to transfer from or give access to non-personal data subject to this Regulation in the Union may only be recognised or enforceable in any manner if based on an international agreement, such as a mutual legal assistance treaty, in force between the requesting third country and the Union or any such agreement between the requesting third country and a Member State concluded before [the entry into force of this Regulation].

Or. en

Justification

Change needed for consistency.

Amendment 723

Christophe Grudler, Valérie Hayer, Dragoş Pîslaru, Sylvie Brunet, Sandro Gozi, Stéphanie Yon-Courtin, Catherine Chabaud

Proposal for a regulation

Article 30 – paragraph 3 – introductory part

Text proposed by the Commission

(3) Where a public sector body, a natural or legal person to which the right to re-use data was granted under Chapter 2, a data sharing provider or entity entered in the register of recognised data altruism organisations is the addressee of a decision of a court or of an administrative authority of a third country to transfer from or give access to non-personal data held in the Union and compliance with such a decision would risk putting the addressee in conflict with Union law or with the law of the relevant Member State, transfer to or access to such data by that third-country authority shall take place only:

Amendment

(3) ***In the absence of such an international agreement***, where a public sector body, a natural or legal person to which the right to re-use data was granted under Chapter 2, a data sharing provider or entity entered in the register of recognised data altruism organisations is the addressee of a decision of a court or of an administrative authority of a third country to transfer from or give access to non-personal data held in the Union and compliance with such a decision would risk putting the addressee in conflict with Union law or with the law of the relevant Member State, transfer to or access to such data by that third-country authority shall

take place only:

Or. en

Justification

The use of the procedures foreseen in Mutual Legal Assistance Treaties must be generalized in Government access requests to ensure the protection of concerned parties' fundamental rights.

Amendment 724

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 30 – paragraph 3 – introductory part

Text proposed by the Commission

(3) Where a public sector body, a natural or legal person to which the right to re-use data was granted under Chapter 2, a data sharing provider or entity entered in the register of **recognised** data altruism organisations is the addressee of a decision of a court or of an administrative authority of a third country to transfer from or give access to non-personal data held in the Union and compliance with such a decision would risk putting the addressee in conflict with Union law or with the law of the relevant Member State, transfer to or access to such data by that third-country authority shall take place only:

Amendment

(3) Where a public sector body, a natural or legal person to which the right to re-use data was granted under Chapter 2, a data sharing provider or entity entered in the register of **authorised** data altruism organisations is the addressee of a decision of a court or of an administrative authority of a third country to transfer from or give access to non-personal data held in the Union and compliance with such a decision would risk putting the addressee in conflict with Union law or with the law of the relevant Member State, transfer to or access to such data by that third-country authority shall take place only:

Or. en

Justification

Change needed for consistency.

Amendment 725

Christophe Grudler, Valérie Hayer, Dragoş Pîslaru, Sylvie Brunet, Sandro Gozi, Stéphanie Yon-Courtin, Catherine Chabaud

Proposal for a regulation

Article 30 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The addressee of the decision **shall** ask the opinion of the relevant competent bodies or authorities, pursuant to this Regulation, in order to determine if these conditions are met.

Amendment

The addressee of the decision **may** ask the opinion of the relevant competent bodies or authorities, pursuant to this Regulation, in order to determine if these conditions are met. ***The relevant competent bodies shall exchange information on international access requests in the framework of the European Data Innovation Board.***

Or. en

Amendment 726

Dace Melbārde

on behalf of the ECR Group

Evžen Tošenovský

Proposal for a regulation

Article 30 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The addressee of the decision **shall** ask the opinion of the relevant competent bodies or authorities, pursuant to this Regulation, in order to determine if these conditions are met.

Amendment

The addressee of the decision **may** ask the opinion of the relevant competent bodies or authorities, pursuant to this Regulation, in order to determine if these conditions are met.

Or. en

Amendment 727

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 30 – paragraph 4

Text proposed by the Commission

(4) If the conditions in paragraph 2, or 3 are met, the public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2,

Amendment

(4) If the conditions in paragraph 2, or 3 are met, the public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2,

the data sharing provider or the entity entered in the register of recognised data altruism organisations, as the case may be, shall, provide the minimum amount of data permissible in response to a request, based on a reasonable interpretation of the request.

the data sharing provider or the entity entered in the register of recognised data altruism organisations, as the case may be, shall, provide the minimum amount of *non-personal* data permissible in response to a request, based on a reasonable interpretation of the request.

Or. en

Amendment 728

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 30 – paragraph 4

Text proposed by the Commission

(4) If the conditions in paragraph 2, or 3 are met, the public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing provider or the entity entered in the register of *recognised* data altruism organisations, as the case may be, shall, provide the minimum amount of data permissible in response to a request, based on a reasonable interpretation of the request.

Amendment

(4) If the conditions in paragraph 2, or 3 are met, the public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing provider or the entity entered in the register of *authorised* data altruism organisations, as the case may be, shall, provide the minimum amount of data permissible in response to a request, based on a reasonable interpretation of the request.

Or. en

Justification

Change needed for consistency.

Amendment 729

Christophe Grudler, Valérie Hayer, Dragoş Pîslaru, Sylvie Brunet, Sandro Gozi, Stéphanie Yon-Courtin, Catherine Chabaud

Proposal for a regulation

Article 30 – paragraph 5

Text proposed by the Commission

Amendment

(5) The public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing provider and the entity providing data altruism shall inform the data holder about the existence of a request of an administrative authority in a third-country to access its data, except in cases where the request serves law enforcement purposes and for as long as this is necessary to preserve the effectiveness of the law enforcement activity.

(5) The public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing provider and the entity providing data altruism shall inform the data **subject or the data** holder about the existence of a request of an administrative authority in a third-country to access its data **before complying to the request**, except in cases where the request serves law enforcement purposes and for as long as this is necessary to preserve the effectiveness of the law enforcement activity.

Or. en

Amendment 730

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation

Article 30 – paragraph 5

Text proposed by the Commission

(5) The public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing provider and the entity providing **data altruism** shall inform the data holder about the existence of a request of an administrative authority in a third-country to access its data, except in cases where the request serves law enforcement purposes and for as long as this is necessary to preserve the effectiveness of the law enforcement activity.

Amendment

(5) The public sector body, the natural or legal person to which the right to re-use data was granted under Chapter 2, the data sharing **services** provider and the entity providing **voluntary data sharing in the public interest** shall inform the data holder about the existence of a request of an administrative authority in a third-country to access its data, except in cases where the request serves law enforcement purposes and for as long as this is necessary to preserve the effectiveness of the law enforcement activity.

Or. en

Justification

Change needed for consistency.

Amendment 731

Miapetra Kumpula-Natri
on behalf of the S&D Group

Proposal for a regulation
Article 31 – paragraph 1

Text proposed by the Commission

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of those rules and measures by [date of application of the Regulation] and shall notify the Commission without delay of any subsequent amendment affecting them.

Amendment

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of those rules and measures by [date of application of the Regulation] and shall notify the Commission without delay of any subsequent amendment affecting them. ***For those who infringe the provisions on data altruism, Member States may impose financial sanctions.***

Or. en

Amendment 732

Zdzisław Krasnodębski, Evžen Tošenovský, Elżbieta Kruk, Pietro Fiocchi

Proposal for a regulation
Article 31 – paragraph 1

Text proposed by the Commission

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of those rules and measures by [date of application of the Regulation] and shall notify the Commission without delay of any subsequent amendment affecting them.

Amendment

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. ***The penalties system shall be based on the recommendations from the European Data Innovation Board.*** Member States shall notify the Commission of those rules and measures by [date of application of the Regulation] and shall notify the Commission without delay of any subsequent amendment affecting them.

Justification

Harmonisation of penalties would prevent fragmentation of the common market and abuse of the system in countries setting unjustified low penalties.

Amendment 733**Damian Boeselager**

on behalf of the Greens/EFA Group

Proposal for a regulation**Article 31 – paragraph 1***Text proposed by the Commission*

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of those rules and measures by [date of application of the Regulation] and shall notify the Commission without delay of any subsequent amendment affecting them.

Amendment

By 31st December 2021 the Commission shall adopt an implementing act developing a common penalties system applicable to infringements of this Regulation, complementing the provisions of GDPR or other applicable acts. The implementing act shall be adopted in accordance with the advisory procedure referred to in Article 29 (2).

Justification

This measure is needed to avoid forum shopping and ensure harmonisation.

Amendment 734**Antonio Tajani, Andrea Caroppo, Salvatore De Meo, Aldo Patriciello, Massimiliano Salini****Proposal for a regulation****Article 32 – paragraph 1***Text proposed by the Commission*

By [**four** years after the **data** of application of this Regulation], the Commission shall carry out an evaluation of this Regulation,

Amendment

By [**two** years after the **date** of application of this Regulation], the Commission shall carry out an evaluation of this Regulation,

and submit a report on its main findings to the European Parliament and to the Council as well as to the European Economic and Social Committee. Member States shall provide the Commission with the information necessary for the preparation of that report.

and submit a report on its main findings to the European Parliament and to the Council as well as to the European Economic and Social Committee **and all other relevant stakeholders**. Member States, **data intermediaries, industrial associations and all the other relevant stakeholders** shall provide the Commission with the information necessary for the preparation of that report.

Or. en

Justification

We expect a swift implementation for the Data Governance Regulation in order also to reach an effective digital single market in due time. The subsequent review process (feedback mechanism) and the publication of periodic reports must also involve the industrial associations and businesses directly as they are primary stakeholders, in order to further improve the Regulation if and where needed.

Amendment 735

Marisa Matias

on behalf of the The Left Group

Proposal for a regulation

Article 32 – paragraph 1

Text proposed by the Commission

By [**four** years after the data of application of this Regulation], the Commission shall carry out an evaluation of this Regulation, and submit a report on its main findings to the European Parliament and to the Council as well as to the European Economic and Social Committee. Member States shall provide the Commission with the information necessary for the preparation of that report.

Amendment

By [**two** years after the data of application of this Regulation], the Commission shall carry out an evaluation of this Regulation, and submit a report on its main findings to the European Parliament and to the Council as well as to the European Economic and Social Committee, **DPAs and the European Data Protection Board (EDPB)**. Member States shall provide the Commission with the information necessary for the preparation of that report.

Or. en

Amendment 736

Damian Boeselager

on behalf of the Greens/EFA Group

Proposal for a regulation
Article 32 – paragraph 1

Text proposed by the Commission

By [**four** years after the data of application of this Regulation], the Commission shall carry out an evaluation of this Regulation, and submit a report on its main findings to the European Parliament and to the Council as well as to the European Economic and Social Committee. Member States shall provide the Commission with the information necessary for the preparation of that report.

Amendment

By [**three** years after the data of application of this Regulation], the Commission shall carry out an evaluation of this Regulation, and submit a report on its main findings to the European Parliament and to the Council as well as to the European Economic and Social Committee. Member States shall provide the Commission with the information necessary for the preparation of that report.

Or. en

Justification

Given the interplay with existing act and announced initiatives, the review need to identify quicker the potential for improvement and alignment.

Amendment 737

Nicola Danti, Ivars Ijabs, Andrus Ansip, Klemen Grošelj, Martina Dlabajová, Dragoş Pîslaru, Iskra Mihaylova, Christophe Grudler, Sandro Gozi, Bart Groothuis, Valérie Hayer, Susana Solís Pérez

Proposal for a regulation
Article 32 – paragraph 1

Text proposed by the Commission

By [**four** years after the data of application of this Regulation], the Commission shall carry out an evaluation of this Regulation, and submit a report on its main findings to the European Parliament and to the Council as well as to the European Economic and Social Committee. Member States shall provide the Commission with the information necessary for the preparation of that report.

Amendment

By [**two** years after the data of application of this Regulation], the Commission shall carry out an evaluation of this Regulation, and submit a report on its main findings to the European Parliament and to the Council as well as to the European Economic and Social Committee. Member States shall provide the Commission with the information necessary for the preparation of that report.

Or. en

Amendment 738
Damian Boeselager
on behalf of the Greens/EFA Group

Proposal for a regulation
Article 34 – paragraph 1

Text proposed by the Commission

Entities providing the data sharing services provided in Article 9(1) on the date of entry into force of this Regulation shall comply with the obligations set out in Chapter III by [date - **2 years** after the start date of the application of the Regulation] at the latest.

Amendment

Entities providing the data sharing services provided in Article 9(1) on the date of entry into force of this Regulation shall comply with the obligations set out in Chapter III by [date - **6 months** after the start date of the application of the Regulation] at the latest.

Or. en

Justification

In order to maintain a competitive market and level playing field, given the publicity accompanying this file, the deadline of 2 years is too long.

Amendment 739
Evžen Tošenovský

Proposal for a regulation
Article 35 – paragraph 2

Text proposed by the Commission

It shall apply from [**12** months after its entry into force].

Amendment

It shall apply from [**24** months after its entry into force].

Or. en