

HIGH VALUE DATA, GDPR AND CADASTRAL LEGISLATION IN SWEDEN

PERMANENT COMMITTEE ON CADASTRE IN THE EUROPEAN UNION (PCC) CONFERENCE AND PLENARY MEETING,
BRUGES/ BRUGGE/ BRYGGE 17-19 JUNE 2024

MAGDALENA ANDERSSON, THE SWEDISH MAPPING, CADASTRAL AND LAND REGISTRATION AUTHORITY



HIGH VALUE DATA



HVD – TIMELINE

- 2019, June 19 - Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (recast)
- 2022, August 1 - Act (2022:818) on public sector making data available
- 2023, February 9 - Commission Implementing Regulation (EU) 2023/138 of 21 December 2022 laying down a list of specific high-value datasets and the arrangements for their publication and re-use (Text with EEA relevance) - decision taken by the EU Commission
- 2023, March 9 – Decision by the Swedish government Exemption from the requirement to make available particularly valuable datasets free of charge exemption period for making datasets available free of charge - fixed period of no more than two years for the following authorities : the Swedish Mapping, Cadastral and Land Registration Authority, the Swedish Companies Registration Office, the Swedish Maritime Administration, the Geological Survey of Sweden, Statistics Sweden
- 2024, June 9 – no changes in current products
- 2025, February 9 – HVD available



IMPLEMENTATION PROVISIONS OF THE OPEN DATA DIRECTIVE

The valuable data sets should be free of charge and provided in open formats via APIs and for bulk download.

Available for redistribution under Creative Commons license CC BY 4.0 or lower.

Datasets that concern Lantmäteriet:

- Administrative Units
- Place names
- Addresses
- Buildings
- Cadastral Parcels/designations/boundaries
- Hydrography
- Land cover
- Elevation data
- Orthophoto



IMPLEMENTATION PROVISIONS OF THE OPEN DATA DIRECTIVE

Implementation time

The implementation time of the act is 20 days plus 16 months

“Article 6 Entry into force and application”

- This Implementing Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.
- It shall apply from 16 months after entry into force of this Implementing Regulation.”
- The implementation act applies from 9 February 2023 and must be applies from 9 June 2024
- Lantmäteriet exempted from fee exemption until 9 February 2025



CHALLENGES

Economy

The introduction of HVD means a new funding model for Lantmäteriet's information supply of HVD. We have currently been allocated grants for the introduction of HVD but have not been notified of full coverage for increased management costs and loss of revenue.



CHALLENGES

Security

"The law on the public sector making data available" requires us to work with risk assessments of aggregated information. It is work that is ongoing in collaboration with other authorities and the results may affect the implementation of HVD

We take account of the changed security policy situation in Europe

Legislation

The Law on Real Property Register requires the processing of personal data included in HVD.

This leads to special adaptations in the delivery of HVD



GENERAL DATA PROTECTION REGULATION

PROCESSING OF PERSONAL DATA

In order to safeguard the protection of personal privacy, the processing of personal data must take place in accordance with current data protection legislation.

General Data Protection Regulation – GDPR, Law (2018:218) with supplementary provisions to the EU data protection regulation (data protection law),

<https://www.imy.se/en/organisations/data-protection/this-applies-according-to-gdpr/>

Other legislation e.g. Public Access to Official Records (The Press Law), Official Secrets Act, Law on Real Property Register etc.

Personal data refers to any information relating to an identified or identifiable natural person. All information that can be directly or indirectly linked to a living, natural person constitutes personal information. Processing refers to any measure or combination of measures concerning personal data: collection, processing, storage, use, etc. constitutes processing of personal data.

Lantmäteriet is responsible for the data that Lantmäteriet processes. Sometimes Lantmäteriet processes personal data on behalf of others, such as municipal cadastral offices, and is then personal data assistants.

Data Protection Officer, a role within Lantmäteriet, monitors and controls Lantmäteriet's compliance with data protection legislation



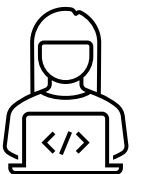
CADASTRAL LEGISLATION

CADASTRAL LEGISLATION

Report (SOU 2024:7), A more secure and accessible Real Property Register

The investigation proposes that the current law on property registers should be replaced with two new laws, where questions about the processing of personal data are regulated in a separate law, separate from the operational regulations surrounding the property register.

- Instead of one Law on Real Property Register – split into two, protection of personal integrity, provision and operations
- Continued central register, Lantmäteriet
- Digital, modern, data from the authority responsible - successive transition, relocation of some information from the Real Property Register when other authorities are able to make the information available nationally via an IT-tool (such as the geodata platform), with connection to the register (plans and regulations) with a prescription right for Lantmäteriet
- Facilitate certain searches in the register
- Establish a new council for cyber security



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