

EuroGeographics' feedback on the EU Data Governance Act proposal

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Key points:

- We very much appreciate this effort towards opening specific categories of public sector data as well as the main principle of the digital age policy framework: “Share if you want”. Lawful processing and trustworthiness is a must in our task.
- We see many opportunities for our Members in the proposal but also some areas may prove difficult for some of our members, in areas around third party IPR, personal data and increased costs.
- As NMCA's we have an interest to contribute in the expert group i.e., ‘European Data Innovation Board’ and would highly welcome observer status of EuroGeographics to support the representation of NMCAs.

EuroGeographics is an independent international not-for-profit organisation representing Europe’s National Mapping, Cadastral and Land Registration Authorities. Our domain is a broader society empowered by the use of trusted geospatial data from these official national sources.

Our strength lies in our extensive membership and we are proud to represent all of the official bodies responsible for geodetic surveying, topographic mapping, cadastral surveys and land registration within European Union.

We are a passionate advocate for European geospatial data from official sources, in particular when it is harmonised to standard specifications. This means users can be confident that the information provided is consistent, comparable and easily shared — regardless of its national source.

EuroGeographics members are responsible for a large set of public sector datasets including high value geospatial datasets that are defined in the Open data and PSI directive and that play an important part of the overall European Strategy for data. Making available authoritative data for use and re-use by others across all data spaces is at the core of our members' public task.

EuroGeographics fully supports the European strategy for data and therefore we are openly receptive to the recently published proposal for a "Data Governance Act". We see many opportunities for our Members in the proposal but also some areas may prove difficult for some of our members. Such difficulties may arise in areas around third party IPR, personal data and increased costs. Notwithstanding these reservations EuroGeographics will of course work in an open positive manner with the EU institutions towards a workable governance regime.

We are aware that Data Governance Act complements the Open data and PSI directive by addressing data that cannot be made available as open data. EuroGeographics members hold significant range of such data. Hence, we very much appreciate this effort as well as the main principle of the digital age policy framework: "Share if you want". Lawful processing and trustworthiness are a must in our task.

Cadastral parcels, addresses, house numbers, buildings, owners of the properties, titles, etc. have always been of interest not only for the internal market players, but overall society and individuals. However, very often, they are considered as personal data which cannot be open for re-use under the provisions of Open data and PSI directive. More specifically, attributes of these categories of data that directly concern personal information cannot be open for re-use.

GDPR Regulation allowed Member States to maintain or introduce more specific provisions to adapt its application with regard to processing of personal data held by a public sector body. As a result, in some countries even the parcel numbers or coordinates are considered as personal data as they could be related to individuals by only crossing this type of data with another one. On the other hand, in some countries, all above mentioned data are easily accessible via click online cadastral map connecting it to ownership details including the mortgage and other personal data of the owner.

Some NMCAs are creating topographic maps in public – private partnership and have concern on third party intellectual property rights protection including the legal protection of database. The introduction of use and re-use philosophy, and the will to open data should take into account the difficulties thereof. NMCAs are more and more frequently moving from such models, but the difficulties remain. It is important that they remain fully respected. The same applies to the data restricted on the commercial or statistical confidentiality ground.

Our members have a keen interest to contribute in the expert group i.e., 'European Data Innovation Board' and would highly welcome observer status of EuroGeographics to support the representation of NMCAs with its expertise and long-term experience in cross border data sharing.

Single information and data-sharing point at member state level is also of interest to some of our Members, where our Members have the potential, and in some cases the experience and expertise, to take a leading role.

Finally, our attention goes to costs incurred to implement novelties introduced by the Act. We do believe that they will be foreseen in the new cycle funding programme supporting Member States to create single market for data, data spaces, the (re-)use of authoritative data for as much purposes as possible genuinely being in the public interest.

Léa Bodossian

Secretary General & Executive Director

w. www.eurogeographics.org

e. lea.bodossian@eurogeographics.org

m. + 32 485 68 79 05