

## Legal Instruments for Data Obstacles in Data Spaces

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**Date** 19-03-2024

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### New legal instruments available in this exercise

1. **Dynamic open government data in near real time through APIs (Open Data Directive)**  
When dynamic government data is shared as open data, it should be through APIs and in near real time (according to the nature of the data). E.g. road sensor data.
2. **High Value Data (Implementing Regulation)** makes open data from the areas of geo-data, company data, selected statistics, meteorological data, mobility data (also ITS Directive), earth observation and environmental data mandatory through APIs and/or bulk download. New themes for High Value Data will be added every few years. E.g. this removes fees at the point of use for such data sets, and adds API access.
3. **Re-use of non public government data on request (Data Governance Act)**  
Non public government data (e.g. statistical micro data) may be made available for re-use, although it may not be shared. E.g. by querying data and getting results at responsible levels of aggregation and anonymization (data visiting), bringing a model to the data, or using privacy enhancing technologies like multi party computation.
4. **Re-use of data from Public Undertakings on request (Open Data Directive)**  
public undertakings may allow re-use of data on request. Such entities may concern public transport, public utilities, electricity transport networks, airports and harbours etc.
5. **Data altruistic sources of personal or confidential data (Data Governance Act)** are sources of consent-based pooled data available from a non-profit entity for public good or research purposes. E.g. volunteered mobile phone location data.
6. **B2B/C sharing of data from connected devices (Data Act)**  
Users of connected devices can access the data they created by using that device and share it with third parties. E.g. solar panel transformer data, smart thermostat data, in-car data.
7. **B2G data sharing in emergency cases (Data Act)**. In emergency cases government entities can be mandated to request specific data from companies, also internationally, to help address the emergency (e.g. pandemics, floods, climate disasters)



## General data space capability

1. ***On the fly data usage contracts between parties***, automatically negotiated and partially technologically enforced. (e.g. data in specific form, for a specific duration, for a specific set of uses to a specific set of users.)

**Part 1 Data sharing obstacles you encountered in practice**

Describe at least two specific real and practical examples you experienced where sharing or using data was not possible or allowed by the data provider. Use as much detail as needed to express the obstacle precisely. Not *'dataset X because of privacy'* but more like *'For the purpose of determining household solar energy production we could not access smart metering data because household energy usage data would also expose personal behaviour.'*

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**Part 2 Applying one or more new data usage instruments**

Discuss how one or more of the instruments listed on the front might help address the obstacles you described above. Either because they might directly solve the obstacle, or open up a different way of achieving your goal, circumventing the obstacle. Explore the possibilities with your neighbour in the room.

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