

## Annotated agenda – Nordic-Baltic coordination network on regulatory issues (NOBAREG)

9. March 2023, 10:00 – 15:00

Venue: Rambøll HQ Copenhagen Denmark

### Participants

Denmark	Lithuania	Aaland Island
Finland	Norway	
Iceland (Digital)	Sweden	

During the last meeting, we chose to prioritize from the topics we are tasked with delivering substance on. While the implementation of SDG will be dealt with through cooperation/coordination with the CBDS-project,<sup>1</sup> the two topics of *values* and *digitalisation/automatisation ready legislation* will be dealt with more horizontally/holistically.

The implementation of the Data Governance Act is at the top of our list, noting that 24. September is the deadline for Member States to notify the European Commission about the Competent Authorities of the DGA.<sup>2</sup>

Topic	Annotation
What are the different options for bodies? Presentation of the table and the different choices that are available.	Members had previously populated an overview of what existing public entities that could be candidates as different bodies required through the DGA, organized under the different articles:

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<sup>1</sup> [Nordic and Baltic countries start practical preparations to implement Europe's 'Once-Only' Technical System - OOTSHUB - \(europa.eu\)](#)

<sup>2</sup> 24.09: Compliance date in the EU. Each Member State shall notify the Commission of the identity of the competent bodies designated pursuant to paragraph 1 by 24 September 2023. Each Member State shall also notify the Commission of any subsequent change to the identity of those competent bodies.

Topic	Annotation
<p>Sectoral or general bodies, or combination? What are the required resources mentioned in the legislation, and how does this affect our options?</p>	<p>-</p>
<p>Coordinating procedures and levels of penalties, based on the EC pointing to discretion from the national governments. How important is coordination on this aspect?</p>	<p>-</p>
<p>Should we move forward? If yes: How do we best move forward? What themes and topics should we be looking at while moving to the next meeting, tentatively in Stockholm in June?</p>	<p>-</p>

Topic	Annotation
-	Summing up

### Choreography:

- ❖ Short breaks for coffee between each session
- ❖ The framework for the discussions under each theme is presented by the PL/External speaker in a 5–10-minute intro. Discussions follow, and we try to reach conclusions for each.

**Theme 1: What are the different options for bodies? Presentation of the table and the different choices that are available.**

**The EC underlines the** importance that the second chapter of the DGA deals with the reuse of public sector data and therefore has connections to the open data policy, even if it concerns public sector data that cannot be made available under the full “open data” paradigm (without technical or legal restrictions). In that sense, there would be strong synergies of attributing the roles described in **Article 8** with the authority competent for implementation of the open data policy. Such an authority would normally also fulfil the conditions of having the necessary resources and expertise to deal with the tasks under the DGA.

As concerns the role of the body described in **Article 7**, a division of labour could also be foreseen with entities such as the Health Data Hub in FR or Findata in Finland. While the role in **Article 8** is essentially about offering a one-stop-shop for dissemination information about available datasets and also disseminating requests so that researchers do not have to worry about identifying which specific authority is competent to issue permissions for re-use of certain data, the role under **Article 7** is to provide technical advice on secure methods of analysing confidential data and – where foreseen under national law – to permission the use of data. The role of issuing permissions was in fact very much based on the example of Findata mentioned above.

**Theme 2: Sectoral or general bodies, or combination? What are the required resources mentioned in the legislation, and how does this affect our options?**

We will base this discussion on the homework disseminated before the meeting. The EC mentions that the bodies must be equipped with the necessary legal, technical and human resources.

**Theme 3: Coordinating procedures and levels of penalties, based on the EC pointing to discretion from the national governments. How important is coordination on this aspect?**

Response from the EC:

The flexibility in the regulation was left on purpose so it's strictly up to the MS to lay down the procedural rules for penalties even if it results in differences across the EU. The EC did not have any arguments in the Impact Assessment to include a more specific regime on the procedural aspects of enforcement.

As mentioned in art 34, EDIB should offer some guidance on this topic. However, it will only become operational after September 2023.

- National frameworks?
- Depending on the entity that gets the assignment?

**Theme 4: How do we best move forward? What themes and topics should we be looking at while moving to the next meeting, tentatively in Stockholm in June?**

- Still DGA?
- Dive into other regulations?
- Look specifically at EIA?
- What about the horizontal issues? Are we paying enough attention to Nordic-Baltic values and digitalisation friendly regulation?
- Teased NMC that we will look into the latter in Q3..
- Other...?

## Participants

Name	Country	Comment/dietary
Dawood Jacobsen	Denmark	No shellfish
Adam Arndt	Denmark	-
Krister Kruusmaa	Estonia	-
Jósup Henriksen	Faroe Islands	-
Antti Helin	Finland	No fish, uncooked/raw tomatoes, or kiwifruit.
Helga Hauksdóttir	Iceland	Digital
Arnis Skraucs	Latvia	-
Lina Giedraitiene	Lithuania	-
Eva Maria Broberg Lennartsson	Sweden	No gluten
Adeline Gripenberg	Aaland Island	Vegetarian
Silje Johansen	Norway (PO)	-
-	-	-
-	-	-
Organisers	-	-
Esmeralda Claesson	Sweden	hasselnötter och valnötter, och mot en del frukter (mango, ananas, äpple, päron, plommon)
Thomas Nortvedt	Norway (PL)	-