

**E U R O P E A N E C O N O M I C A R E A**  
**FORUM OF LOCAL AND REGIONAL AUTHORITIES OF THE EEA EFTA STATES**

**SIXTEENTH MEETING OF THE EEA EFTA FORUM**

*Brussels*  
*16-17 November 2017*

**Opinion on the European Data Economy and implications for local and regional authorities**

Rapporteur: S. Björn Blöndal

The EEA EFTA Forum of Local and Regional Authorities (the Forum):

- A. Having regard to the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Building a European Data Economy COM(2017) 9 final;
- B. Having regard to the Opinion of the European Committee of the Regions – Building a European Data Economy COR-2017-00853-00-01-AC-TRA(EN) 2/10;
- C. Having regard to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);
- D. Having regard to the Proposal for a Regulation of the European Parliament and the Council concerning the respect for private life and the protection of personal data in electronic communications and repealing Directive 2002/58/EC (Regulation on Privacy and Electronic Communications);
- E. Having regard to the Proposal for a Regulation of the European Parliament and of the Council on a framework for the free flow of non-personal data in the European Union COM(2017) 495 final;
- F. Having regard to the proposed revision of Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information;
- G. Having regard to Article 1 of the Agreement on the European Economic Area (EEA Agreement), enshrining the objective of a homogeneous EEA in which there is free movement of goods, persons, services and capital;
- H. Having regard to Annex XI of the EEA Agreement on electronic communication, audiovisual services and information society;
- I. Noting the reinforced subsidiarity principle set out in the Lisbon Treaty and its explicit reference to the local and regional dimension and self-government;
- J. Acknowledging the impact of European Union law and policy on local and regional authorities in the EEA EFTA States through the EEA Agreement;
- K. Noting the role of the Forum as a body in the EFTA structure;

1. Welcomes the economic benefits that the data economy may bring for the EEA EFTA States, and the potential of innovative data use and digital services to promote increased efficiency, reduce red tape, foster innovation, growth and jobs and improve choices and lower prices for consumers;
2. Underlines that local and regional authorities are crucial for the success of the Digital Single Market and the European data economy as they provide substantial portions of services for citizens and businesses. In addition, they operate digital infrastructure, collect data and support the development of vital digital skills;
3. Welcomes the General Data Protection Regulation (GDPR) as strong data-protection rules are necessary for the digital economy to thrive, supports the revision of ePrivacy Directive to ensure a high level of privacy as well as the European Commission's efforts to tackle restrictions on the free movement of data and the location of data for storage or processing purposes. Stresses in this context the importance of consultation with local and regional authorities at early stages, when incorporating the resulting legislation into the EEA Agreement and implementing it into national legislation in order to avoid "goldplating" and unnecessary cost and administrative burdens;
4. Highlights that smart cities initiatives and the use of big data can foster innovation and efficiency in a number of fields relevant for local and regional authorities, such as environment, food security, climate and energy and resource efficiency, intelligent transport systems;
5. Is of the view that increased re-use of public sector information by local and regional authorities can stimulate job creation and growth;
6. Highlights that measures are needed to assist rural and sparsely populated areas that face technological barriers hindering digital development projects which should be considered services of general economic interest;
7. Highlights that centralized support and resources, and joint efforts at all levels of government, are needed so that the diverse opportunities created by the digital economy can be taken advantage of. Interoperability, digital infrastructure and cybersecurity has to be enhanced, administrative processes adapted and new skills developed;
8. Supports the view that local and regional authorities should be granted access to data where this would be in the "general interest" and improve public sector tasks, for example improved traffic management systems with the use of real-time data from private vehicles;
9. Points to the need of establishing the once only principle, ensuring that citizens and businesses provide data only once and that the data is efficiently shared between all levels of government;
10. Agrees with the view that the opening-up of machine-read data enhances data sharing and thus innovation, and reduces the need for *ad hoc*, often costly data requests. Sets of comprehensive indicators inform public debate and can improve local and regional decision-making, policy-development, management and monitoring;
11. Stresses the need for digital infrastructure, measures and standards to address emerging issues related to the portability of non-personal data, the Internet of Things, interoperability of services and the complex questions related to personal data generation;
12. Encourages the European Union to work closely with the EEA EFTA States when drafting or revising new EEA-relevant legislation governing the data economy;
13. Instructs the Secretariat to forward this Opinion to the EFTA Standing Committee at Ministerial level.