LAW & DATA
2024/2025

University of Padova

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SYNTHETIC DATA

artificial data generated from **original data** and a **model** that is trained to reproduce the characteristics and structure of the original data

synthetic data and original data should deliver very similar results when undergoing the same statistical analysis

generation process = SYNTHESIS

BIG DATA

great volume, velocity and variety of (personal and non-personal) **DATA**

+

technological ability to collect, process and extract new and **predictive knowledge**

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EUROPEAN DATA STRATEGY

➢ **FREE FLOW OF PERSONAL DATA**

➢ **FREE FLOW OF NON-PERSONAL DATA**

➢ **SINGLE MARKET FOR DATA**

EU Data Strategy (2020) - Package

- (Regulation 2018/1807) (2018)
- **DGA | Data Governance Act (2022)**
- **DSA | Digital Services Act (2022)**
- **DMA | Digital Markets Act (2022)**
- **Data Act (2023)**
- **AI Act (2024)**

Regulation 2018/1807

- Ensuring free flow of data <u>other than personal data</u> laying down rules relating to **data localisation requirements**

- Processing of electronic data (other than PD)

- <u>Scope of application</u>:
  - within the EU

    processing provided as a service to users within EU / carried out by a person

  - limited application for <u>set of data</u> including personal & non-personal data

Regulation 2018/1807

Data localisation requirements

obligation, prohibition, condition, limit or other requirement provided for in the laws, regulations or administrative provisions of a Member State or resulting from general and consistent administrative practices in a Member State and in bodies governed by public law

IMPOSING THE PROCESSING OF DATA IN THE TERRITORY OF A SPECIFIC MS

or

HINDERING SUCH PROCESSING IN ANOTHER MS

in principle, PROHIBITED

Regulation 2018/1807

obligations upon the Member States
to <u>repeal</u> any legal provision
setting out data localisation requirements

GOALS:
- ✓ **Encouraging the development and adoption of self-regulatory codes of conduct**
- ✓ **To contribute to a competitive data economy**

EU Data Governace Act - DGA

Aim

creating a framework for facilitating a safe data-sharing
setting out conditions for their **re-use** and **intermediation services**

It covers data held by:
- public bodies
- private entities
- citizens

'**Data**' = any digital representation of acts, facts or information and any compilation of such acts, facts or information, including in the form of sound, visual or audiovisual recording

EU Digital Services Act | DSA
EU Digital Markets Act | DMA

Aims

1. creating a safer digital space
where users' fundamental rights are protected

2. establishing a level playing field
to foster innovation, growth and competitiveness

Data Act

Aim

granting **fair access** to and use of data
(fair distribution of the value of data by establishing clear and fair rules for accessing and using data within the European data economy)

cross-sectoral (principles and guidelines applying to all sectors)

→ Increasing **legal certainty** for companies and consumers
→ **Mitigating the abuse of contractual imbalances** that impede equitable data sharing
→ Rules enabling **public sector bodies** to access and use data held by the private sector for specific public interest purposes
→ New rules setting the framework for customers to effectively **switch between different providers** of data-processing services

Artificial Intelligence Act | AI Act

Aim

harmonised framework on artificial intelligence for respecting fundamental rights

Improving prediction, optimising operations and resource allocation, and personalising service delivery

→ support socially and environmentally beneficial outcomes
→ key competitive advantages to companies and the EU economy