

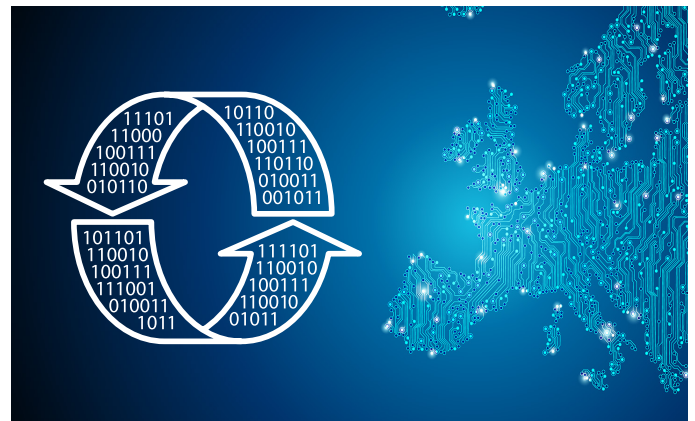
# Digital Single Market

## FREE FLOW OF NON-PERSONAL DATA

#DSM

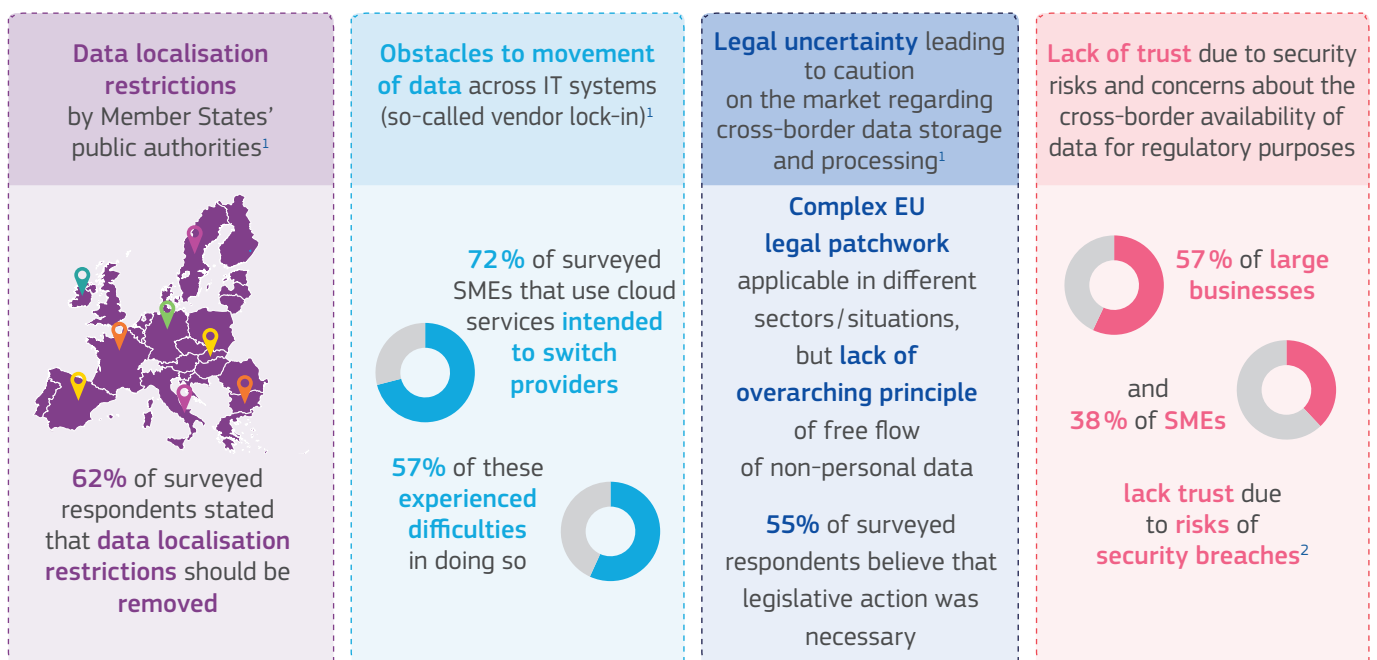
### What is the free flow of non-personal data?

Free flow of non-personal data means unrestricted movement of data across borders and IT systems in the EU. It is a key building block of the Digital Single Market and considered the most important factor for the data economy to unleash its full potential and to double its value to 4% of GDP in 2020. The new measures are in line with already existing rules for the free movement and portability of personal data in the EU.



### What was the situation previously?

The European Commission has identified 4 types of obstacles to data mobility within the EU:



<sup>1</sup> Synopsis Report of the Public Consultation "Building a European Data Economy" Annex to the Synopsis Report of the Public Consultation "Building a European Data Economy". [ec.europa.eu/digital-single-market/en/news/summary-report-public-consultation-building-european-data-economy](https://ec.europa.eu/digital-single-market/en/news/summary-report-public-consultation-building-european-data-economy)

<sup>2</sup> From Eurostat, "Factors limiting enterprises from using cloud computing services, by size class, EU-28", 2014 (% enterprises using the cloud); [ec.europa.eu/eurostat/statistics-explained/index.php/Cloud\\_computing\\_-\\_statistics\\_on\\_the\\_use\\_by\\_enterprises](https://ec.europa.eu/eurostat/statistics-explained/index.php/Cloud_computing_-_statistics_on_the_use_by_enterprises)

## Timeline of this initiative



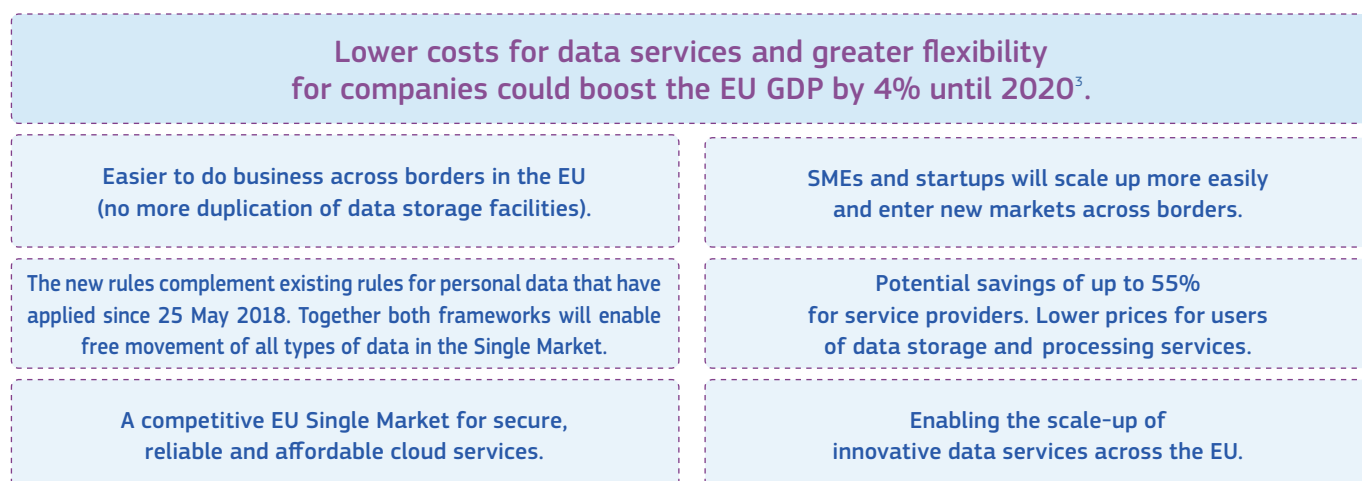
## What has been agreed?

### One single principle across the EU, guaranteeing free flow of non-personal data:

- The **free flow of non-personal data principle** removes unjustified data localisation restrictions imposed by public authorities, enhancing legal certainty and raising trust.
- The principle of **data availability for competent authorities** makes sure that the data remains accessible for regulatory and supervisory control also when stored or processed across borders in the EU.
- Actions to encourage cloud service providers to develop self-regulatory **codes of conduct** for easier switching of provider and porting data back to in-house servers, which must be implemented by mid-2020.
- **Security requirements on data storage and processing remain applicable**, also when businesses store or process data in another Member State. The same applies when they outsource data processing to cloud service providers.
- **Single points of contact** in each Member State, to liaise with other Member States' contact points and the Commission to ensure the effective application of the new rules on the free flow of non-personal data.

## What are the benefits for the EU?

### A basis to maximise the full potential of the Digital Single Market<sup>3</sup>:



## Examples of predicted additional revenue by sectors (2015-2020) assuming that data localisation restrictions are removed<sup>4</sup>:



<sup>3</sup> This legislative proposal is the most important factor in leading to the 'high-growth scenario' of 4% additional EU GDP, from study SMART 2013/0063, IDC, "European Data Market".

'Savings of up to 120% ...': from study SMART 2015/0016, London Economics "Facilitating cross border data flow in the Digital Single Market", [ec.europa.eu/digital-single-market/en/news/facilitating-cross-border-data-flow-digital-single-market](http://ec.europa.eu/digital-single-market/en/news/facilitating-cross-border-data-flow-digital-single-market).

<sup>4</sup> From study SMART 2014/0031, Deloitte, "Measuring the economic impact of cloud computing in Europe".