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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Telecommunications and Information Society
Subject:	Data Act : HR comments 4th compromise (doc. 5586/23)

Delegations will find in the Annex the HR comments on 4th compromise (doc. 5586/23).

Croatian comments of the fourth compromise proposal on Data Act (document 5586/23)

Reference	Fourth compromise proposal	Drafting suggestion	Comment
Article 15 paragraph 3	The obligation to demonstrate that the public sector body was unable to obtain data by purchasing of the data on the market shall not apply in case the specific task in the public interest is the production of official statistics and where the purchase of data is prohibited by national law.	The obligation to demonstrate that the public sector body was unable to obtain data by purchasing of the data on the market shall not apply in case the specific task in the public interest is the production of official statistics and where the purchase of data is prohibited not allowed or not envisaged by national law.	It is important to ensure that the public sector body when producing official statistics is also exempted if there is no national legislation that expressly prohibits the purchase of data for the production of official statistics.
Article 20 paragraph 2b	Data holders shall not be able to request compensation for making data available in compliance with a request made pursuant to Article 15, points (b) or (c) in case the specific task in the public interest is the production of official statistics and where the purchase of data is prohibited by national law.	Data holders shall not be able to request compensation for making data available in compliance with a request made pursuant to Article 15, points (b) or (c) in case the specific task in the public interest is the production of official statistics and where the purchase of data is prohibited not allowed or not envisaged by national law.	It is important to ensure that the public sector body when producing official statistics is also exempted, if there is no national legislation that expressly prohibits the purchase of data for the production of official statistics.

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