



List of questions for the public hearing on the
Data Governance Act (DGG), Bundestag printed paper 20/13090
on Wednesday, 13 November 2024, 14:15 – 16:15 hrs,
Paul Löbe Building (PLH), room E.600

As at: 28 October 2024

- 1) What is your opinion of the planned provisions on the requirements relating to the staff and expertise of the Bundesnetzagentur and the Federal Statistical Office in the current bill?
- 2) One key task of the Federal Statistical Office will be developing and managing a meta-database, which will contain information about and access to existing data. What existing structures can such a database be built on, or what structures and best practices should serve as a guide in its development?
- 3) The EU's Data Governance Act (DGA) and the German Data Governance Act (*Daten-Governance-Gesetz* – DGG) aim to better harness the potential of data sharing for the benefit of businesses, academia and civil society. In your view, what elements are missing from the current bill in order to achieve this goal?
- 4) Do you share the view that it makes sense to conduct a proper evaluation of selected key issues arising from the interaction of the DGA and DGG in order to assess the effects of the requirements and make adjustments if necessary?
- 5) What is your opinion of the powers that authorities have in relation to data intermediation services and data altruism organisations with regard to their legal form and real impact, in view of the DGA's regulatory objectives?
- 6) Does the DGG make full use of the regulatory scope offered by the DGA, and what is your opinion of its technical legal implementation?
- 7) What other options exist in national law to incentivise the establishment of data intermediation services and data altruism organisations, and how can the two instruments be integrated into future data (access) laws?



- 8) What is your opinion of the interaction between the DGA and other EU digital acts, and what should national lawmakers do in the implementation process in order to maximise coherence and impact?
- 9) What is your view of the planned fee structure for the registration of data intermediation services and the use of the categories of protected data held by public sector bodies that are referred to in Article 3 (1) of the DGA, in light of the Federal Government's aim of pursuing a pro-innovation data policy?
- 10) Do you believe that Germany's separate regulation of recognised consent management services under what is often referred to as the Cookie Ordinance, on the one hand, and the other data intermediation services under the DGG, on the other hand, will result in problems for the development of either of these areas, given that they are regulated uniformly in the EU's Data Governance Act (Article 10), and if so, what problems do you foresee?
- 11) What is your opinion of the provisions contained in Chapter VII of the EU's Data Governance Act on international access and transfer with regard to non-personal data which has been approved by public sector bodies for re-use, particularly in the context of the General Data Protection Regulation (GDPR) and the effects on the German and European data economy?
- 12) What can and should the Federal Government do to ensure that the EU's Data Governance Act, AI Act and Data Act, in particular, have as positive an impact as possible on the German economy?
- 13) How are data intermediation services defined in the EU's Data Governance Act, and how do they differ from concepts such as data spaces, data ecosystems, data trusts and data marketplaces? Is there overlap or clear distinctions between these concepts, and how does this influence their practical implementation and how understandable they are for stakeholders?
- 14) What is your opinion of the planned provisions on sanctions in the case of infringements by data intermediation services providers and recognised data altruism organisations, particularly as regards the amount of the fines and their effectiveness in achieving the regulatory objectives?
- 15) What benefits do the DGA and DGG offer civil society, and how could their potential benefits for civil society be increased further?
- 16) How does the DGA relate to regulatory proposals to promote the availability and usability of publicly held data, such as the Transparency Act and the legal entitlement to open data, and in all of these proposals, how important is the use of open standards for the provision of data and its machine-readability?