**EU General Data Protection Regulation (2016)**
DG Justice & Consumers, Directorate C
- Applies to the processing of European Economic Area personal data.
- Significant extraterritorial effect.
- Omnibus data protection regulation, applicable to the commercial and public sectors, excluding national security activities.
- Creation of European Data Protection Board.

DG Connect, Directorate H: Digital Society, Trust & Cybersecurity — Unit H2: Cybersecurity and Digital Privacy Policy
- Under revision; will become the ePrivacy Regulation.
- For most companies, currently mainly of interest for cookie provision and rules on unsolicited communication or spam.

**European Commission presents its strategy for data and artificial intelligence (February 2020)**

**Proposal for a Regulation laying down harmonized rules on Artificial Intelligence**
DG Connect

**Data Governance Act**
DG Connect, Directorate G: Data — Unit G1: Data Policy and Innovation
- Reuse of public sector data that is subject to certain protections.
- Rules for data intermediaries.
- Introduction of concept of data altruism.
- Creation of a European Data Innovation Board.
- Published in the Official Journal of June 3, 2022; Act applies as of September 24, 2023.

**Proposal for Data Act**
- Aims to maximize the value of data for the economy and society by fostering data sharing among businesses, as well as between businesses and governments. Is meant to complement the DGA.
- Commission Proposal is currently being reviewed by the European Parliament and the Council.

**Proposal for European Health Data Space (EHDS). See here and here.**

**Commission Strategy on Data and AI**

**Proposal for Digital Services Act**
DG Connect, Directorate F: Digital Single Market — Unit F2: E-Commerce & Platforms
- Applies to providers of intermediary services, which include internet service providers, cloud providers, search engines, social media and online platform and market places; has extraterritorial effect.
- Ban on advertising to minors and based on special category of data; ban on use of misleading practices and interfaces (dark patterns).
- Determines liability regime and additional obligations related to the spreading of illegal content.
- Additional systemic risk management requirements for large online platforms with more than 45 million users.
- Additional transparency requirements for online advertising toward individual recipients; includes details on the advertising buyer and parameters used to determine the recipient to whom the ad is displayed.
- Requires very large platforms to appoint qualified compliance officers.
- Foresees the appointment of digital services coordinators in each member state and the creation of a European Board for Digital Services.
- The European Parliament approved the text of the Digital Services Act in July 2022. It is expected to be approved by the Council in Q4-2022.
- It will enter into force 20 days after its publication in the Official Journal of the EU, and become applicable 15 months later or January 1, 2024, whichever is later. However, the obligations for very large online platforms and very large online search engines will apply four months after the Digital Services Act enters into force.

**Proposal for Digital Markets Act**
DG Competition and DG Connect, Directorate F: Digital Single Market — Unit F2: E-Commerce & Platforms
- Competition law component of the European Commission’s data strategy.
- Built around the notion of “gatekeepers,” i.e., companies that provide “core platform services” in at least three member states, meet certain thresholds of EEA turnover or market capitalization and fair market value, as well as have a minimum number of active end or business users in the EEA in the last three financial years; has extraterritorial effect.
- Core platform services include online intermediation services, search engines, social networking services, video-sharing platforms and cloud computing services.
- Gatekeepers are subject to a long list of dos and don’ts with potential hefty fines and other remedies available to regulators.
- Ban on the combination and cross-use of personal data collected during the use of a service for the purposes of another service offered by the gatekeeper.
- Access for business users to their marketing or advertising performance data.
- Effective portability and continuous and real-time access to data provided or generated by end users, complementing the GDPR’s right to (personal) data portability.
- Foresees the creation of a Digital Markets Advisory Committee.
- Both the Council and the European Parliament approved the text of the DMA in July 2022. The text now needs to be signed by the Presidents of the European Council and European Parliament; this is scheduled for Q4 2022. The Act will enter into force 20 days after its publication in the Official Journal of the EU, and become applicable six months later.
- The European Commission will need to issue a decision designating a company as a “gatekeeper” and the company has six months from that decision to bring its operations into compliance with the DMA.

**European Commission and High Representative of the Union for Foreign Affairs and Security Policy present EU Cyber Strategy (December 2020)**

**Proposal for renewed NIS2 Directive**
DG Connect, Directorate H: Digital Society, Trust & Cybersecurity — Unit H1: Cybersecurity & Digital Privacy Policy
- Expansion in scope compared to current NIS Directive.
- The NIS 2 Directive was provisionally agreed in inter-institutional negotiations in May 2022. The Directive will now be subject to formal approval by the European Parliament and the Council. It is generally expected that this will happen in Q4 2022.

**Proposal for a directive on the resilience of critical entities**
- Expansion in scope compared to the current directive.