

# THE IMPLICATIONS OF THE DATA ACT TO B2G DATA SHARING IN SMART CITIES

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## THE DATA ACT: A SUMMARY

The Proposed "Regulation on harmonized rules on fair access to and use of data" aims to allow the free flow of data to different actors, such as the public sector. Covering personal and non-personal data.

## CHAPTER V

Chapter V of the Act named "*Making Data Available to Public Sector Bodies and The Commission or Union Bodies Based on Exceptional Need*", has the main objective to make business data available to the public sector – known as business-to-government data sharing – under "exceptional circumstances" after other means to obtain the relevant data has been exhausted.

Respond to a Public Emergency

Prevent & Assist recovery from a public emergency

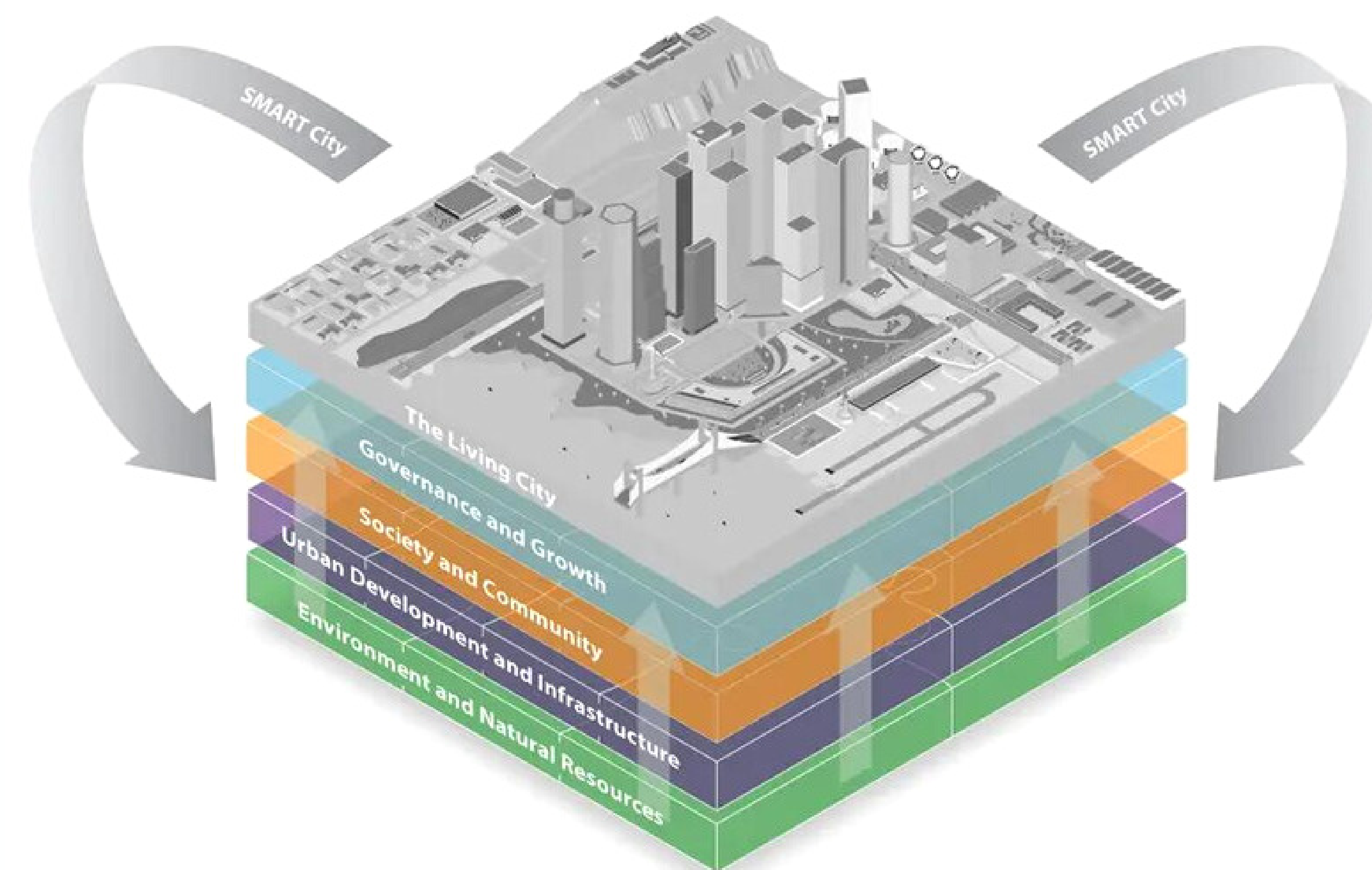
Fulfil a specific task in the public interest

## RESEARCH QUESTION

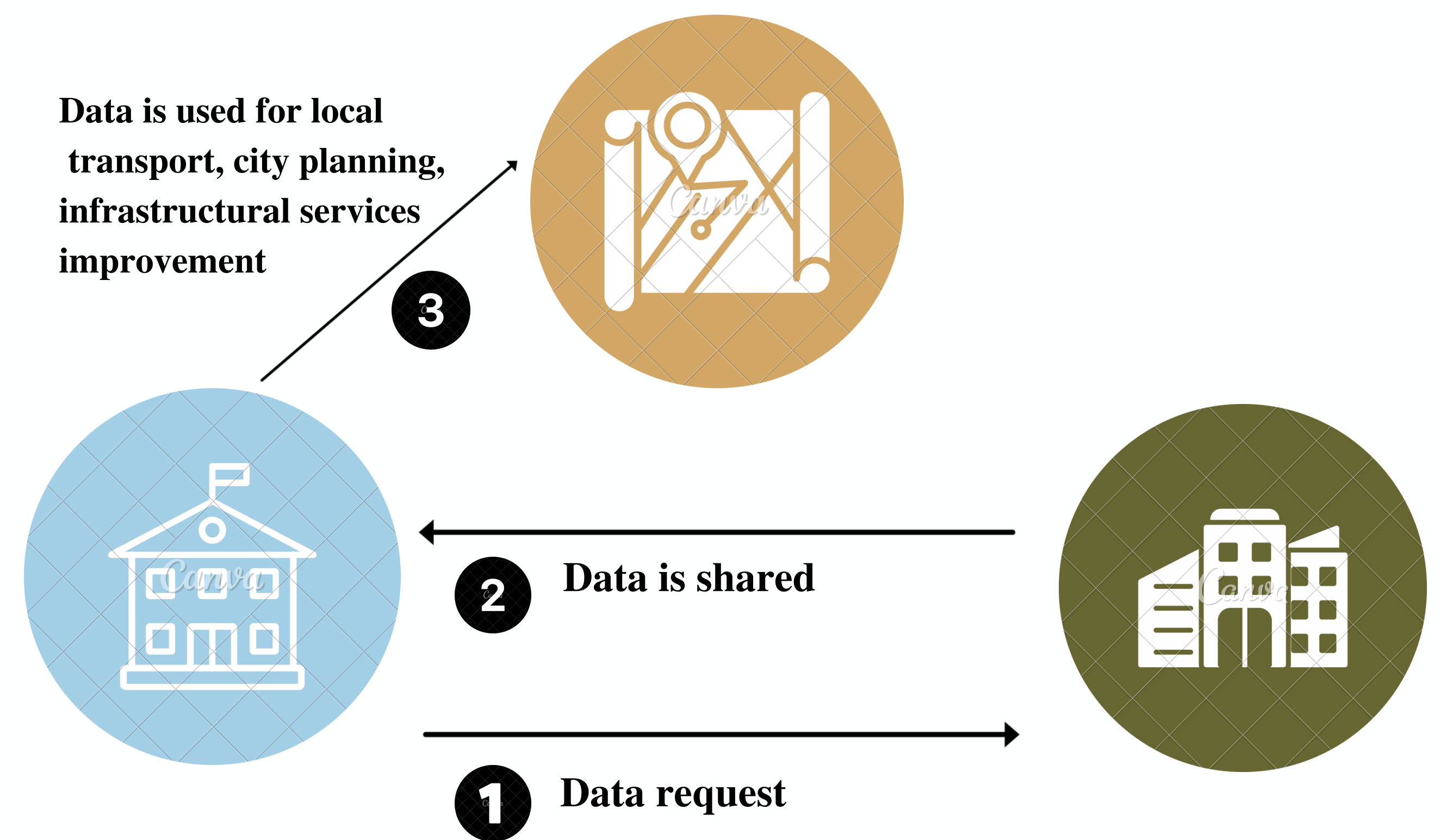
- How the business-to-government mandatory data-sharing for a task in the public interest provision of the Data Act can be applied to a Smart City?

## SMART CITY

The concept of a "smart city" is broad enough to include diverse and often overlapping projects that embrace different aspects of urban life such as traffic management, urban development, environmental solutions, and crowd management. For the purposes of this study, we chose to adopt the definition of smart cities adopted by *Yigitcanlar et al.*, who describe smart cities as an integration of physical, digital, and human systems.



- The lack of timely access to and the use of the data requested prevents the sector from fulfilling a specific task in the public interest that has been explicitly provided in law.
- The task should be within the competence of the public sector body or Union institution, and explicitly laid down in their mandate. e.g. Local transport or city planning, improving infrastructural services or producing statistics.



## CHALLENGES

- Difficulty in the harmonization of local autonomy around Europe municipal settings might prove the article useless.
- Data is still limited in time and scope, which is still an obstacle for smart city contexts.
- The possibility of sharing personal and non-personal data raises the question of enforcement that might be divided into different organisations. This myriad of competent authorities might cause problems for companies and block the further sharing of data due to problems with liability.

## REFERENCES

Lazarotto, Barbara. *The implications of the Proposed Data Act to B2G data sharing in smart cities*, Digital Legal Talks, 24 November 2022.