

European Commission
attn. Mr M. Šefčovič
Rue de la Loi / Wetstraat 200
1049 Brussels
Belgium

date 9 June 2022

subject EU proposal for a regulation on harmonised rules on fair access to and use of data (Data Act) COM(2022) 68
Code

our reference 171430U

COURTESY TRANSLATION

Dear Mr Šefčovič,

In their committee meeting on 24 May 2022, the members of the standing committee for Justice and Security of the Senate of the States General discussed the EU proposal for a regulation on harmonised rules on fair access to and use of data (Data Act).¹ The members of the parliamentary parties of the GreenLeft Alliance (**GroenLinks**), the Labour Party (**Partij van de Arbeid/PvdA**), the Socialist Party (**Socialistische Partij/SP**) and the Animal Rights Party (**Partij voor de Dieren/PvdD**) have a number of questions they wish to raise about this proposal.

Why have you decided to allow businesses to have access by default to the non-personal data of users? Why have you not excluded specific categories of data such as health or biometric data? Does the General Data Protection Regulation (GDPR) always apply, irrespective of the rules in the Data Act? Finally, how do you assess the European Data Protection Board's criticism of the proposal?

The members of the standing committee for Justice and Security await your reply with interest.

Yours sincerely,

M.M. de Boer
Chair of the standing committee for Justice and Security

¹ COM(2022) 68.