



Notification Number: 2017/185/F

Decree on the conditions for recovering documents and data stored by a digital safe service

Date received : 10/05/2017

End of Standstill : 11/08/2017

Issue of comments by : Commission

Message

Message 002

Communication from the Commission - TRIS/(2017) 01182

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2017/0185/F

No abre el plazo - Nezaahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201701182.EN)

1. Structured Information Line

MSG 002 IND 2017 0185 F EN 10-05-2017 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

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4. Notification Number

2017/0185/F - SERV

5. Title

Decree on the conditions for recovering documents and data stored by a digital safe service

6. Products Concerned

Information Society services

7. Notification Under Another Act

-

8. Main Content

This draft decree is issued pursuant to Article 87 of Law No 2016-1321 of 7 October 2016 for a Digital Republic. The article stipulates that digital safe services must give users the option to recover documents and data stored by such a service in an open and easily reusable standard. The draft decree lays down the conditions under which users of a digital safe service may recover their documents. In particular, it provides for users to be informed about this recovery function, the recovery of data in an open and commonly used format and the right to recover data with no limit on the number of recovery operations.

9. Brief Statement of Grounds

The draft decree adds five new articles – Articles D537 to D541 – to Heading I of Book IV (Regulatory part) of the Postal and Electronic Communications Code. It is part of a general strategy to develop and facilitate the usage of digital safe services in France by guaranteeing users the option to recover their data and, where applicable, migrate it to another provider. French legislators are aiming to foster an environment where users can have flexibility in the services they choose and to minimise as much as possible the risk of being locked in to one provider.

10. Reference Documents - Basic Texts

Reference(s) to basic text(s): – Article 87 of Law No 2016-1321 of 7 October 2016 for a Digital Republic.

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

-

13. Confidentiality



No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect

No - the draft is neither a technical provision nor a conformity assessment procedure.

SPS aspect

No - the draft is neither a sanitary nor phytosanitary measure.

European Commission

Contact point Directive (EU) 2015/1535

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