



Notification Number: 2015/622/F

## Article 17 of the Digital Republic Bill [projet de loi pour une République numérique]

Date received : 10/11/2015

End of Standstill : 11/02/2016

### Message

Message 002

Communication from the Commission - TRIS/(2015) 03475

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2015/0622/F

No abre el plazo - Nezahajuje 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 - Nao 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: 201503475.EN)

#### 1. Structured Information Line

MSG 002 IND 2015 0622 F EN 10-11-2015 F NOTIF

#### 2. Member State

F

#### 3. Department Responsible

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#### 3. Originating Department

Ministère de l'économie, de l'industrie et du numérique

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#### **4. Notification Number**

2015/0622/F - SERV

#### **5. Title**

Article 17 of the Digital Republic Bill [projet de loi pour une République numérique]

#### **6. Products Concerned**

Electronic communications services (internet access services)

#### **7. Notification Under Another Act**

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#### **8. Main Content**

The purpose of Article 17 of the Digital Republic Bill is to enable all users to host their own data by any means they wish, using the network provided by the electronic communications operator. To this end, the Article prohibits technical measures aimed at preventing users from accessing data stored on appropriate equipment connected directly or indirectly to the internet via the access service to which they subscribe and via their 'box'.

#### **9. Brief Statement of Grounds**

Increasing numbers of users intend to host their own data by acquiring a personal data server. This gives them control over the storage and retention of their data and allows them to define the rules for accessing this data, particularly remotely. This practice gives users additional control over their data. To do this, they must connect their personal server to the internet box provided by the internet access provider.

However, some internet access providers do not allow a personal data server to be hosted behind the box. This practice is observed for example when internet ports are blocked or dynamic IP addresses are allocated. Installing a server at home requires technical operations to redirect traffic from the box to the server. Allocating a dynamic IP address or restricting the use of internet ports prevent this redirection and therefore prevent a personal server from being installed. However, the end user must be free to host their own data by any means they wish, particularly data of a personal nature (emails, calendars, contacts, instant messaging, etc.). To guarantee this freedom to users, operators must not be allowed to use techniques to prevent users from hosting their own data. The provision thus prohibits electronic communications operators to restrict the services that users can set up for their own purposes.

#### **10. Reference Documents - Basic Texts**

No basic text(s) available

#### **11. Invocation of the Emergency Procedure**

No



**12. Grounds for the Emergency**

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**13. Confidentiality**

No

**14. Fiscal measures**

No

**15. Impact assessment**

Yes

**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.

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European Commission

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