



Notification Number: 2016/248/F

Article 21 of the Digital Republic Bill

Date received : 31/05/2016
End of Standstill : 01/09/2016 (03/10/2016)
Issue of comments by : Commission
Issue of detailed opinion by : Commission

Message

Message 002

Communication from the Commission - TRIS/(2016) 01589
Directive (EU) 2015/1535
Translation of the message 001
Notification: 2016/0248/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: 201601589.EN)

1. Structured Information Line

MSG 002 IND 2016 0248 F EN 31-05-2016 F NOTIF

2. Member State

F

3. Department Responsible

Direction générale des entreprises – SQUALPI – Bureau de la réglementation des produits - Bât. Sieyès
-Teledoc 151 – 61, Bd Vincent Auriol - 75703 PARIS Cedex 13
d9834.france@finances.gouv.fr
tél : 01 44 97 24 55

3. Originating Department

Ministère de l'économie, de l'industrie et du numérique
Direction générale des entreprises
67, rue Barbès – BP 80001



94201 Ivry-sur-Seine CEDEX
Téléphone : 01 79 84 37 68
christophe.ravier@finances.gouv.fr

4. Notification Number

2016/0248/F - SERV

5. Title

Article 21 of the Digital Republic Bill

6. Products Concerned

Information society services

7. Notification Under Another Act

-

8. Main Content

The purpose of Article 21 of the Digital Republic Bill is to facilitate the portability of electronic mail services. It provides that electronic mail service providers shall offer consumers the option to transfer their emails and contact lists to another operator.

Article 21 also requires all online public communication service providers to offer consumers a function to retrieve files uploaded by consumers and the data resulting from the use of their accounts, free of charge. This right to recover data applies without prejudice to application of the rules relating to the protection of commercial secrecy and intellectual property.

It is specified that Article 21 enters into force on the same date as Regulation (EU) 2016/679 of 27 April 2016.

9. Brief Statement of Grounds

The main objective of Article 21 of the Bill is to reduce the lack of mobility in the market by introducing the right for clients of major digital services such as email, cloud computing and online services associated with a user account to retrieve and transfer data easily.

The prospect of losing data or having to carry out onerous manual retrieval can discourage consumers from changing operator, even if they are no longer satisfied with their services. The Bill proposes to remove this barrier and improve the functioning of the market, encourage competition and the development of new innovative services while offering consumers increased digital mobility.

10. Reference Documents - Basic Texts

No basic text(s) available.

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

Fax: +32 229 98043

email: grow-dir83-189-central@ec.europa.eu