

Message 301

Communication from the Commission - TRIS/(2021) 00832  
Directive (EU) 2015/1535  
Notification: 2021/0045/D

Request for supplementary information from the Commission.

Solicitud de información complementaria - Žádost o doplňující informace - Anmodning om supplerende oplysninger - Ersuchen um ergänzende Informationen - Lisateabe edastamise palve - Αίτηση συμπληρωματικών πληροφοριών - Request for additional information - Demande d'informations complémentaires - Domanda di informazioni complementari - Pieprasījums papildus informācijai - Papildomos informacijos užklausa - Kiegészítő információ kérése - Talba għal tagħrif addizzjonali - Verzoek om aanvullende inlichtingen - Prośba o uzupełnienie informacji - Pedido de informacoes complementares - Žiadost' o dodatočné informácie - Zahteva za dodatne informacije - Lisätietopyyntö - Begäran om kompletterande upplysningar - Искане за допълнителна информация - Solicitare de informații suplimentare.

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1. MSG 301 IND 2021 0045 D EN 29-04-2021 05-03-2021 COM INFOSUP 29-04-2021

2. Commission

3. DG GROW/B/2 - N105 04/63

4. 2021/0045/D - SERV60

5. -

6. Within the framework of the notification procedure under Directive (EU) 2015/1535 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, the German authorities notified to the Commission on 28 January 2021 the draft "Amendment of the Network Enforcement Act with regard to information for scientific research" (hereafter 'notified draft').

In order to allow the Commission services to complete their analysis under the relevant provisions of EU law, the German authorities are kindly invited to reply to the following request for supplementary information:

1. The German authorities are kindly requested to clarify how they envisage assessing the proportionality, appropriateness and necessity of the 'qualified information' requested by researchers under § 5a (2). What type of information would be expected to be disclosed and under what parameters? What do the German authorities intend to cover under 'legitimate interests' of the service provider under paragraph 5?

2. The German authorities are kindly requested to clarify whether they conducted a survey of the existing methods, tools and examples of how researchers can collect similar or equivalent data for scientific research purposes, and the possible gaps identified.

3. The German authorities are kindly requested to clarify the objectives pursued by the additional obligations, and how they envision their enforcement.

4. The German authorities are kindly requested to clarify which competent data protection authority is referred to in § 5a (4), second subparagraph and whether it is the one competent for the research organisation, or the one competent for the social network provider requested to provide information. Also on whether these competent data protection authorities could also be data protection authorities in other EU Member States, and finally, on what the data protection authority is expected to do with the security concept.

The German authorities are kindly invited to reply by 15 March 2021.

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