

DA.155 Carry out statutory duties in public interest

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Art 14 Data Act - Trialogue Agreement

Where a public sector body, or the Commission, the European Central Bank or a Union body demonstrates an exceptional need, as laid out in Article 15, to use certain data, including metadata necessary to interpret and use those data, **to carry out its statutory duties in the public interest**, data holders that are legal persons, other than public sectors bodies, which hold those data shall make them available upon a duly justified request.

Recital 58 Data Act - Trialogue Agreement

An exceptional need may also stem from non-emergency situations. In such cases, the public sector body, the Commission, the European Central Bank and Union bodies should be allowed to request only non-personal data. The public sector body should demonstrate that the data are necessary for the fulfilment of a **specific task in the public interest that has been explicitly provided by law, such as official statistics or the mitigation or recovery from a public emergency**. In addition, such a request can be made only when the public sector body or the Union institution or body has identified specific data could not be otherwise obtained in a timely and effective manner and under equivalent conditions and only if it has exhausted all other means at its disposal to obtain such data, such as obtaining the data through voluntary agreements, including buying data on the market by offering market rates or relying on existing obligations to make data available, or the adoption of new legislative measures which could guarantee the timely availability of data. Conditions and principles for requests such as purpose limitation, proportionality, transparency, time limitation should also apply. In case of requests for data necessary for the production of official statistics, the requesting public sector body should also demonstrate that the applicable law does not allow it to purchase data on the market.