

DA.600 Exceptional need to use data

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Article 15

Exceptional need to use data

An exceptional need to use data within the meaning of this Chapter shall be deemed to exist in any of the following circumstances:

- (a) where the data requested is necessary to **respond to a public emergency**;
- (b) where the data request is limited in time and scope and necessary to **prevent a public emergency** or to **assist the recovery from a public emergency**;
- (c) where the **lack of available data prevents** the public sector body or Union institution, agency or body from **fulfilling a specific task in the public interest** that has been explicitly provided by law; and
 - (1) the public sector body or Union institution, agency or body **has been unable to obtain such data by alternative means**, including by purchasing the data on the market at market rates or by relying on existing obligations to make data available, and the adoption of new legislative measures cannot ensure the timely availability of the data; or
 - (2) obtaining the data in line with the procedure laid down in this Chapter **would substantively reduce the administrative burden** for data holders or other enterprises.

Article 16

Relationship with other obligations to make data available to public sector bodies and Union institutions, agencies and bodies

1. This Chapter shall not affect obligations laid down in Union or national law for the purposes of **reporting, complying with information requests or demonstrating or verifying compliance with legal obligations**.

2. The rights from this Chapter shall not be exercised by public sector bodies and Union institutions, agencies and bodies in order to carry out activities for the **prevention, investigation, detection or prosecution of criminal or administrative offences** or the **execution of criminal penalties**, or for **customs or taxation administration**. This Chapter does not affect the applicable Union and national law on the prevention, investigation, detection or prosecution of criminal or administrative offences or the execution of criminal or administrative penalties, or for customs or taxation administration.