

1 **TO: European Commission**  
2 **TO: Directorate-General for Communications Networks, Content and Technology**  
3 **TO: Directorate-General for Justice and Consumers**

4  
5 **Reference 1:**

6 COM/2017/010 final – 2017/03 (COD)  
7 Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL  
8 concerning the respect for private life and the protection of personal data in electronic  
9 communications and repealing Directive 2002/58/EC (Regulation on Privacy and Electronic  
10 Communications)  
11 [http://eur-lex.europa.eu/procedure/FI/2017\\_3](http://eur-lex.europa.eu/procedure/FI/2017_3)

12  
13 **Reference 2:**

14 COM/2017/08 final – 2017/02 (COD)  
15 Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on  
16 the protection of individuals with regard to the processing of personal data by the Union  
17 institutions, bodies, offices and agencies and on the free movement of such data, and repealing  
18 Regulation (EC) No 45/2001 and Decision No 1247/2002/EC  
19 [http://eur-lex.europa.eu/procedure/FI/2017\\_2](http://eur-lex.europa.eu/procedure/FI/2017_2)

20  
21 First of all, a lot of thanks to two Directorate-Generals (DG CNECT and DG JUST) for organising  
22 this important consultation.

23  
24 This opinion represents an opinion of an individual citizen, not any legal entity.

25  
26 This opinion does not contain:

- 27 – any business secrets
- 28 – any trade secrets
- 29 – any confidential information.

30  
31 This opinion is public.

32 PDF file of this opinion can be added to a relevant web page

33  
34 Annex 1 holds information about previous consultations on the European Union level.

35 Annex 2 holds information about disclaimers and copyright.

36

37

38

39 Best Regards,

40

41

42 Jukka S. Rannila

43 citizen of Finland

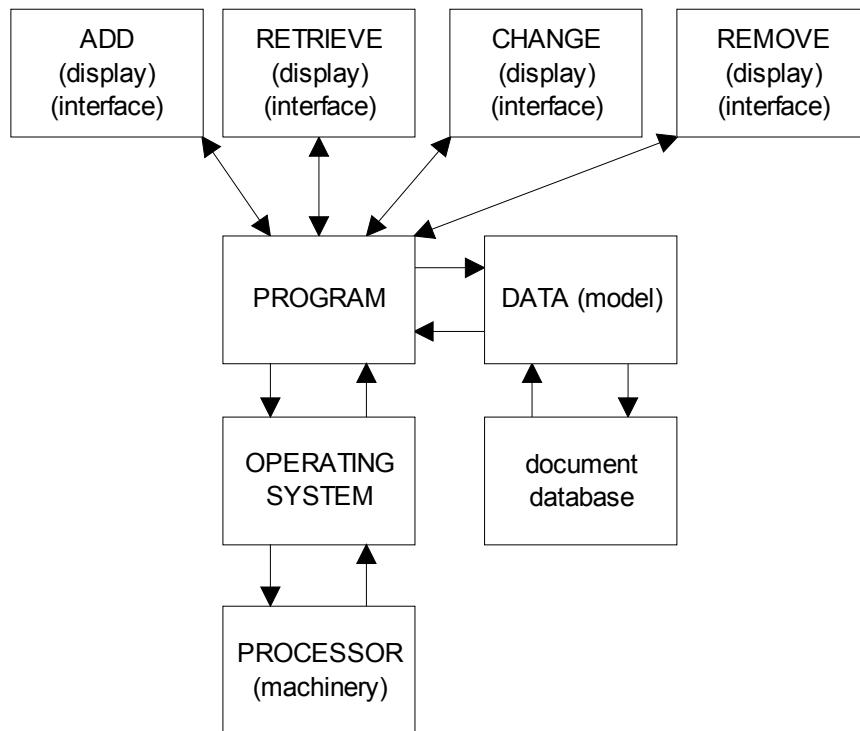
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45 signed electronically

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**First conception for information systems**

In previous consultations I have presented a figure of information system. Generally speaking programs (most arrows) is the central point for information systems.



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We have to note that data can have different models and data (models) are developed and/or used by different stakeholders (four basic functions). Especially in databases there are possibilities for several data models; depending on the modellers there can be different data models in databases. Generally speaking changing data models can be very difficult in many cases.

Here we can note Directive 2009/24/EC:

Directive 2009/24/EC of the European Parliament and of the Council of 23 April 2009 on the legal protection of computer programs (Codified version) (Text with EEA relevance)  
<http://data.europa.eu/eli/dir/2009/24/oj>

There is a Wikipedia article about this directive

Computer Programs Directive  
[https://en.wikipedia.org/wiki/Computer\\_Programs\\_Directive](https://en.wikipedia.org/wiki/Computer_Programs_Directive)

71 Here we can note Directive 96/9/EC:

72

73 DIRECTIVE 96/9/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of  
74 11 March 1996 on the legal protection of databases

75 <http://data.europa.eu/eli/dir/1996/9/oj>

76

77 There is a Wikipedia article about this directive:

78 [https://en.wikipedia.org/wiki/Database\\_Directive](https://en.wikipedia.org/wiki/Database_Directive)

79

80 We can note that probably there is no need for changing these two directives. However **usage** of  
81 computer programs and databases could be regulated in some cases.

82

83 Therefore there could be some assessment of these two directives based on results of these  
84 consultations.

85

86 **Question: How we can/must regulate usage of computer programs and usage of**  
87 **databases?**

88

89 **Processing of data (add, retrieve, change, remove)**

90

91 Here we can note that processing of data means following functions: **add, retrieve, change,**  
92 **remove.**

93

94 Based previous consultations we can note that retrieving (**retrieve**) data from information systems is  
95 the most common function. Therefore there could be some regulations for retrieving information.

96

97 **Some questions?**

98

99 Here we can note that there can different possibilities for documents and databases:

100

101 1) A document can be a traditional paper-based document

102 2) A document can be electronic document

103 3) A database can be a collection traditional paper-based documents

104 4) A database can be electronic database

105 5) Different combinations of traditional documents/databases (1-4) AND electronic  
106 documents/databases (1-4).

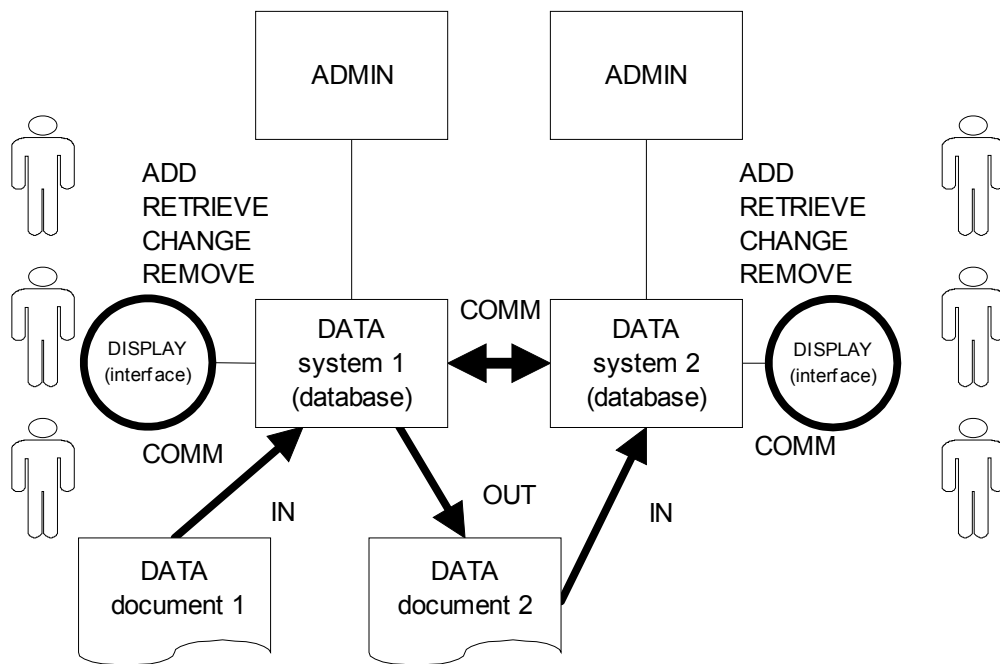
107

108 **Second conception for information systems**

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110 [Continues on the next page]

111



112

113

114 Now we can add four basic functions, communication, displays, interfaces, users, documents, data  
 115 and databases for describing an information system.

116

117 **Some issues to be consider – public systems and private systems?**

118

119 Here we can note following combinations:

120

- 121 • public ↔ public
- 122 • private ↔ private
- 123 • private ↔ public
- 124 • (public ↔ private)

125

126 **Some humble notions**

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128 Based on previous considerations there could be some efforts:

129

- 130 **I) Assessing proposals (COD 2017/2 and COD 2017/3) based on private and**  
 131 **public issues.**
- 132 **II) There could be some adjustments for (public ↔ public) public information**  
 133 **systems.**
- 134 **III) There could be some adjustments for (private ↔ private) private information**  
 135 **systems.**
- 136 **IV) There could be some adjustments for (private ↔ public) cooperation between**  
 137 **public and private information systems.**

138

139 **Some examples?**

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141 **There can be some examples:**

142

143 **a) There could be some regulations for providing interfaces (private, public)**

144 **b) There could be some regulations for document formats (private, public)**

145 **c) There could be some regulations for transmitting data between different systems**

146 **d) There could be some regulations for using databases (private, public)**

147 **e) There could be some regulations for using programs (private, public)**

148 **f) There could be some regulations for retrieving information from different systems.**

149

150 **Other issues?**

151

152 In the previous consultations I have advocated following solution as the maximum solution:

153

154 \* public sector institute owns the machinery and processor of the information system

155 \* the machinery and processor are based on relevant open standards

156 \* the operating system is based on an open-source solution

157 \* public sector institute owns the source code of the information system

158 \* public sector institute owns the database of the information system

159 \* the database is based on open-source solution and on relevant open standards

160 \* public sector institute owns all data in the information system.

161

	<b>Owner? Member? Agreement?</b>	<b>Standards?</b>	<b>OPEN</b>	<b>CLOSED</b>
<b>1. Device / Machinery</b>				
<b>2. Operating system</b>				
<b>3. Program(s)</b>				
<b>4. Data models / Conceptual models</b>				
<b>5. Documents</b>				
<b>6. Databases</b>				
<b>7. Communications</b>				
<b>8. Retrieve / Interface / Display</b>				
<b>9. Add / Interface / Display</b>				
<b>10. Remove / Interface / Display</b>				
<b>11. Change / Interface / Display</b>				

162

163 Naturally, there can be solutions, which are not based on the maximum solution. It can be  
164 concluded, that this consultation is not (yet) about technical details.

165

166 **Note: The relations between different aspects of information systems can result**  
167 **rather complicated (legal) network(s): i.e. Ownership, Membership, Agreement.**

168

169 Here we can note the difference between owners, agreements and members. In reality ownerships  
170 agreements and memberships cause very complex networks, and those networks are changing all  
171 the time: divisions, mergers, ownership changes, agreement changes, cooperation with other  
172 entities, life-cycles, etc.

173

174 **There can be some examples:**

175

176 **g) There could be some efforts for assessing ownership, membership and agreements**

177 **h) Ownership, membership and agreements may mean some specific regulations**

178 **i) There may be a need for standardising some issues**

179 **j) There may be a need for assessing openness and closeness of some issues**

180 **k) There may be a need for more technical consultations after this consultation**

181 **l) Assessing current standardisation efforts could be assessed after this consultation**

182

183 Here we can note that ownership, agreement and membership are interlinked in different ways.  
184 Generally speaking average usage of a system means an unique combination of ownership,  
185 agreement and membership. When everything works fine there are not problems. However changes  
186 with ownership, agreement and membership can result difficult situations.

187

188 **Important consultations**

189

190 Generally speaking both proposals (2017/03 (COD) and 2017/02 (COD)) are important legislative  
191 efforts. However there could be some efforts for assessing both private and public information  
192 systems.

193

194

195

196 **Good luck!!!**

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198 This opinion is quite limited. Hopefully there are other constructive ideas presented in other  
199 opinions. This remains to be seen.

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201 [Continues on the next page]

202

**ANNEX 1**

203

204 My opinions to the previous and relevant consultations – there consultations were mostly organised  
205 by the Commission of the European Union.

206

207 EN: Opinion 1: Review of the rules on access to documents

208 [http://www.jukkarannila.fi/lausunnot.html#nro\\_1](http://www.jukkarannila.fi/lausunnot.html#nro_1)

209

210 EN: Opinion 2: Schools for the 21st Century

211 [http://www.jukkarannila.fi/lausunnot.html#nro\\_2](http://www.jukkarannila.fi/lausunnot.html#nro_2)

212

213 EN: Opinion 3: The future of pharmaceuticals for Human use in Europe- making Europe a Hub for  
214 Safe and Innovative medicines

215 [http://www.jukkarannila.fi/lausunnot.html#nro\\_3](http://www.jukkarannila.fi/lausunnot.html#nro_3)

216

217 EN: Opinion 5: Consumer Scoreboard, Questionnaire for stakeholders

218 [http://www.jukkarannila.fi/lausunnot.html#nro\\_5](http://www.jukkarannila.fi/lausunnot.html#nro_5)

219

220 EN: Opinion 6: Consultation on a Code of Conduct for Interest Representatives

221 [http://www.jukkarannila.fi/lausunnot.html#nro\\_6](http://www.jukkarannila.fi/lausunnot.html#nro_6)

222

223 EN: Opinion 8: European Interoperability Framework, version 2, draft

224 [http://www.jukkarannila.fi/lausunnot.html#nro\\_8](http://www.jukkarannila.fi/lausunnot.html#nro_8)

225

226 EN: Opinion 9: CAMSS: Common Assessment Method for Standards and Specifications, CAMSS  
227 proposal for comments

228 [http://www.jukkarannila.fi/lausunnot.html#nro\\_9](http://www.jukkarannila.fi/lausunnot.html#nro_9)

229

230 EN: Opinion 15: Collective Redress

231 [http://www.jukkarannila.fi/lausunnot.html#nro\\_15](http://www.jukkarannila.fi/lausunnot.html#nro_15)

232

233 EN: Opinion 17: Opinion to Antitrust Case No. COMP/C-3/39.530

234 [http://www.jukkarannila.fi/lausunnot.html#nro\\_17](http://www.jukkarannila.fi/lausunnot.html#nro_17)

235

236 EN: Opinion 18: Opinion Related to the Public Undertaking by Microsoft

237 [http://www.jukkarannila.fi/lausunnot.html#nro\\_18](http://www.jukkarannila.fi/lausunnot.html#nro_18)

238

239 EN: Opinion 19: Official Acknowledgement by the Commission

240 [http://www.jukkarannila.fi/lausunnot.html#nro\\_19](http://www.jukkarannila.fi/lausunnot.html#nro_19)

241

242 EN: Opinion 20: SECOND Opinion Related to the Public Undertaking by Microsoft

243 [http://www.jukkarannila.fi/lausunnot.html#nro\\_20](http://www.jukkarannila.fi/lausunnot.html#nro_20)

244

245 EN: Opinion 21: Opinion about the European Interoperability Strategy proposal

246 [http://www.jukkarannila.fi/lausunnot.html#nro\\_21](http://www.jukkarannila.fi/lausunnot.html#nro_21)

- 247 EN: Opinion 23: Public consultation on the review of the European Standardisation System  
248 [http://www.jukkarannila.fi/lausunnot.html#nro\\_23](http://www.jukkarannila.fi/lausunnot.html#nro_23)  
249
- 250 EN: Opinion 27: Public Consultation on the Modernisation of EU Public Procurement Policy  
251 [http://www.jukkarannila.fi/lausunnot.html#nro\\_27](http://www.jukkarannila.fi/lausunnot.html#nro_27)  
252
- 253 EN: Opinion 28: Consultation on the Europe 2020 Project Bond Initiative  
254 [http://www.jukkarannila.fi/lausunnot.html#nro\\_28](http://www.jukkarannila.fi/lausunnot.html#nro_28)  
255
- 256 EN: Opinion 30: Internet Filtering  
257 [http://www.jukkarannila.fi/lausunnot.html#nro\\_30](http://www.jukkarannila.fi/lausunnot.html#nro_30)  
258 NOTE: Organised by the European Committee for Standardization (CEN) <sup>1</sup>  
259
- 260 EN: Opinion 32: COMP/C-3/39.692/IBM – Maintenance services  
261 [http://www.jukkarannila.fi/lausunnot.html#nro\\_32](http://www.jukkarannila.fi/lausunnot.html#nro_32)  
262
- 263 EN: Opinion 34: REMIT Registration Format  
264 [http://www.jukkarannila.fi/lausunnot.html#nro\\_34](http://www.jukkarannila.fi/lausunnot.html#nro_34)  
265 NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER) <sup>2</sup>  
266
- 267 EN: Opinion 35: Exploiting the employment potential of the personal and household services  
268 [http://www.jukkarannila.fi/lausunnot.html#nro\\_35](http://www.jukkarannila.fi/lausunnot.html#nro_35)  
269
- 270 EN: Opinion 37: CASE COMP/39.654 - Reuters instrument codes  
271 [http://www.jukkarannila.fi/lausunnot.html#nro\\_37](http://www.jukkarannila.fi/lausunnot.html#nro_37)  
272
- 273 EN: Opinion 39: Registry options to facilitate linking of emissions trading systems  
274 [http://www.jukkarannila.fi/lausunnot.html#nro\\_39](http://www.jukkarannila.fi/lausunnot.html#nro_39)  
275
- 276 EN: Opinion 40: Media Freedom and Pluralism / audiovisual regulatory bodies  
277 [http://www.jukkarannila.fi/lausunnot.html#nro\\_40](http://www.jukkarannila.fi/lausunnot.html#nro_40)  
278
- 279 EN: Opinion 41: AT.39398: observations on the proposed commitments  
280 [http://www.jukkarannila.fi/lausunnot.html#nro\\_41](http://www.jukkarannila.fi/lausunnot.html#nro_41)  
281
- 282 EN: Opinion 42: Opening up Education  
283 [http://www.jukkarannila.fi/lausunnot.html#nro\\_42](http://www.jukkarannila.fi/lausunnot.html#nro_42)  
284
- 285 EN: Opinion 43: Publication of extracts of the European register of market participants  
286 [http://www.jukkarannila.fi/lausunnot.html#nro\\_43](http://www.jukkarannila.fi/lausunnot.html#nro_43)  
287 NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER)  
288  
289

1 <http://www.cen.eu/> (Accessed 2 July 2012)

2 <http://www.acer.europa.eu/> (Accessed 2 July 2012)



- 290 EN: Opinion 44: Evaluation policy guidelines  
291 [http://www.jukkarannila.fi/lausunnot.html#nro\\_44](http://www.jukkarannila.fi/lausunnot.html#nro_44)  
292
- 293 EN: Opinion 45: About ICT standardisation  
294 [http://www.jukkarannila.fi/lausunnot.html#nro\\_45](http://www.jukkarannila.fi/lausunnot.html#nro_45)  
295
- 296 EN: Opinion 46: Review of the EU copyright rules  
297 [http://www.jukkarannila.fi/lausunnot.html#nro\\_46](http://www.jukkarannila.fi/lausunnot.html#nro_46)  
298
- 299 EN: Opinion 51: European Area of Skills and Qualifications  
300 [http://www.jukkarannila.fi/lausunnot.html#nro\\_51](http://www.jukkarannila.fi/lausunnot.html#nro_51)  
301
- 302 EN: Opinion 52: Trusted Cloud Europe Survey  
303 [http://www.jukkarannila.fi/lausunnot.html#nro\\_52](http://www.jukkarannila.fi/lausunnot.html#nro_52)  
304
- 305 EN: Opinion 53: Trade Reporting User Manual (TRUM) (Draft)  
306 [http://www.jukkarannila.fi/lausunnot.html#nro\\_53](http://www.jukkarannila.fi/lausunnot.html#nro_53)  
307 NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER)  
308
- 309 EN: Opinion 55: European Energy Regulation  
310 [http://www.jukkarannila.fi/lausunnot.html#nro\\_55](http://www.jukkarannila.fi/lausunnot.html#nro_55)  
311 NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER)  
312
- 313 EN: Opinion 59: Green paper on mobile Health  
314 [http://www.jukkarannila.fi/lausunnot.html#nro\\_59](http://www.jukkarannila.fi/lausunnot.html#nro_59)  
315
- 316 EN: Opinion 60: Cross-border inheritance tax problems within the EU  
317 [http://www.jukkarannila.fi/lausunnot.html#nro\\_60](http://www.jukkarannila.fi/lausunnot.html#nro_60)  
318
- 319 EN: Opinion 61: European Register of Products Containing Nanomaterials  
320 [http://www.jukkarannila.fi/lausunnot.html#nro\\_61](http://www.jukkarannila.fi/lausunnot.html#nro_61)  
321
- 322 EN: Opinion 64: Corporate Social Responsibility - European Commission  
323 [http://www.jukkarannila.fi/lausunnot.html#nro\\_64](http://www.jukkarannila.fi/lausunnot.html#nro_64)  
324
- 325 EN: Opinion 66: Net Innovation for the Work Programme 2016-2017  
326 [http://www.jukkarannila.fi/lausunnot.html#nro\\_66](http://www.jukkarannila.fi/lausunnot.html#nro_66)  
327
- 328 EN: Opinion 68: European Network Code Stakeholder Committees  
329 [http://www.jukkarannila.fi/lausunnot.html#nro\\_68](http://www.jukkarannila.fi/lausunnot.html#nro_68)  
330 NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER)  
331
- 332 EN: Opinion 71: Common Schema for the Disclosure of Inside Information  
333 [http://www.jukkarannila.fi/lausunnot.html#nro\\_71](http://www.jukkarannila.fi/lausunnot.html#nro_71)  
334 NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER)

- 335 EN: Opinion 74: Enabling the Internet of Things  
336 [http://www.jukkarannila.fi/lausunnot.html#nro\\_74](http://www.jukkarannila.fi/lausunnot.html#nro_74)  
337 NOTE: Organised by Body of European Regulators for Electronic Communications (BEREC)  
338
- 339 EN: Opinion 80: Mandatory Transparency Register  
340 [http://www.jukkarannila.fi/lausunnot.html#nro\\_80](http://www.jukkarannila.fi/lausunnot.html#nro_80)  
341
- 342 EN: Opinion 84: Revision of the European Interoperability Framework  
343 [http://www.jukkarannila.fi/lausunnot.html#nro\\_84](http://www.jukkarannila.fi/lausunnot.html#nro_84)  
344
- 345 EN: Opinion 86: 2016 Annual Colloquium on fundamental rights  
346 [http://www.jukkarannila.fi/lausunnot.html#nro\\_86](http://www.jukkarannila.fi/lausunnot.html#nro_86)  
347
- 348 EN: Opinion 88: Evaluation and Review of the ePrivacy Directive  
349 [http://www.jukkarannila.fi/lausunnot.html#nro\\_88](http://www.jukkarannila.fi/lausunnot.html#nro_88)  
350
- 351 EN: Opinion 89: BEREC Guidelines for net neutrality rules  
352 [http://www.jukkarannila.fi/lausunnot.html#nro\\_89](http://www.jukkarannila.fi/lausunnot.html#nro_89)  
353 NOTE: Organised by Body of European Regulators for Electronic Communications (BEREC)  
354
- 355 EN: Opinion 93: Safety of apps and other non-embedded software  
356 [http://www.jukkarannila.fi/lausunnot.html#nro\\_93](http://www.jukkarannila.fi/lausunnot.html#nro_93)  
357
- 358 EN: Opinion 95: Targeted consultation on eForms  
359 [http://www.jukkarannila.fi/lausunnot.html#nro\\_95](http://www.jukkarannila.fi/lausunnot.html#nro_95)  
360
- 361 EN: Opinion 97: COM(2016) 882 final - 2016/0408 (COD)  
362 [http://www.jukkarannila.fi/lausunnot.html#nro\\_97](http://www.jukkarannila.fi/lausunnot.html#nro_97)  
363
- 364 EN: Opinion 98: Opinions related to six (6) co-decision (COD) proposals  
365 [http://www.jukkarannila.fi/lausunnot.html#nro\\_98](http://www.jukkarannila.fi/lausunnot.html#nro_98)  
366
- 367 EN: Opinion 99: COM(2016)0863 - European Union Agency for the Cooperation of Energy  
368 Regulators. Recast  
369 [http://www.jukkarannila.fi/lausunnot.html#nro\\_99](http://www.jukkarannila.fi/lausunnot.html#nro_99)  
370  
371  
372
- 373 My opinions to the previous and relevant consultations – there consultations were mostly organised  
374 by the Commission of the European Union. General page to all consultations – both in English and  
375 in Finnish: <http://www.jukkarannila.fi/lausunnot.html>

376

377

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386

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391

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396

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419

420

421



3 Based on the Finnish three-party system there is a phenomenon called extreme-centre in Finland. The 2011 parliamentary elections in Finland challenged the three-party system, since three “old” parties were not traditionally as the three largest parties. On 2015 this “new” party is part of the current Finnish Government. We all must be interested about this new development in Finland.