

A Europe fit for the Digital Age

Shay Danon November 2024



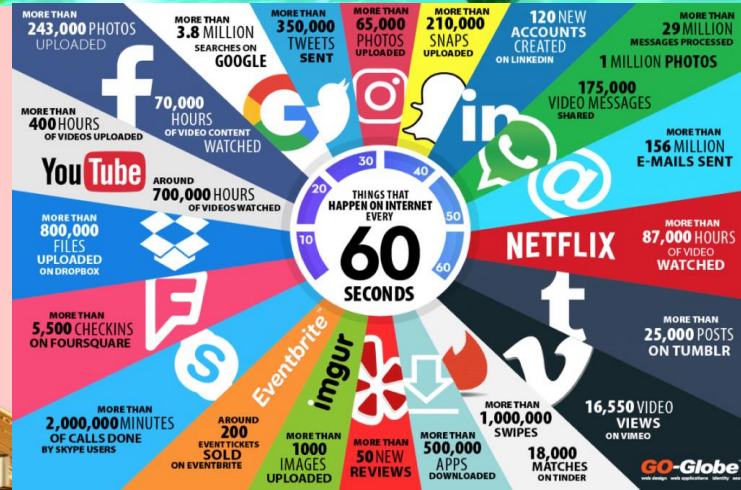
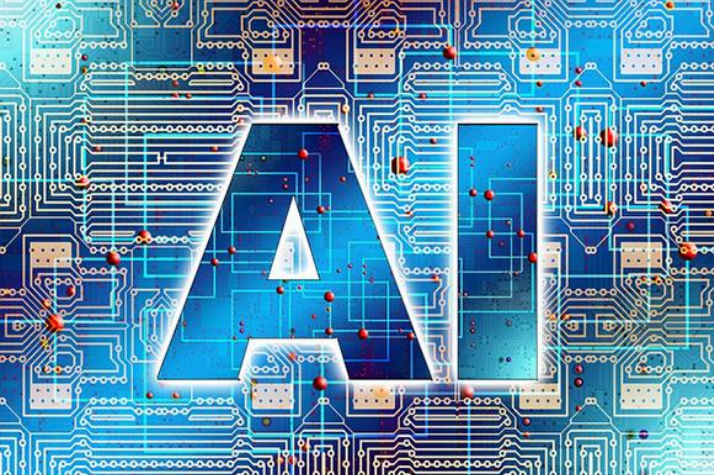
MAKING AN
IMPACT THAT
MATTERS
since 1845

Agenda

What we like to cover today

1. A Europe fit for the digital age
2. The impact this has on us
3. What can we do?
4. Final remarks







What is going on?

A EUROPE FIT FOR THE DIGITAL AGE

The European Commission's priorities

PAGE CONTENTS

6 Commission priorities for 2019-24

Recovery plan for Europe

Documents

6 Commission priorities for 2019-24

[A European Green Deal](#)

Europe aims to be the first climate-neutral continent by becoming a modern, resource-efficient economy.

[A Europe fit for the digital age](#)

The EU's digital strategy will empower people with a new generation of technologies.

The EU must create a more attractive investment environment, and growth that creates quality jobs, especially for young people and small businesses.

[A stronger Europe in the world](#)

The EU will strengthen its voice in the world by championing multilateralism and a rules-based global order.

[Promoting our European way of life](#)

Europe must protect the rule of law if it is to stand up for justice and the EU's core values.

[A new push for European democracy](#)

We need to give Europeans a bigger say and protect our democracy from

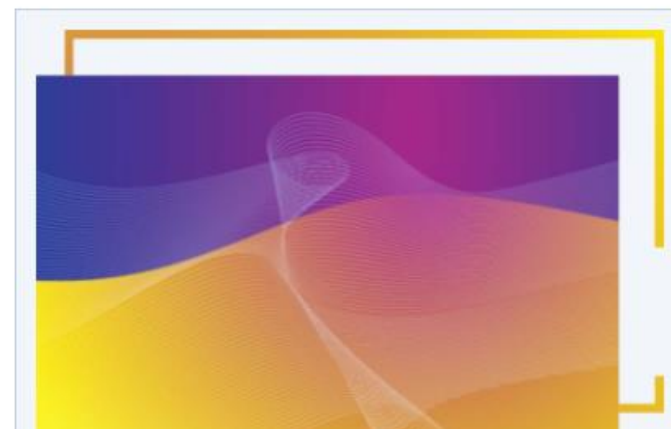
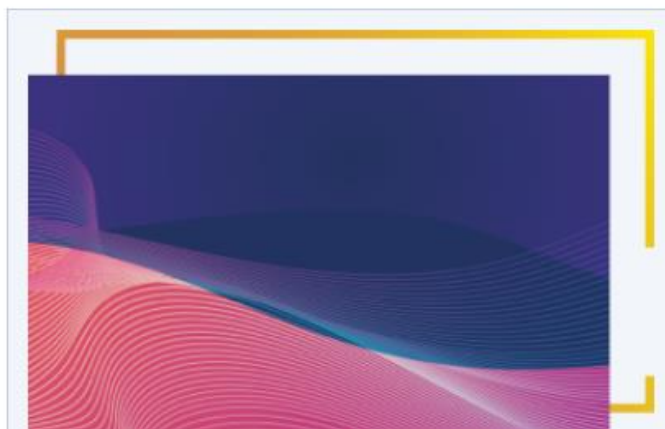
[Home](#) > [Strategy](#) > [Priorities 2019-2024](#) > [A Europe fit for the digital age](#)

A Europe fit for the digital age

Digital technology is changing people's lives. The EU's digital strategy aims to make this transformation work for people and businesses, while helping to achieve its target of a climate-neutral Europe by 2050.

The Commission is determined to make this Europe's "Digital Decade". Europe must now strengthen its digital sovereignty and set standards, rather than following those of others – with a clear focus on data, technology, and infrastructure.

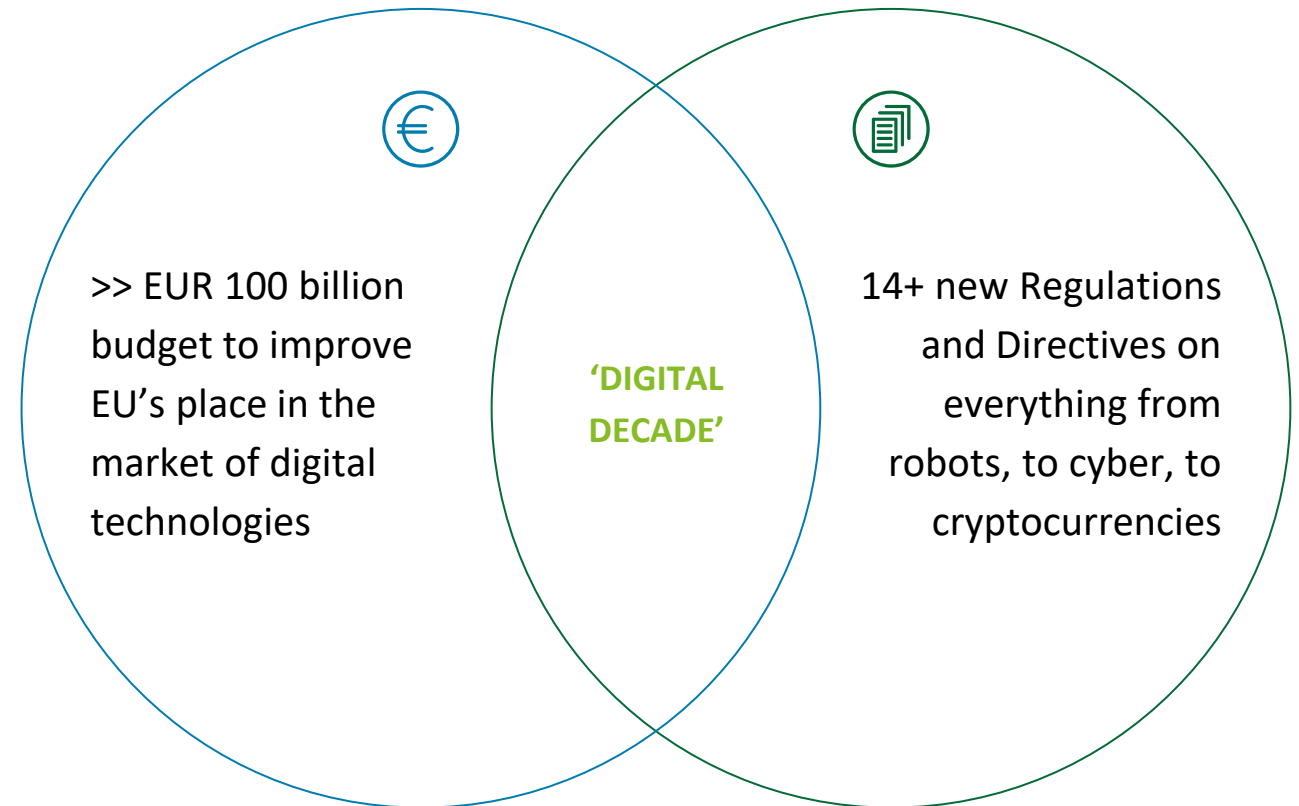
Related links



What can the European Union do to promote these goals?

Between Commission, Parliament and Council, there are not many instruments available

The European Union only has two instruments with which it can shape policy: **subsidies and new rules**. Both are deployed to create A Europe Fit for a Digital Age



A grayscale photograph of a robotic arm in a greenhouse, reaching towards a vertical plant wall. The background shows rows of similar plant walls and structural elements of the greenhouse.

What does this mean?

THE NEW RULES THE EU IS CREATING

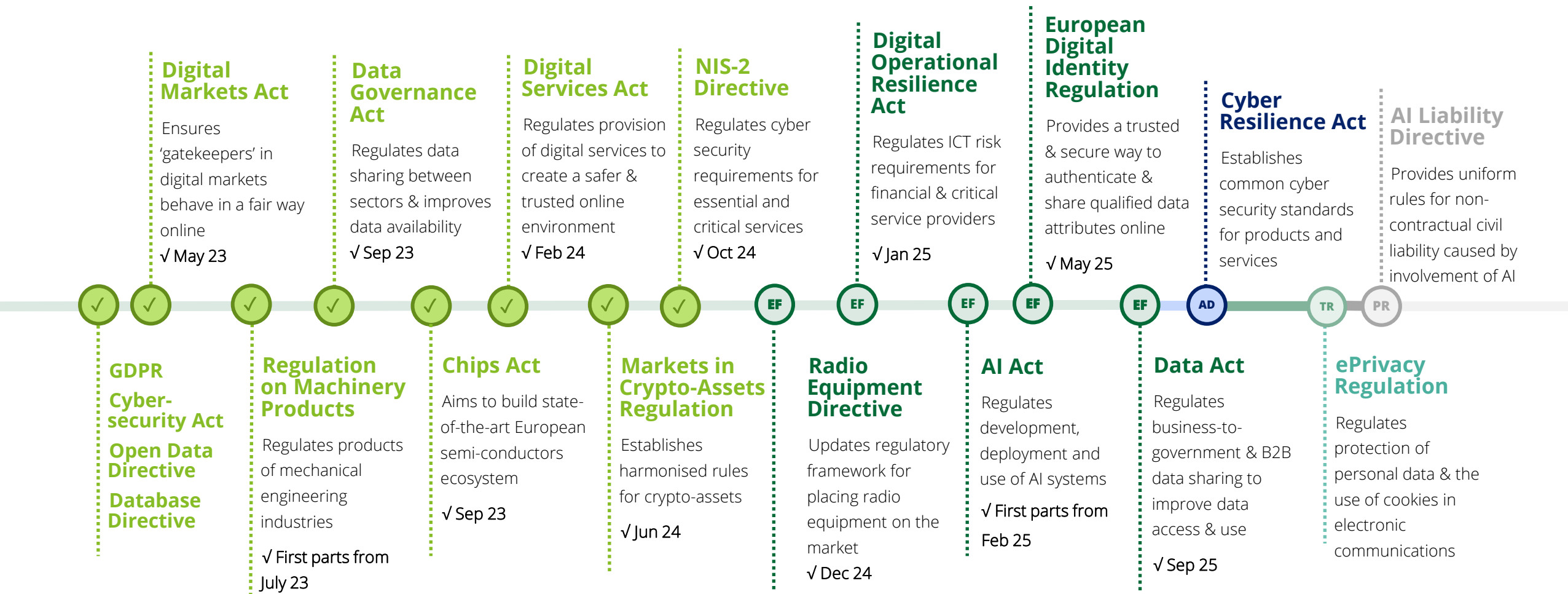
EU's solution

'GDPR mimesis'

EU's technology related law is based on GDPR

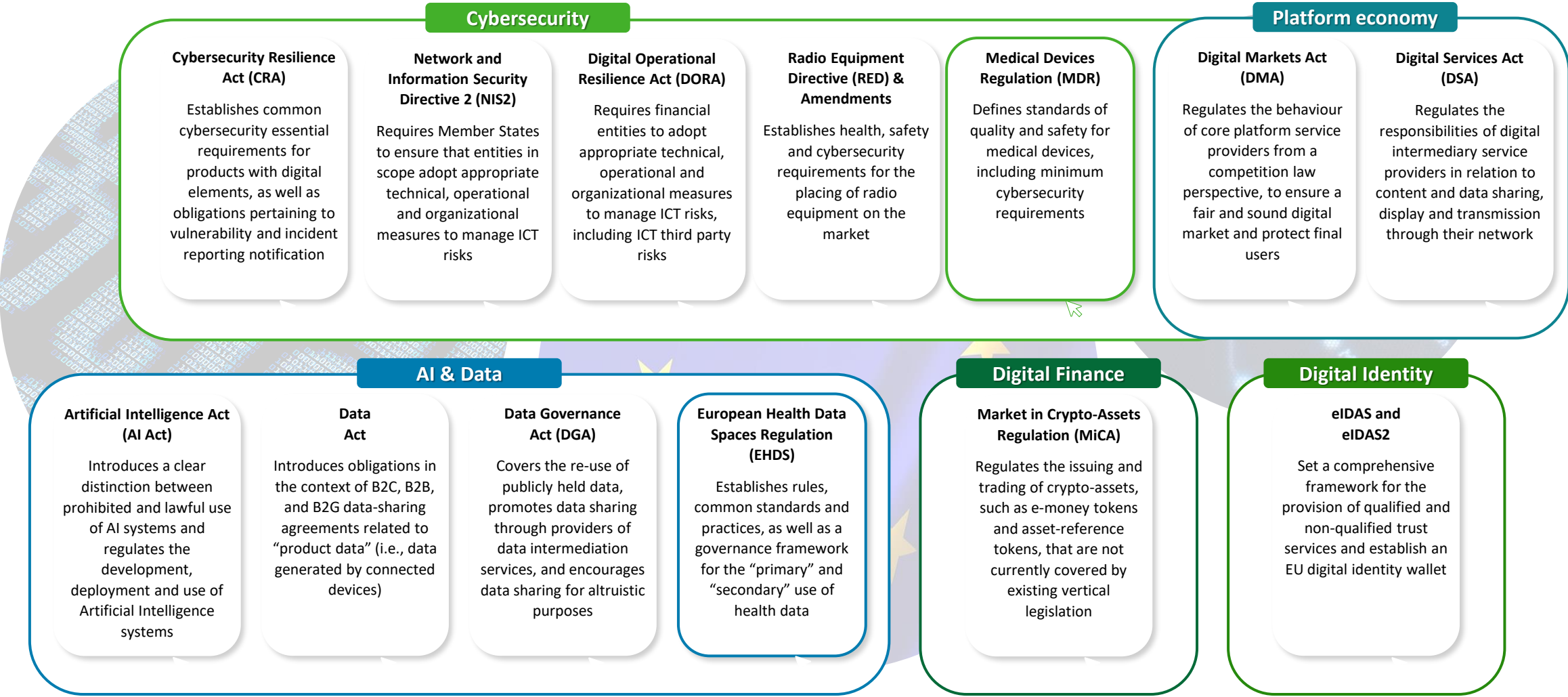
- Same legal “scheme” as used for GDPR
- Principle based
- Accountability defined
- Cyber security included in most proposals
- Similar rights of individuals that must be acted upon
- Technology neutral wording
- ‘Horizontal’, not sector specific rules
- Similar / same supervisory authorities
- Same fines structure

The EU's 'Europe Fit For the Digital Age' regulatory package



An ever-changing EU cyber and digital regulatory landscape

Over the past few years, there has been a wave of new cyber and digital EU legislation, requiring public and private entities to navigate a complex environment of new regulatory requirements



Legislative Status

		Proposal	Trilogue	Provisional Agreement	Final vote Parliament	Final vote Council	Adoption (Publication)	Enters into force	Applies from
Digital Markets Act									
	Applies	15/12/2020	15/12/2021	25/04/2022	05/07/2022	18/07/2022	12/10/2022	01/11/2022	02/05/2023
Data Governance Act									
	Applies	25/11/2020	15/07/2021	30/11/2021	06/04/2022	16/05/2022	03/06/2022	23/06/2022	24/09/2023
Chips Act									
	Applies	09/02/2022	24/01/2023	18/04/2023	11/07/2023	25/07/2023	18/09/2023	20/09/2023	20/09/2023
Digital Services Act									
	Applies	15/12/2020	20/01/2022	23/04/2022	05/07/2022	04/10/2022	27/10/2022	16/11/2022	17/02/2024
Market in Crypto-Assets Regulation									
	Applies	24/09/2020	14/03/2022	30/06/2022	20/04/2023	16/05/2023	09/06/2023	29/06/2023	30/06/2024
Regulation on Machinery Products									
	Applies	21/04/2021	03/05/2022	15/12/2022	18/04/2023	22/05/2023	29/06/2023	19/07/2023	14/07/2024
NIS2 Directive									
	Enters into force	16/12/2020	28/10/2021	13/05/2022	10/11/2022	28/11/2022	27/12/2022	16/01/2023	18/10/2024
Critical Entities Resilience Directive									
	Enters into force	16/12/2020	20/10/2021	28/06/2022	22/11/2022	08/12/2022	27/12/2022	16/01/2023	18/10/2024
Revision of the Radio Equipment Directive									
	Enters into force	17/09/2021	20/04/2022	07/06/2022	04/10/2022	24/10/2022	7/12/2022	26/12/2022	28/12/2024

Legislative Status

	Proposal	Trilogue	Provisional Agreement	Final vote Parliament	Final vote Council	Adoption (Publication)	Enters into force	Applies from
AI Act								
Enters into force	21/04/2021	14/06/2024	9/12/2023	13/03/2024	21/05/2024	12/07/2024	02/08/2024	02/02/2025
Digital Operational Resilience Act								
Enters into force	24/09/2020	01/12/2021	10/05/2022	10/11/2022	28/11/2022	27/12/2022	16/01/2023	17/02/2025
European Digital Identity Framework								
Enters into force	03/06/2021	09/02/2023	08/11/2023	29/02/2024	26/03/2024	30/04/2024	20/05/2024	21/05/2025
Data Act								
Enters into force	23/02/2022	29/03/2023	27/06/2023	09/11/2023	27/11/2023	22/12/2023	11/01/2024	12/09/2025
Cyber Resilience Act								
Final vote Parliament	15/09/2022	19/07/2023	30/11/2023	12/03/2024	10/10/2024	TBD	20 days later	36 months later
ePrivacy Regulation								
Trilogue	10/01/2017	19/10/2017	TBD	TBD	TBD	TBD	20 days later	TBD
AI Liability Directive								
Proposal	28/09/2022	TBD	TBD	TBD	TBD	TBD	20 days later	2 years later

Every company and government in the EU will be impacted by this

Not all 14 new and updated pieces of legislation will impact every company or government organisation; however the opposite is true!

*Some of these new and updated rules are sector specific. Some of them apply only to companies over a certain (large) size. **However, given all subjects combined, there is not a digital technology that is not touched by these rules!** We therefore advise to pro-actively pay attention to what is happening on this front.*

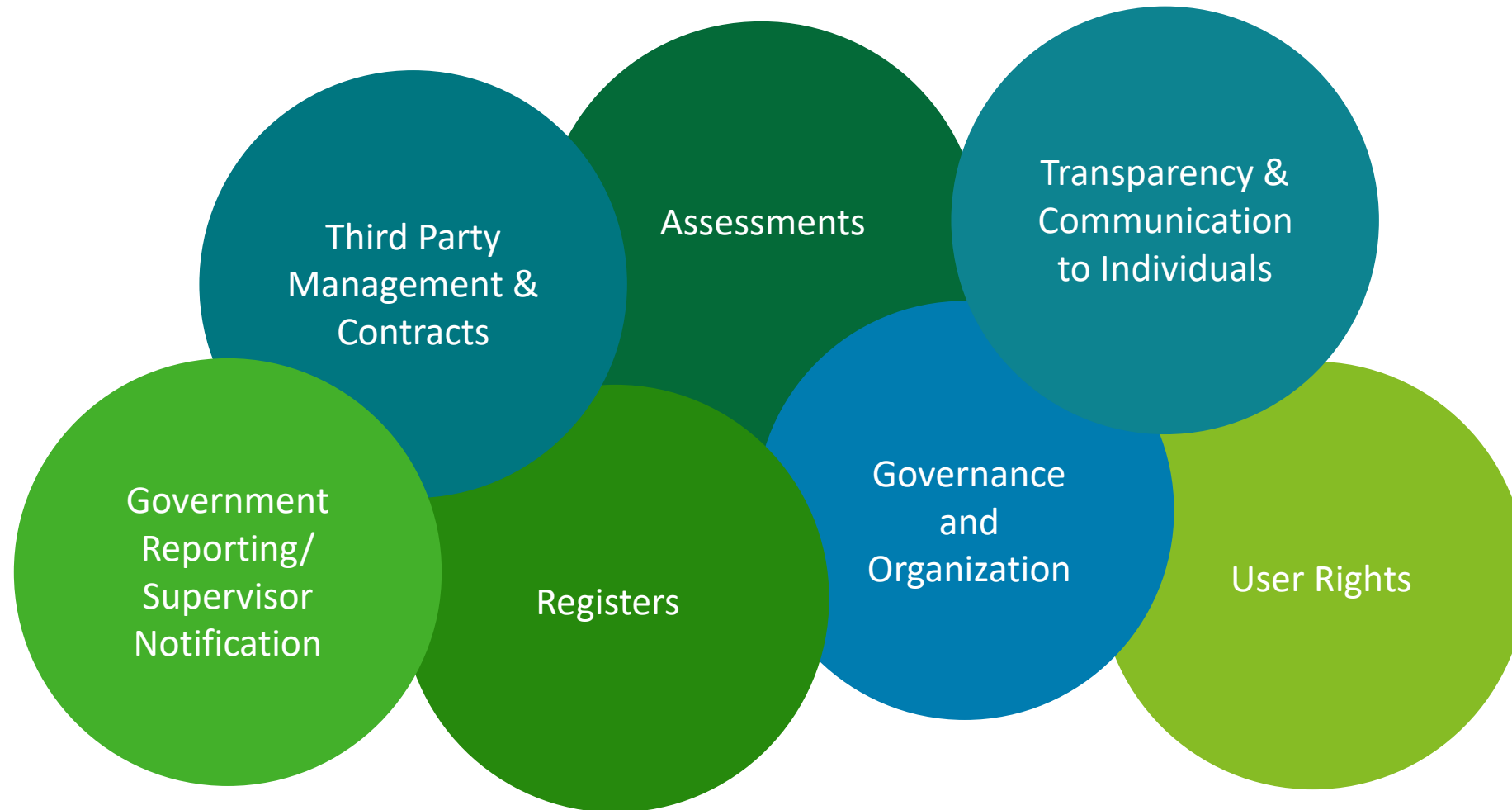


That's a lot of information....

WHAT CAN WE DO?

Relevant themes across the different regulations

Expected topics within the Europe Fit For the Digital Age program that bring requirements to clients similar to those contained in the GDPR



Applicable regulations

Understanding regulatory commonalities is important for efficient implementation*

	Registers	Reporting	Notifications	Governance & Organization	User rights	TPRM	Assessments	Transparency	Fines
General Data Protection Regulation	✓		✓	✓	✓	✓	✓	✓	Up to €20M or 4% of turnover**
AI Act	✓	✓	✓	✓			✓	✓	Up to €35M or 7% of turnover
AI Liability Directive***					✓				
Chips Act		✓	✓			✓			
Cyber Resilience Act		✓	✓		✓		✓		Up to €15M or 2.5% of turnover
Data Act	✓				✓	✓		✓	Up to €20M or 4% of turnover
Data Governance Act	✓	✓	✓	✓				✓	
Digital Markets Act	✓	✓	✓	✓	✓			✓	
Digital Services Act	✓	✓	✓	✓	✓	✓	✓	✓	Up to 6% of turnover
Digital Operational Resilience Act	✓	✓	✓	✓		✓	✓	✓	
ePrivacy Regulation			✓	✓	✓			✓	Up to €20M or 4% of turnover
European Digital Identity Regulation	✓	✓	✓		✓		✓		
Market in Crypto-Assets Regulation	✓		✓	✓		✓	✓	✓	
NIS2 Directive			✓	✓		✓			
Radio Equipment Directive	✓	✓	✓		✓		✓	✓	
Regulation on Machinery Products	✓	✓					✓		

* Member States may determine the exact amount of the administrative fines, and they will lay down rules on penalties regarding the Radio Equipment Directive and Regulation on Machinery Products

** Annual worldwide turnover

© 2023 Deloitte The Netherlands *** The AI Liability Directive is at the proposal stage thus the fines have not been defined

Key considerations for No-regret activities

Our considerations for your next steps

No-regret Activities



Applicability assessment

Look at each requirement which are following from the aforementioned rules and try to identify what gaps exist in current capabilities.



Identify stakeholders

Identify the people that need to be involved and determine also what existing roles need to be introduced or can be mapped to existing roles? Utilize this time to define who is responsible for what.



Focus on governance

Avoid approaching this from a solely legal or cyber angle. Consider forming a central steering group or taskforce that will tackle requirements across disciplines and capabilities in the organization.



Europe will be in the spotlights with this...

FINAL REMARKS




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The term *Brussels effect* was coined in 2012 by Professor [Anu Bradford](#) of Columbia Law School^{[1][2][3]} and named after the similar [California effect](#) that can be seen within the United States.^[4]

The combination of market size, market importance,^[1] relatively stringent standards and regulatory capacity^[5] of the European Union can have the effect that firms trading internationally find that it is not economically, legally or technically practical to maintain lower standards in non-EU markets. Non-EU companies exporting globally can find that it is beneficial to adopt standards set in Brussels uniformly throughout their business.^{[6][7]}

The [California effect](#) and the Brussels effect are a form of "[race to the top](#)" where the most stringent standard has an appeal to companies operating across multiple regulatory environments as it makes global production and exports easier.^{[8][9][10]} The effects are the opposite of the Delaware effect, a [race to the bottom](#) where jurisdictions can purposefully choose to lower their regulatory requirements in an attempt to attract

Margrethe Vestager

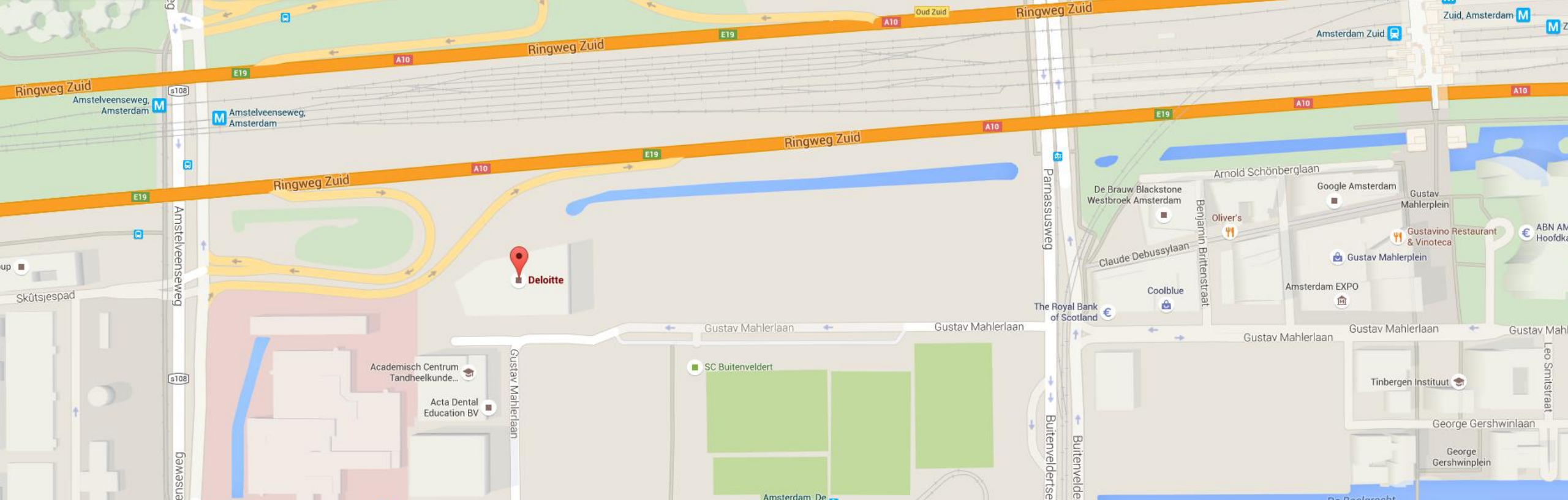
Executive Vice President of the European Commission for a
Europe Fit for the Digital Age



“Some say China has all the data and the US has all the money. But in Europe, we have purpose.”

A stylized rose is formed by a dense arrangement of white dots on a black background. The rose is positioned in the upper right quadrant of the image. The text 'THANK YOU.' is written in a bold, green, sans-serif font, located in the lower left quadrant. The period at the end of the text is a solid white dot.

THANK YOU.



Get in touch

Shay Danon
+ 31 6 13721052
sdanon@deloitte.nl

Marlieke Bakker
+ 31 6 83791967
mabakker@deloitte.nl

The Edge

Gustav Mahlerlaan 2970
1081 LA Amsterdam

📞 088 – 288 2888

✉ info@deloitte.nl



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