



ALMA MATER STUDIORUM  
UNIVERSITÀ DI BOLOGNA

Consumers & SMES  
in the Digital Single Market

Jean Monnet Centre of Excellence



Digi-ConsME  
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## NEWSLETTER 2/2021

### NEWS from JEAN MONNET CENTER OF EXCELLENCE Consumers & SMEs in the Digital Single Market

#### Short Courses:

- (1) **The GDPR and the ASEAN data protection landscape: friends or foes? Commercial implications for SMEs and beyond**  
Prof. Federico Ferretti and Mr. Noriswadi ISMAIL  
15 March 2021

**ABSTRACT:** For the past 24 months to date, Singapore, The Philippines and Malaysia have had reviewed its personal data protection laws to partly align *with some but not all* the European Union (EU) General Data Protection Regulation (GDPR) requirements. Besides this significant progress, on 14th June 2019, Singapore Personal Data Protection Commission is the first Data Protection Authority in ASEAN to have signed Memorandum of Understanding (MOU) with the U.K Information Commissioner's Office (ICO) and on 13th January 2021, the Philippines' National Privacy Commission signed MOU with the ICO. Both MOUs are aimed towards joint cooperation and shared intelligence between these jurisdictions. Indonesia Personal Data Protection Bill is the jurisdiction to watch for due to its progressive economy and 'data localisation' requirements. In parallel, organisations in ASEAN have been prioritising on cybersecurity and data governance initiatives as part of the member states' digital economy and data innovation strategy gradually triggered by Artificial Intelligence (AI), Machine Learning, Disruptive and Emerging Technologies. This talk will provide insights on:

- Why the EEA, UK - ASEAN trade is indispensable?
- Why ASEAN data protection landscape is evolving?
- Who are the key stakeholders?
- How Data Protection Authorities and Sector Specific Regulators cooperate when it comes to GDPR-related data breaches?
- What's the reality on the ground? – selected case studies on: Malaysia, Singapore, the Philippines and Indonesia
- Will the Asia-Pacific Economic Cooperation (APEC) Cross Border Privacy Rules (CBPRs) help to converge ASEAN's data protection landscape?

- What's needed to achieve adequacy status from the European Commission? (lessons learned from Japan)
- When will ASEAN data protection landscape mature?

**(2) The Digital Single Market: what does it mean for SMEs and consumers?**

Prof.ssa Beatrice Bertarini  
22 March 2021

**ABSTRACT:** The short course investigates the existing relationship between the Digital Single Market, businesses and consumers, focusing in particular on how digitization has changed and will change this relationship.

The Communication that defines Digital Single Market, represents a first central point for understanding the legal, economic and social impact of the Digital Single Market, but from this first act there are many additional legal acts that have been issued and which represent the legal framework for the definition of the Digital Single Market.

**(3) The Ever Given case: Risks, liabilities and compensation. The effects on SMEs as maritime transport users**

Prof. Stefano Zunarelli  
12 April 2021

**ABSTRACT:** The Ever Given accident, which took place some weeks ago in the Suez Canal, provided evidence of the potentially disruptive effects of a maritime accident, in the globalized economy, if it takes place in one of the “bottle-necks” of the worldwide maritime transport network. The emergency is over. Now it is important to focus on the possible involvement of SME, as maritime transport users, in the costs deriving from such accident and on the possibility for them to obtain compensation for the damages suffered as its consequence, on the ground of the applicable international liability regime.

**(4) SMEs and Digital technologies in EU regulations**

Prof. ssa Maria Alessandra Stefanelli  
18 May 2021

**ABSTRACT:** The Short Course investigates the European public regulation of Small and Medium-sized enterprises in relation to new ICT technologies and funding channels.

**(5) The Impact of SMEs on The European Economy: Conversational Briefings**

Prof. Robin Jarvis and Dani Saghafi  
27 May 2021

**ABSTRACT:** SMEs have become a critical influential element of the European business landscape. This is reflected in key metrics - 66% of those employed in Europe work in SMEs: SMEs contribute 56% of the value added. In individual European jurisdictions this pattern of economic influence is displayed with some variations between the size, and nature of SMEs in these economies. Questions arise as to:

- What are the main drivers of growth of SMEs in Europe?
- The extent SMEs are supported in the development of regulation

- How they are managing in a digital world
- The effect of the pandemic
- Support in their sustainability
- How they can effectively reach markets
- Climate change and SMEs

For more details: <https://site.unibo.it/digi-consme/en/funding/seminar-series>

## Conference:

### **Integrated reporting and SMEs in the Digital Single Market 26 May 2021**

This interdisciplinary (law – economics – accounting - policy) Conference investigates how European legislation on integrated reporting (disclosure on economic-financial, social and environmental matters) can be a tool for SMEs to provide consumers with a set of information that allows them to expand their market share in the Digital Single Market. The Digital Single Market seems indeed to contemplate multiple opportunities for growth, and the European legislator may support this with many actions, but it can also lead to the exclusion of those companies that fail to enter this market.

## Publications:

In our newsletter, we'll suggest you interesting publications provided by the members of our Centre.

This time we propose you:

1. Ferretti F., *L'open banking e le troppe zone grigie del conflitto tra la legislazione europea sui pagamenti e la tutela dei dati personali*, federalismi.it, Rivista di diritto pubblico italiano, comparato, europeo, 7 April 2021.  
**ABSTRACT:** This work analyses problems in the legal framework of Open Banking enabled by the European legislation on payment services. The conflation between banking and the data economy reveal a brand-new market where individual rights are at stake. The normative intersection between the law on payment services (PSD2) and data protection law (GDPR) expose not only poor coordination but also a growing entanglement of legal knots. The legal inconsistencies, loopholes, and interpretative difficulties are examined to expose operational risks beyond difficulties of legal technicism. Fundamental rights of EU citizens are at stake. A rethinking, or at least a correction, of the European regime of Open Banking is necessary to reconcile the needs of an emerging market and the protection of its users.
2. Stefanelli M.A., *Small business in Europa. Regolamentazione giuridica a geometria variabile*, in *Diritto ed economia del mercato*, a cura di Giuliano Lemme, CEDAM, 2021.  
**ABSTRACT:** The article analyzes the industrial policy of the European Union in a historical evolutionary sense, focusing on that specifically dedicated to micro, small and medium-sized enterprises. particular attention is dedicated to the Digital Single Market and the new "An SME Strategy for a sustainable and digital Europe".

3. B. Bertarini, *Misure di sostegno a favore delle micro, piccole e medie imprese nel contesto della pandemia Covid-19*, in *Ambiente Diritto*, 2020, n. 4.

**ABSTRACT:** The study examines the support measures following the coronavirus health pandemic in favor of micro, small and medium-sized enterprises, analyzing the national legislation that defines both direct and indirect support actions. MSMEs require, now more than ever, particular attention by Italian and European legislator who must question the actual effectiveness of the current legislation in favor of this type of company which, due to the Covid-19 pandemic, could drastically decrease its presence on the market.

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