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ABOLITION OF THE IT AND TELECOM AGENCY

In connection with its inauguration, the new Danish government has decided to abolish the IT and Telecom Agency, which has existed since 2002, and which has existed under the Danish Ministry of Science, Technology and Innovation.

Until now, the IT and Telecom Agency has, among other things, been responsible for the regulation of telecom and internet as well as the administration of frequencies. In future, the Ministry of Business and Growth Denmark will be the authority mainly responsible for the part of the IT and Telecom Agency's work related to the administration of frequencies and the regulation of telecom.

Therefore, the Ministry of Business and Growth Denmark will be responsible for personal data safety, assignments regarding the protection of privacy on the internet, net neutrality, DNS blocking of websites as well as logging.

As of 1 January 2012, a new Commerce Agency (Erhvervsstyrelsen) under the ministry, which is to handle part of these areas, will be created. The Commerce Agency is established by a joining of the Danish Commerce and Companies Agency, the Danish Enterprise and Construction Authority and functions from the IT and Telecom Agency.

The primary tasks of the Commerce Agency will be the development of trade and industry (including among other things industrial promotion, regional development, the digital market), regulation of business areas (company and accounting rules, foundations, the professions etc.), regulation of telecommunications and the internet, as well as the registration of companies (CVR, Virk.dk).

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The other tasks under the IT and Telecom Agency are divided between other ministries:

- The Ministry for Economic and Interior Affairs will take over certain tasks regarding IT modernisation and matters of digitalisation,
- functions relating to the protection of critical IT infrastructure as well as the Government's warning service for internet threats are moved to the Ministry of Defence,
- the responsibility for IT politics, including cases regarding digital communication with citizens and companies, is moved to the Ministry of Finance. This also involves the responsibility for open standards, open source solutions in the government, IT accessibility and accessibility with regards to public data etc. ,
- finally, the Ministry of Children and Education will be responsible for the academic work with IT in the primary and lower secondary school.

In connection with the new organisation of the Ministry of Finance, a new Digitalisation Agency was established which, as of 31 October 2011, collected the competencies regarding digitalisation and welfare technology from the IT and Telecom Agency. The purpose of the work of the Digitalisation Agency is to strengthen the digital support of the public sector. Among other things, the Agency is to contribute to the determination of strategies, the carrying out of these strategies and to ensure that the benefits from using the new digital possibilities are gained.

The reorganisations imply that www.itst.dk will be closed down when the contents of the site has been transferred to other websites.

If you have any questions or require additional information on the abolition of the IT and Telecom Agency, please contact partner Christoffer Galbo (cga@mwblaw.dk), Attorney Henrik Syskind Pedersen (hsp@mwblaw.dk) or junior associate Sofie-Amalie Gregaard Brandi (sab@mwblaw.dk).

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