



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Message 201

Communication from the Commission - TRIS/(2025) 0484

Directive (EU) 2015/1535

Notification: 2025/0041/FR

Forwarding of the response of the Member State notifying a draft (France) to request for supplementary information (INFOSUP) of European Commission.

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1. MSG 201 IND 2025 0041 FR EN 28-04-2025 19-02-2025 FR ANSWER 28-04-2025

2. France

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4. 2025/0041/FR - SERV - INFORMATION SOCIETY SERVICES

5.

6. ' Articles 31 and 35 of Law No 2024-449 of 21 May 2024 on securing and regulating the digital space do not have the same purpose or scope. In this respect, Article 35 is not applicable to Article 31.

Article 31 is based on the doctrine of the use of cloud computing by the State ('cloud in the centre') laid down in Circular No 6282-SG of 5 July 2021 on the doctrine of the use of cloud computing by the State and revised by the Circular of 31 May 2023. This national framework is well known to the European Commission.

Article 31 is not intended to regulate the practices of cloud computing service providers, but only those of the administrations of the French State, its operators, the list of which is annexed to the draft budget law, and public interest groups comprising the administrations or operators mentioned above, the list of which is fixed by decree of the Council of State and has been notified to you.

If the conditions laid down in Article 31 are met, the administrations concerned may have recourse to any private service provider, provided that the latter implements the security and data protection criteria specified in the draft decree.

There is no new obligation for administrations to choose a qualified cloud provider for all their data, but only for sensitive data, the definition of which in Article 31 is the same as in the circular 'cloud at the centre'. In addition, in order to take into account difficulties relating to the state of the market, provision is made for the possibility of derogation.'



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