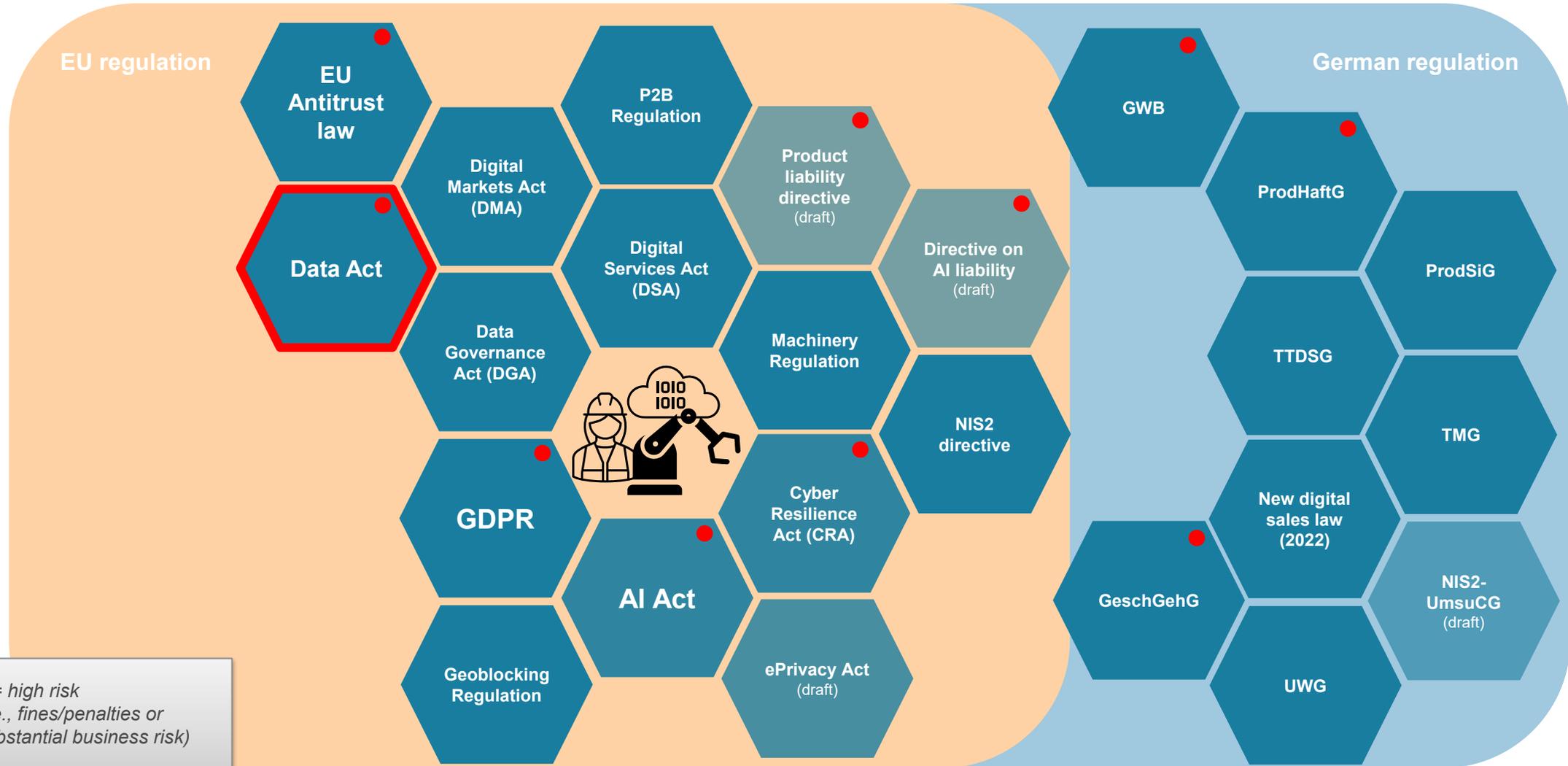


EU Data Act

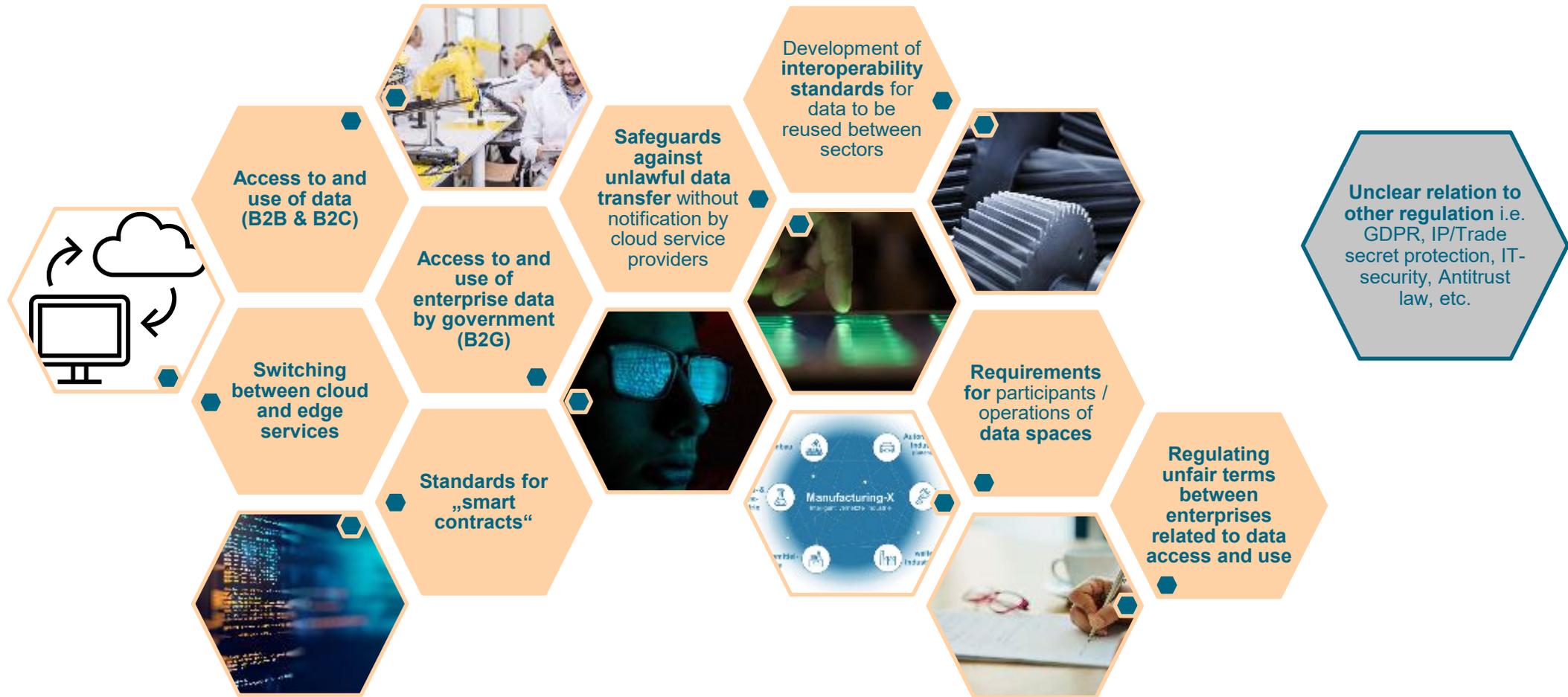
Set! Ready? Go?

Salome Peters
Rechtsanwältin (Syndikusrechtsanwältin)

Overview of EU and German regulation (non-exhaustive)



Key elements



Regulation (EU) 2023/2854 of the European Parliament and of the Council of 13 December 2023 on harmonised rules on fair access to and use of data and amending Regulation (EU) 2017/2394 and Directive (EU) 2020/1828 (Data Act), available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AL_202302854

Key elements

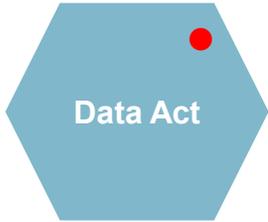


Regulation (EU) 2023/2854 of the European Parliament and of the Council of 13 December 2023 on harmonised rules on fair access to and use of data and amending Regulation (EU) 2017/2394 and Directive (EU) 2020/1828 (Data Act), available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AL_202302854

Art. 3(1) Data Act

“**Connected products** shall be designed and manufactured, and **related services** shall be designed and provided, in such a manner that **product data** and **related service data**, including the **relevant metadata** necessary to interpret and use the data, are,

- by default,
- easily,
- securely,
- free of charge,
- in a comprehensive, structured, commonly used and machine-readable format, and,
- where relevant and technically feasible, directly accessible to the user.”



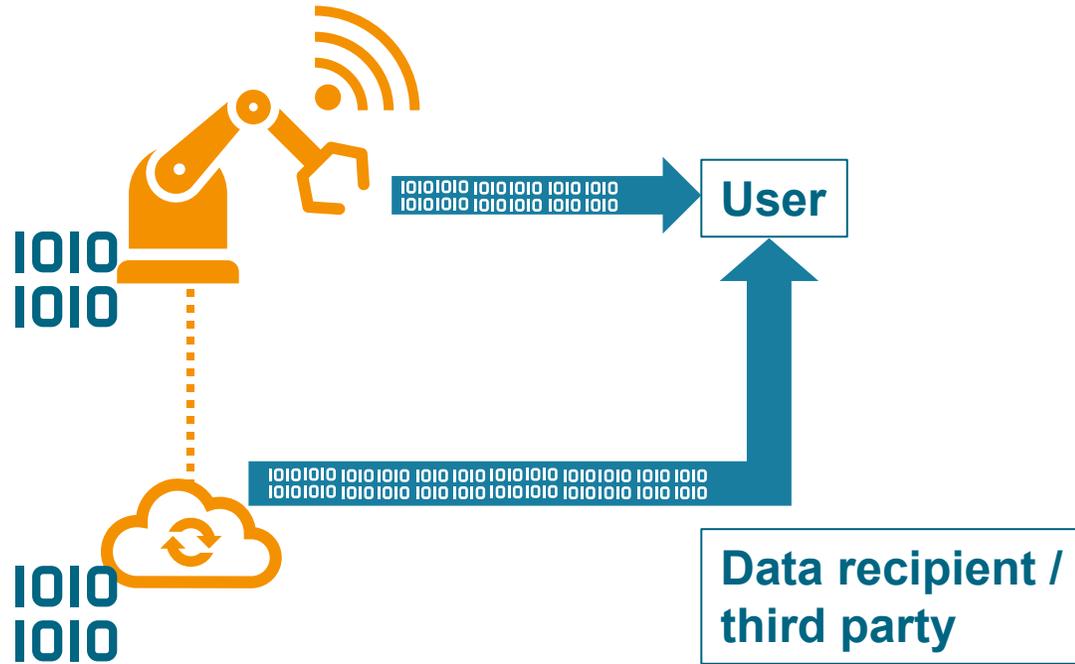
Basic scenarios („Data Act“)



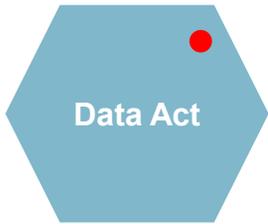
Manufacturer /
Provider

Data holder

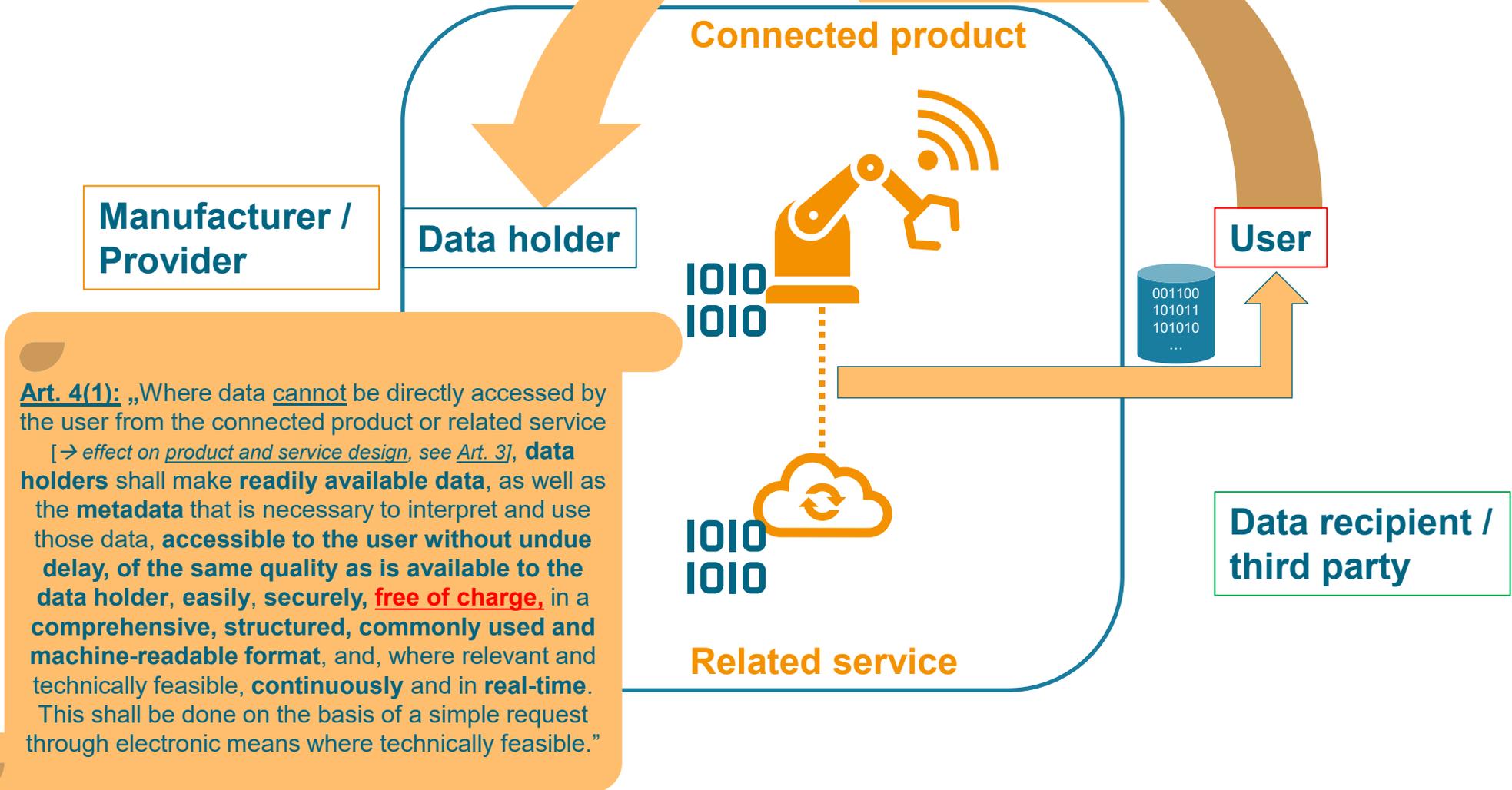
Connected product



Related service



Basic scenarios („Data Act“)



Art. 4(1): „Where data cannot be directly accessed by the user from the connected product or related service [→ effect on *product and service design*, see *Art. 3*], **data holders** shall make **readily available data**, as well as the **metadata** that is necessary to interpret and use those data, **accessible to the user without undue delay, of the same quality as is available to the data holder, easily, securely, free of charge**, in a **comprehensive, structured, commonly used and machine-readable format**, and, where relevant and technically feasible, **continuously** and in **real-time**. This shall be done on the basis of a simple request through electronic means where technically feasible.”

- **In force: since 11/01/2024**
 - general applicability: **20 months** after coming into effect (**12/09/2025**)
 - general applicability Art. 3(1): additional **12 months** (**12/09/2026**)
- **Inform those responsible for product and service design asap**
- **Update Data Governance Model and Compliance Risk Catalogue**
- **Check and Update: Business models, contracts (see Art. 13) and information**
- **Assess the opportunities and risks of the data economy on a company-by-company / individual basis**
- **Identify specific solution scenarios**
(e.g., data rooms, model conditions of the EU Commission, etc.)

- **Information on legislative procedure and position:**

<https://vdma.org/viewer/-/v2article/render/76388631>

- **VDMA-FAQ:**

<https://vdma.org/viewer/-/v2article/render/82842914>

- **VDMA AK digitaLegis:**

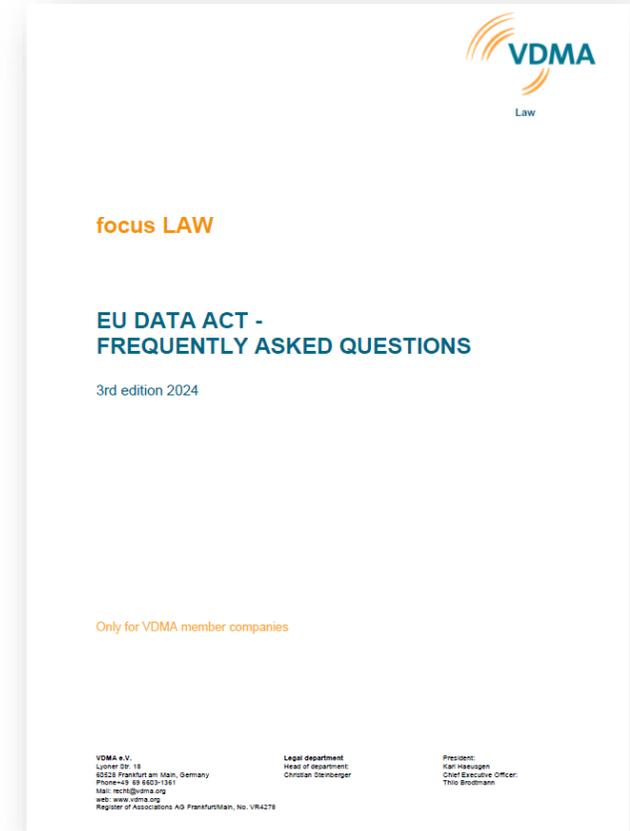
<https://vdma.org/groups-details/-/group/73551>

- **VDMA Newsletter „Legal“:**

→ Subscribe on „MyVDMA / Newsletter“ <https://vdma.org/personal-space>

- **VDMA Podcast (DE):**

<https://www.vdma.org/viewer/-/v2article/render/84093019>



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A close-up photograph of a person's hand wearing a black, textured work glove. The hand is holding a silver-colored metal adjustable wrench. The wrench is positioned diagonally, with the head pointing towards the top left. The background is blurred, showing various mechanical parts and tools, suggesting a workshop or industrial setting.

Thank you
Thank you
for your attention!