



*The Data Act, which has been in force in the EU since 12 September 2025, is an EU Regulation that promotes the creation of an innovative and competitive data economy in Europe. It opens up a range of opportunities for players in all sectors to participate in the data economy and develop innovative, data-based business models. The Data Act also lays down rules that make it easier for customers to switch cloud services.*

## What are the rules in the Data Act?

- **Data access for users:** The Data Act gives businesses, consumers and public sector bodies the **right to access data from their connected products and related services**.
- **Connected products** are mostly devices connected to the internet (IoT devices) like machinery, robots, vehicles and household appliances. **Related services** are the software (such as apps) used to control these devices.
- The new **rules apply to both non-personal and personal data**. Personal data is still also subject to the provisions of the General Data Protection Regulation (GDPR).
- **Protection against unfair contractual terms:** The Data Act contains provisions on business-to-business contracts for data access and use that protect **small and medium-sized enterprises (SMEs) in particular**.
- **Data access for public sector bodies in cases of exceptional need:** Data covered by the Data Act must be made accessible under certain circumstances in the event of, for instance, severe natural disasters or pandemics.
- **Easier switching and in-parallel use of data processing services:** The Data Act makes it easier for customers to switch **cloud service** providers and to use more than one cloud service at the same time. From 12 January 2027, no switching charges may be imposed.
- **Protection against wrongful data access and unlawful data transfer to third countries:** The Data Act includes rules that protect non-personal data held in the European Union from unlawful access by and transfer to governmental bodies in third countries.

## Who do the rules apply to?

- The Data Act applies to all manufacturers of connected products and to providers of related services and providers of data processing services that **place their products on the market or provide their services in the European Union**.

## Who can benefit from the Data Act?

- The Data Act strengthens the rights of **consumers** and opens up a range of opportunities for **businesses** of all sizes – especially start-ups and SMEs – for example to develop new data-based business models and improve existing processes.

Further information:

[bundesnetzagentur.de/1080810](https://bundesnetzagentur.de/1080810)

