Council and Parliament reach political agreement on Data Act

IRIS 2023-7:1/1

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Over a year after the adoption of the proposed Regulation on harmonized rules on fair access to and use of data (Data Act) by the European Commission on 23 February 2022, the Council of the European Union and the European Parliament finalised negotiations and reached a political agreement on 28 June 2023. It is in light of the Internet of Things (IoT) and the expected increase of data that this Act was thought, seeking to boost the EU's data economy by unlocking industrial data, optimising its accessibility and use, and fostering a competitive and reliable European cloud market. The Data Act is also part of a package of initiatives aimed at establishing a unified market allowing for data to flow freely within the European Union and between sectors. This package is part of the European strategy for data announced in February 2020, and from which stem two key pillars: the Data Act itself and the Data Governance Act. The latter entered into force on 23 June 2022 and will be applicable as of September 2023. It clarifies who can create value from data and under which conditions.

The Data Act includes:

Measures that enable users of connected devices to access the data generated by these devices and by services related to these devices Measures to provide protection from unfair contractual terms that are unilaterally imposed Mechanisms for public sector bodies to access and use data held by the private sector New rules that grant customers the freedom to switch between various cloud data-processing service providers Measures to promote the development of interoperability standards
Margrethe Vestager, Executive Vice-President for a Europe Fit for the Digital Age, claims that “the Data act will optimise data use by improving data accessibility for individuals and businesses” while Thierry Breton, Commissioner for Internal Market, also insists on the fact that it aligns with the European values and principles of personal data protection: “The Data Act will ensure that industrial data is shared, stored and processed in full respect of European rules [...] on our European conditions”.

The Data Act is still subject to formal approval and will enter into force 20 days after publication in the Official Journal and become applicable only after 20 months.

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Data Act: political agreement

https://ec.europa.eu/commission/presscorner/api/files/document/print/en/ip_23_3491/IP_23_3491_EN.pdf

Regulation (EU) 2022/868 of the European Parliament and of the Council of 30 May 2022 on European data governance and amending Regulation (EU) 2018/1724 (Data Governance Act)

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R0868

Communication from the commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, A European strategy for data

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0066

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