

# 11<sup>th</sup> Allianz Motor Day

## Key Facts

## EU Data Act



# Data Act improves data availability and sets EU-wide rules for data use and access in all sectors of the economy

## What is the goal?

- The EU wants to promote access to and exchange of industrial data. According to the European Commission, around 80% of all industrial data generated today is never used.
- Data is to become the basis for numerous new digital products and services.
- This is also intended to create European competition to the large Internet giants (gatekeepers) from the USA and China.
- Spanish MEP Pilar del Castillo Vera estimates that an additional 270 billion euros can be generated in this way by 2028.

## What data are we talking about?

- The data from devices connected to the Internet should be shared and thus made usable.
- Almost every modern device now collects data.
- A large number of devices are now networked. For example, household appliances such as robotic vacuum cleaners or the Thermomix, or fitness wristbands and consumer electronics are regularly connected with the manufacturer, for example to check the maintenance status or retrieve updates. The device often sends information to a cloud, where the data is processed.
- We are talking about both personal data (e.g. the time of day when person X used the tumble dryer), which fall under the protection of the GDPR, and non-personal other data (industrial data, e.g. on the average shelf life of parts).
- Only under strict conditions must data that represents a trade secret for companies be shared.

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## How will the EU Data Act make data useful?

- The EU Data Act aims to clarify who can access and use data from networked devices.
- It regulates how companies and private individuals may receive and pass on information from networked devices. Until now, such data has generally been collected and used exclusively by the manufacturers of the devices.
- In the future, it will be possible for data to be shared with third parties by the owner or user of the device at their instigation, which could allow consumers to benefit from cheaper spare parts or repairs, for example. Anonymized mass data from drivers could also help to better understand and analyze traffic flows, for example.

## Who decides on the transfer?

- The rights under the EU Data Act belong to the "user" of the device. The user is the person who legally owns the device, i.e. it can be the owner, but also a lessee or tenant.
- Users can be both businesses and consumers.

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## How is the transfer done?

- Manufacturers must technically design their products and services in such a way that data access can take place. Facilitations apply to small companies. Data must be provided in a common and machine-readable format, in real time and continuously.
- Manufacturers are allowed to charge a price for providing data to third parties.

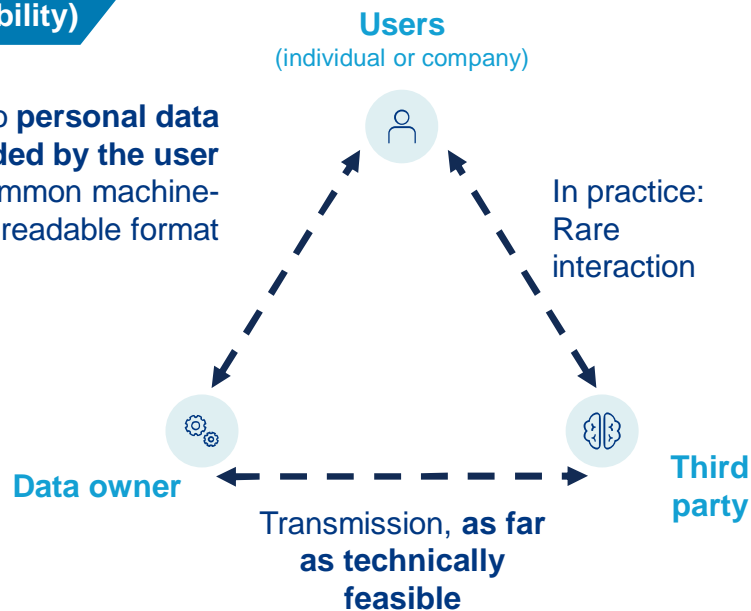
## When does the EU Data Act come into force?

- Formal adoption by the institutions and publication in the Official Journal are still pending, but are expected by the end of 2023 or early 2024. The Data Act is then expected to come into force by the end of 2023 or the beginning of 2024 and to be applicable 20 months later, i.e. probably from the summer or autumn 2025.

# Data Act Extended possibility of access to data B2B

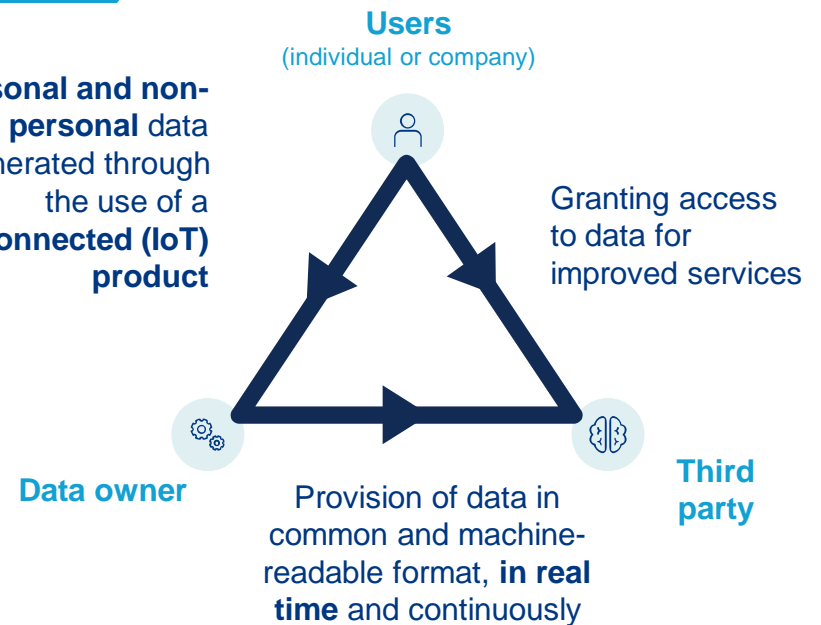
## Art. 20 GDPR (portability)

Right to **personal data provided by the user** in a common machine-readable format



## Art. 5 EU Data Act

**Personal and non-personal data** generated through the use of a **connected (IoT) product**



New ability for our customers to access real-time raw data from IoT devices, e.g. from cars for automotive insurance products