



#WEMAKE2BUILD

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CECE PRESS RELEASE

The Data Act is officially published

Today, a major piece of EU legislation that lays down harmonised rules on fair access to and use of industrial data – also known as Data Act – has been published in the Official Journal of the EU ([Reg \(EU\) 2023/2854](#)).

The new regulation establishes horizontal obligations for manufacturers of connected products and providers of related services on access to and use of data in business-to-business (B2B), business-to-consumers (B2C) and business-to-government (B2G) data sharing contexts. Once in application, the new regulation will allow users of connected products, including construction machinery, to access, by default and free of charge, the data generated by their use. In addition, upon user's request, the data holders will be obliged to share the same data with third parties. As regards the data in scope, the new law focuses on the functionalities of the data collected, introducing a distinction between 'product data' and 'related service data', from which only readily available data to data holders is subject to data sharing obligations.

The Data Act will enter into force on the twentieth day after its publication, thus on 12 January 2024. This important step marks the starting date for the 20-month transition period before the new regulatory framework on industrial data sharing applies and becomes mandatory in all its parts. The application date is indeed set for 12 September 2025. However, the design and manufacturing requirements established for simplified data access under Article 3(1) will be applicable for new connected products and related services placed on the market after 32 months from the date of entry into force of the regulation. These obligations will therefore start applying a year later, from 12 September 2026. Manufacturers of connected products will have time until then to make the necessary adaptations to make products compliant with the new set of data sharing requirements.

The Committee for European Construction Equipment (CECE) has actively contributed to mitigating the impact of the new data sharing obligations on construction equipment manufacturers at all stages of the legislative process. The industry acknowledges the deep changes the Data Act will bring to consolidated data sharing models and practices, since, until now, B2B data sharing have been exclusively informed by the principle of contractual freedom. Many businesses will be soon required to adapt their products, services, voluntary contractual agreements and business models to the new obligations and requirements within a short period of time. CECE will therefore continue supporting its members in the implementation phase of the Data Act provisions by providing guidance and support on the next steps and challenges.

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About CECE

CECE, the Committee for European Construction Equipment, represents the interests of 1,200 construction equipment manufacturers through national trade associations in Europe. CECE manufacturers generate €40 billion in yearly revenue, export a sizeable part of the production, employ around 300.000 people overall. They invest and innovate continuously to deliver equipment with highest productivity and lowest environmental impact. Efficiency, safety and high-precision technologies are key. See also www.cece.eu.