The Communication on a European strategy for data adopted by the European Commission in February 2020 stressed that further EU actions could be taken forward in a Data Act, inter alia, to foster business-to-government data sharing for the public interest, support business-to-business data sharing, and evaluate the IPR framework with a view to further enhance data access and use.

In the European Parliament, the Industry, Research and Energy committee (ITRE) adopted an initiative report on a European strategy for data (rapporteur: Miapetra Kumpula-Natri, S&D, Finland) which calls the European Commission to submit legislation to foster data access and interoperability in the forthcoming data act.

In February 2022, the Commission published its Data Act to ensure fairness in the digital environment, stimulate a competitive data market, open opportunities for data-driven innovation and make data more accessible for all. The proposal for the Data Act includes:

• Measures to allow users of connected devices to gain access to data generated by them and to share such data with third parties to provide aftermarket or other data-driven innovative services.
• Measures to prevent abuse of contractual imbalances in data sharing contracts.
• Means for public sector bodies to access and use data held by the private sector that is necessary for exceptional circumstances, particularly in case of a public emergency, such as floods and wildfires, or to implement a legal mandate if data are not otherwise available.
• New rules allowing customers to effectively switch between different cloud data-processing services providers and putting in place safeguards against unlawful data transfer.
• Provisions amending certain aspects of the Database Directive (including with respect to databases containing data from Internet-of-Things (IoT) devices and objects).

In the European Parliament, the Committee for Industry, Research and Energy (ITRE), the responsible committee appointed MEP Pilar Del Castillo Vera (EPP, Spain) as rapporteur for the Data Act in March 2022.

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