



Cloud in the Data Act

Approaches to facilitate switching and interoperability

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Free switching
(Art. 25)



Fast switching
(Art. 23, 24)



Fluid switching
(Art. 23, 26, 29)

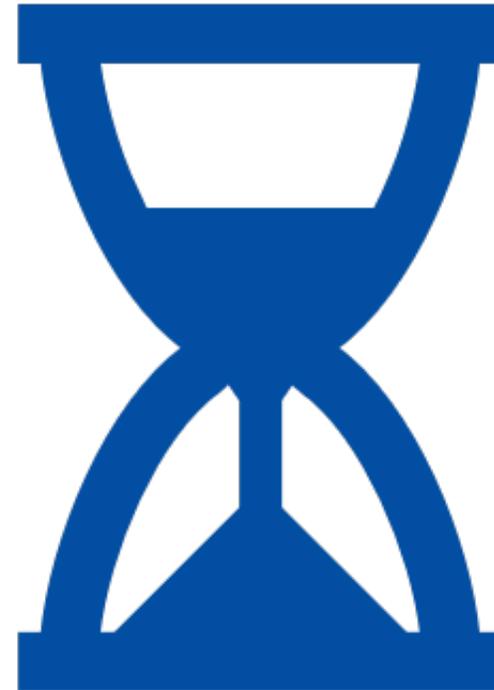
Free switching (Art. 25)

- Full removal of switching charges (e.g. data egress fees)
- 3-year transition period
- Limited, cost-based charges during transition period



Fast switching (Art. 23, 24)

- Maximum notice period for contract termination – 30 days
- Mandatory maximum transition period for switching – 30 days
 - In cases of technical unfeasibility – 6 months
 - Deadline for invoking & justifying technical unfeasibility – 7 days
- Minimum period for data retrieval after switching – 30 days



Fluid switching (Art. 23, 26, 29)

For all data processing services (Art. 23)

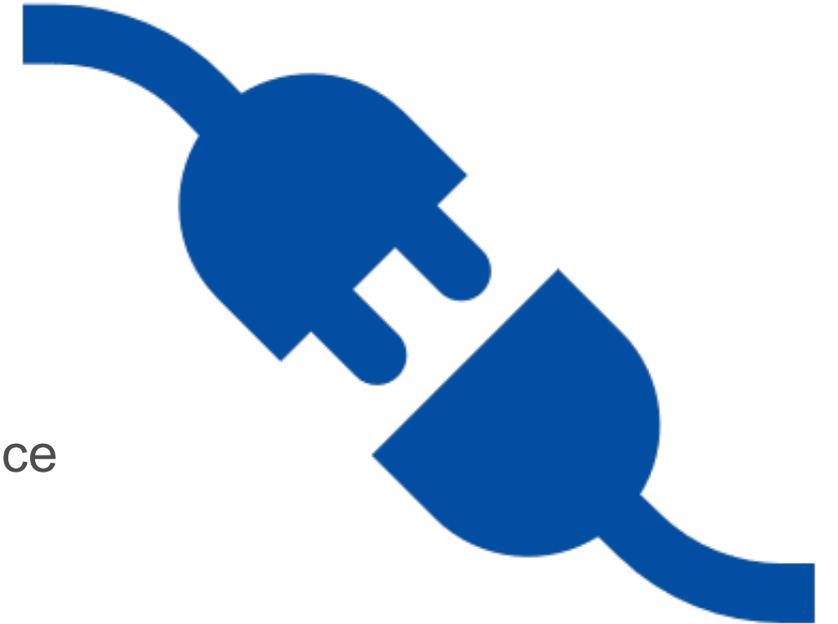
- General obligation to remove commercial, technical, contractual and organisational obstacles to switching
- Applicable to services of the same 'service type'

For IaaS (Art. 26.1)

- Direct obligation to allow switching with functional equivalence

For PaaS/SaaS (Art. 26.2-4, Art. 29)

- Open interfaces compatible with standards/open interoperability specifications from EC repository
- Baseline: Data export in commonly used, machine readable format



Interoperability for data processing services (Art. 29)

- Central Union standards repository for the interoperability of data processing services
 - Standards and open interoperability specifications for specific service types
 - Criteria on content + openness, consensus, transparency (requirements for identification of ICT technical specifications of Regulation 1025/2012)
- PaaS/SaaS providers to ensure compatibility (Art. 26.3)



Enforcement (Art. 31)

- MS to designate one or more existing competent authorities / establish new ones
- For Chapter VI:
 - Experience in the field of data and electronic communications services (Art. 31.2.c)
 - Tasks include:
 - Cooperation with all relevant competent authorities for enforcement in line with other applicable Union legislation and self-regulation (Art. 31.3.h)
 - Ensuring withdrawal of charges in accordance with Article 25 (Art. 31.3.i)



Free switching
(Art. 25)



Fast switching
(Art. 23, 24)



Fluid switching
(Art. 23, 26, 29)

Thank you



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