

## **Joint Statement – European Business Associations Urge Strong and Ambitious Implementation of the Data Act**

**We, the undersigned representatives of European companies, including small and medium-sized enterprises (SMEs) and Small Mid-Caps, from across the digital sector and beyond, express our firm support for the objectives of the Data Act.** We call on the European Commission to uphold the regulation, resisting increasing pressure to undermine its core provisions.

The Data Act is a horizontal framework designed to unlock access to industrial and user-generated data across the European economy. It gives SMEs the ability to port such data to third parties, shields them from unfair contractual terms, and ensures that data sharing happens on fair, reasonable, and non-discriminatory terms. The Act also requires cloud providers to eliminate lock-in practices and enable switching through open standards. This is an important step toward leveling the playing field and enabling innovation across sectors for companies of all sizes, and particularly SMEs.

Big Tech industry groups are calling for changes such as delayed enforcement, looser definitions of interoperability, and reliance on global standards without adequate guarantees of fairness. These lobbying efforts, at both EU and national level, risk weakening the ability of the Data Act to foster a fairer, more open, and more competitive European data economy. The latter is essential to unleash the innovative potential of SMEs and Small Mid-Caps.

To deliver real change, the Data Act must be implemented fully and faithfully to end vendor lock-in and open up Europe's cloud and data markets to genuine competition. Service providers, especially SMEs must not be trapped in closed ecosystems or excluded from data-sharing opportunities due to legal complexity or vague references to trade secrets. Ensuring fair access to data is also crucial in different sectors, including to support road safety, consumer choice, and sustainability in the mobility ecosystem.

At the same time, we recognise the need for proportionate implementation. SMEs and Small Mid-Caps should not face excessive red tape or legal ambiguity when exercising their rights or complying with new obligations. The Commission must ensure that guidance is timely, practical, and accessible to smaller firms, that standard contractual clauses and model contract terms are actively promoted to reduce the negotiation gap, and that enforcement authorities are well equipped, especially to support smaller actors. In some sectors, however, guidance is not sufficient, and sector specific legislation is required to provide the necessary clarification under the Data Act.

Strong enforcement is essential. Without it, the rights established under the Data Act will remain theoretical while dominant players continue business as usual. National authorities must be properly resourced and empowered to oversee compliance and take

action when needed. Data users, and in particular SMEs, require legal certainty and practical guidance to assert their rights effectively.

We acknowledge the importance of regulatory clarity and effectiveness, and urge the Commission to ensure that any regulatory simplification does not undermine the core objectives of the Data Act: bringing openness and balance to the digital economy, and promoting the competitiveness of European businesses. Any reinterpretation, delay, or softening of the Data Act's key provisions risks reinforcing the barriers it was designed to eliminate.

Europe's data economy depends on the combined strengths of all European companies. A strong implementation of the Data Act can ensure a competitive and sovereign Single Market that supports innovation across all actors.

We therefore urge the European Commission to stand firm and ensure a full and robust enforcement of the regulation.

