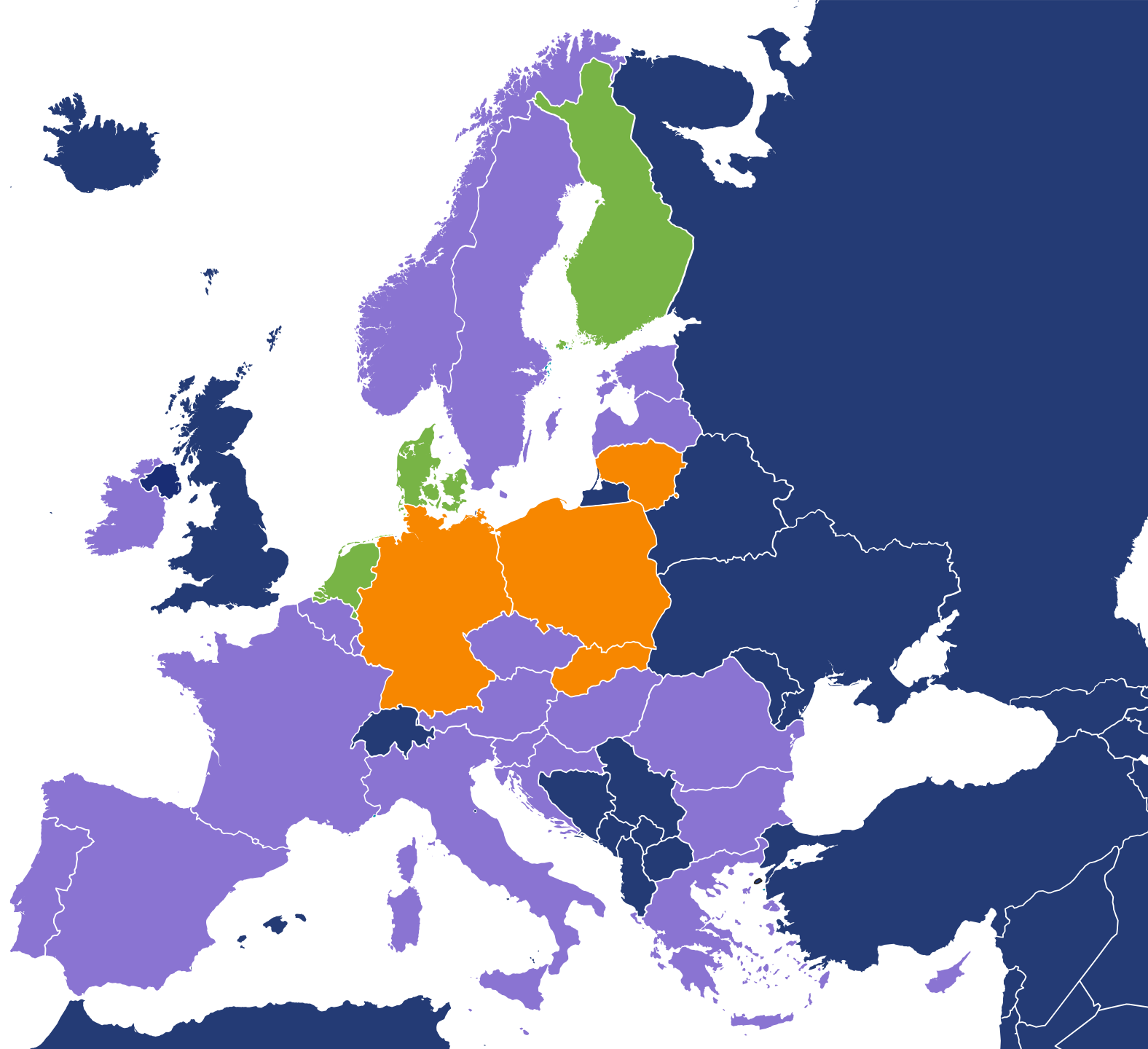


# Data Act across the EU

Which countries have implemented the Data Act local regulations?

- Implemented
- Draft Published
- No Draft
- Non- EU



# Data Act across the EU

As a Regulation (not a Directive) the Data Act will apply automatically across EU member states. **Most of the Data Act provisions took effect from 12 September 2025.**

However, there will be local law variations on the way in which the Data Act is enforced as **each EU member state will have to designate its own competent authority and set out its penalties applicable to infringements.**

**Many EU member states are late in developing their local legislation. However, local legislation is starting to emerge.**

The Data Act is EU law, however, has extraterritorial effect which means it also applies to non-EU organisations, for instance, those placing connected products or related services on the EU market and those providing data processing services to customers in the EU. This means that **non-EU organisations which fall within the scope of the Data Act may need to appoint a representative in the EU, the location of which will determine which EU member state law applies to them.**

Tracking Data Act EU member state legislation is important. **For those not complying with Data Act requirements, the risk of Data Act infringement will materialise as regulators are appointed.**

Organisations will have had to carry out a territorial applicability assessment to identify what EU member state legislation will apply to them, once in place.

## Key changes

Among other features, the Data Act aims to set out a framework for sharing of data:

- especially access and portability for connected product data and related services data ("GDPR-like" rights will now apply to data which is **not** personal data); and
- easing the ability for customers to switch between providers of data processing services with far-reaching requirements on contracts and termination entitlements.

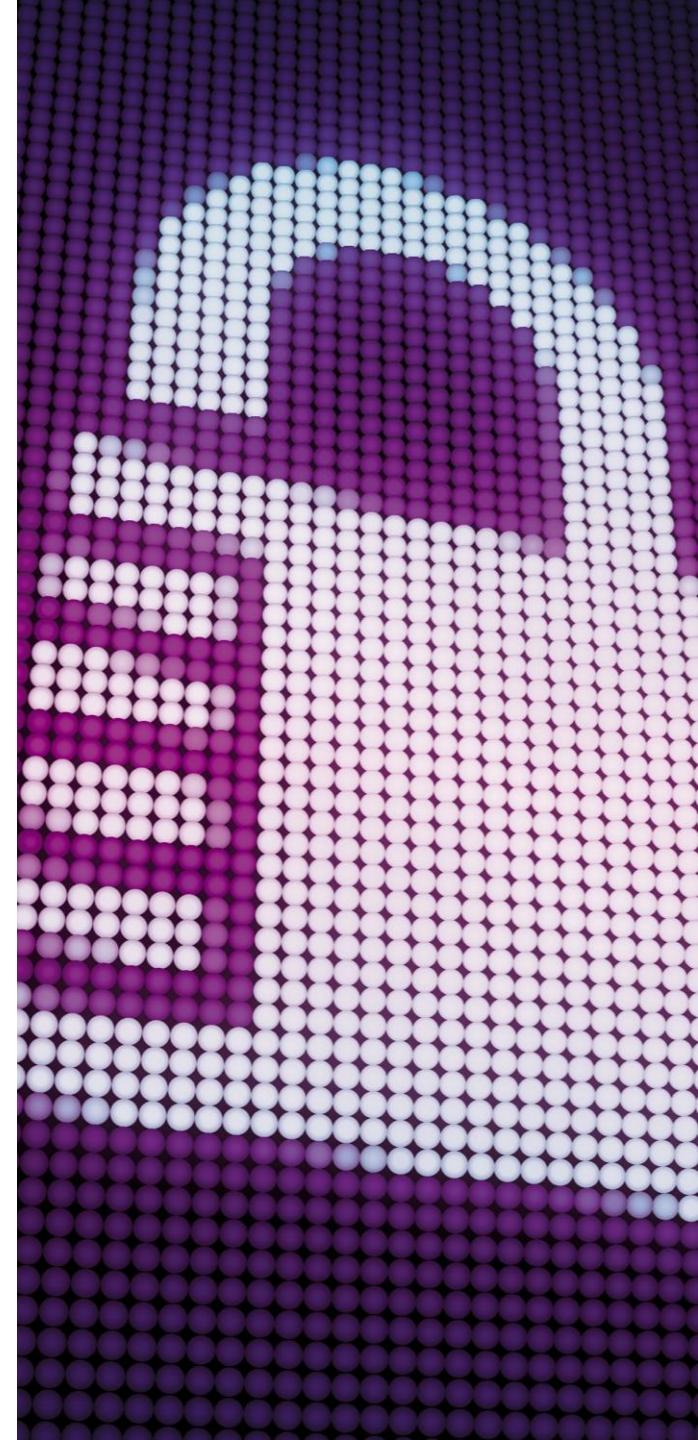
## What next?

Organisations placing connected products or related services in the EU and providing data processing services to EU customers need to assess if they are in scope of the Data Act and put compliance measures in place if they are.

## How to get in touch

If you would like to receive updates on new developments or would like to speak with our data experts, please contact

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# Fieldfisher Data Act Team

Fieldfisher's Data & Privacy Team is recognised as a market leader, known for exceptional expertise, commercial clarity and the ability to navigate the most complex data-driven challenges. Our lawyers are trusted by some of the world's largest and most sophisticated technology and data-rich organisations for advice that is practical, actionable and aligned with real-world business priorities.

We work at the forefront of global innovation; supporting clients on cutting-edge issues, new product and service launches, market entry strategies, and emerging areas such as AI governance and advanced data use.

Our core strengths include advising on privacy and digital regulations, including the Data Act, NIS2 and DORA. We regularly advise on global privacy and data governance programmes, ePrivacy, data transfer solutions, vendor management, product roll outs, DPIAs, processor and data-sharing arrangements, policy frameworks and the implementation and governance of AI systems.

With extensive sector knowledge and hands-on experience, we help clients navigate an increasingly complex, fast-moving regulatory environment with clarity and confidence. To support truly global operations, we work seamlessly with Fieldfisher offices across Europe, Silicon Valley, California and China, providing near 24-hour coverage.



# Country status and key contacts

**Austria**

No Draft

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**Belgium**

No Draft

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**Bulgaria**

No Draft



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The government is currently drafting secondary legislation and amendments to the Electronic Governance Act to designate competent authorities and enforcement procedures.

**Croatia**

No Draft

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The new legislative plan issued by the Croatian Ministry of Justice and Digital Transformation places the implementation of the Data Act in Q2 of 2026.

**Cyprus**

No Draft



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**Denmark**

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A final law (Law no. 1618 of 16 December 2025) is in place in Denmark.

**Estonia**

No Draft



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**Finland**

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The national act on the Supervision of Data Management and Sharing entered into force on 01 January 2026.

**France**

No Draft



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TA bill of law adapting certain provisions of the Data Act will be discussed before the French Parliament in the course of 2026.

# Country status and key contacts

## Germany

Draft  
Published

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Germany published a draft of the Data Implementation Act on 07 November 2025 which, among other measures, proposes appointing an existing regulator as the enforcement authority and outlines potential fines. The proposed regulator is the BNetzA.

## Greece

No Draft

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## Hungary

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## Ireland

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## Italy

No Draft

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## Latvia

No Draft

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Draft regulatory are expected to be submitted to the Cabinet of Ministers by 30 December 2026. Based on publicly available information, violations are expected to fall under the administrative fines regime. No indicative, median or benchmark levels for such fines yet have been published. Latvia has not designated a single regulatory supervisory authority for the Data Act to date.

## Lithuania

Draft Published

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Draft implementing legislation was published on 22 December 2025 and is currently undergoing public consultations, which are expected to conclude mid-January 2026.

## Luxembourg

No Draft

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## Malta

Implemented

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## Netherlands

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The Data Act Implementation Act was published in the Official Gazette on 20 November 2025 and is now in force. The Authority for Consumers and Markets has jurisdiction to appoint a dispute resolution body.

# Country status and key contacts

## Norway

Draft under review

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The Act is currently under review for incorporation into the EEA Agreement.

## Poland

Draft Published

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Poland published the first draft of the bill "implementing" the Data Act on 05 November 2025. The draft is currently undergoing public consultations.

## Portugal

No Draft

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The Action Plan of the National Digital Strategy for 2026-2027 establishes a timeline for the implementation of the Data Act. This timeline sets out that the development of the Data Act should end during the first semester of 2026.

## Romania

No Draft

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A government memorandum was adopted in October 2025, which launched the internal preparations for implementing the Data Act. The memorandum indicates an intention to designate the ANCOM as competent authority for the application and supervision of the regulation and to prepare a draft national act that will also address the national implementation framework. However, there is no publicly available draft national measure or guidance at this stage.

## Slovakia

Draft Published

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Act evaluating the institutional, technical and control requirements of the European data regulation: In draft form and currently under-going the interministerial commenting procedure. According to the draft Act, the competent authority is authorised to certify an authority as a dispute authority if the Data Act conditions are met and the authority submits an application for certification.  
New Act on AI and European Data Regulation: In draft form and currently under-going the interministerial commenting procedure. The proposed effective date is 01 May 2026. Same dispute provisions as above apply.

## Slovenia

No Draft

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## Spain

No Draft

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Spain does not have a draft bill defining what remains within Member State competence. There is no penalty regime and no regulator designated. It is unclear whether enforcement will fall to the Spanish Data Protection Agency. The Spanish Government's General Directorate for Data, under the Ministry of Innovation, is advocating for the creation of shared data spaces, while the Data Protection Authority reports to the Ministry of Justice.

## Sweden

No Draft

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In December 2025, a report was submitted to the Swedish Government which proposed that the Data Act be implemented through a new law, a new ordinance and a few modifications to existing laws/ ordinances. These are all due to enter into force on 01 July 2026. The report reflects the assessment and proposals of an independent inquiry chair and does not constitute the official position of the Swedish Government.

# Your Fieldfisher contacts



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