

12 Sep 2025 | 7 minute read

Cloud switching under the EU Data Act

Action planning and contract drafting in light of interoperability and provider changes

A central component of the European data strategy is *Regulation (EU) 2023/2854 of the European Parliament and of the Council of 13 December 2023* (hereinafter referred to as the '**Data Act**'), which entered into force on 11 January 2024. Of the eleven chapters of the Data Act, the requirements for 'data sharing' (in particular Chapters II to IV of the Data Act) have attracted the most attention so far ([click here for our article](#)).

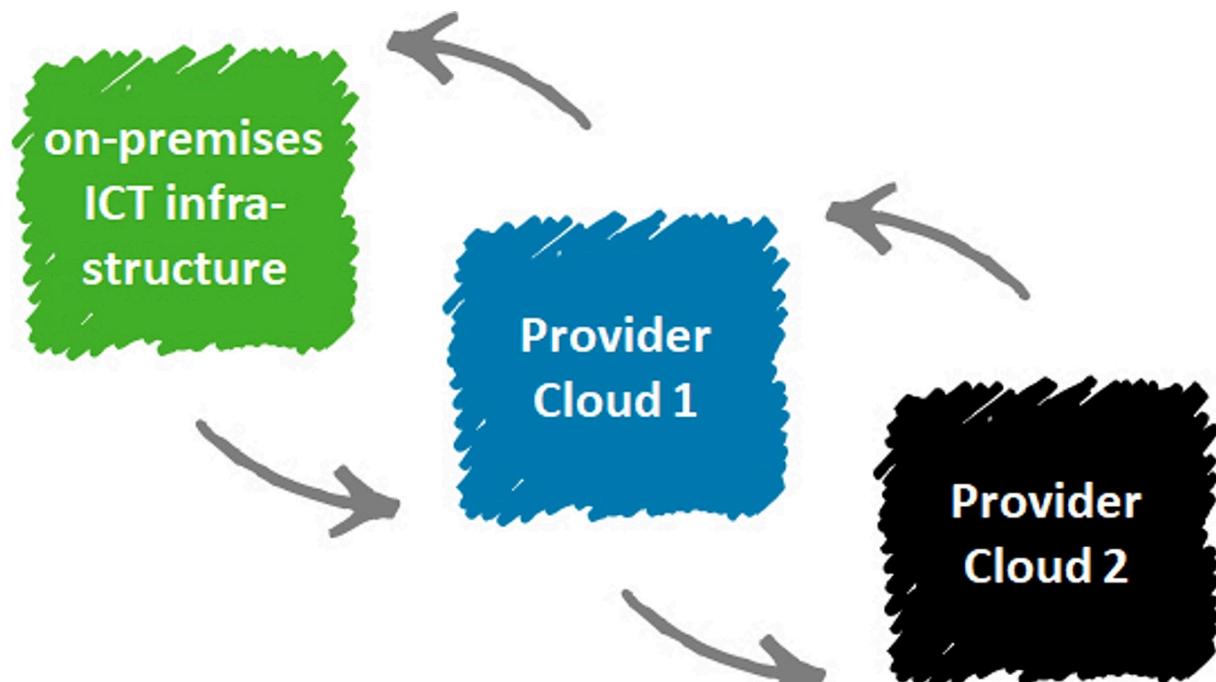
In contrast, the topic of cloud switching and interoperability (in particular Chapter VI of the Data Act) has received relatively little attention to date, despite the sometimes far-reaching requirements. In view of the immediate applicability of the Data Act throughout the EU **from 12 September 2025**, this is likely to change. Companies are therefore well advised to consider the implications for their business models and contract design.

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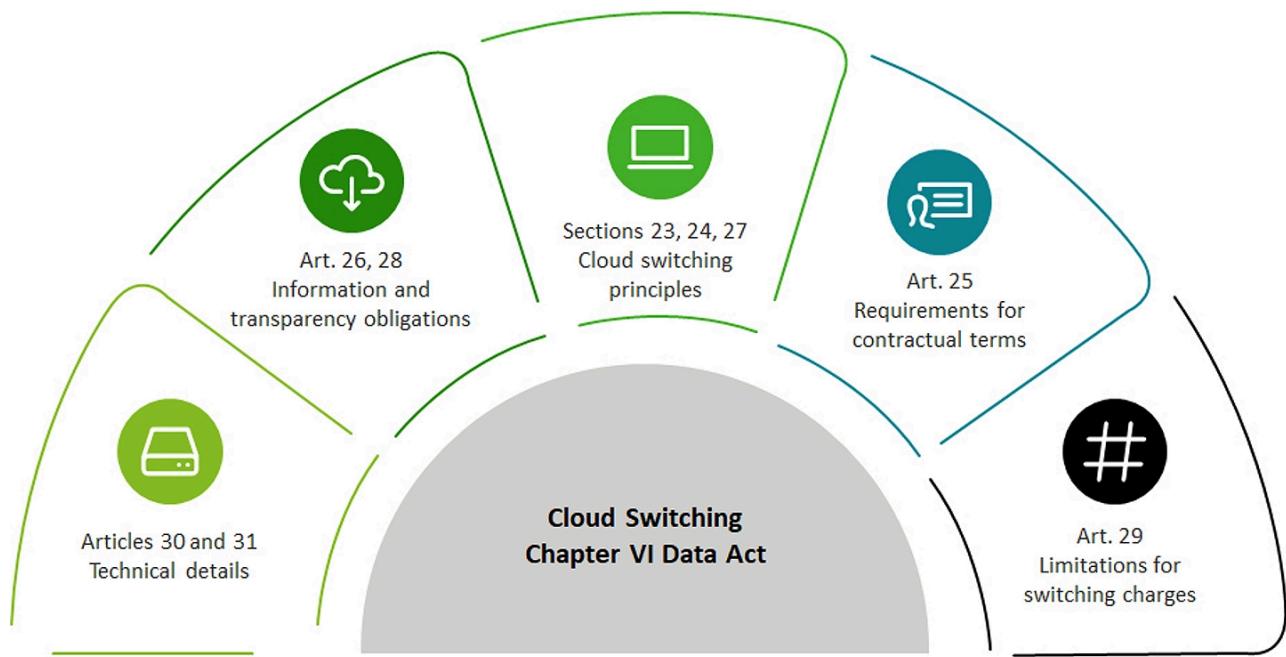


Why were the cloud switching provisions introduced?

With the provisions on cloud switching (Chapter VI – Articles 23-31 of the Data Act), the EU plans to promote competition and innovation and prevent so-called ‘lock-in effects’ by facilitating the switch between ‘data processing services’ and reducing costs. To this end, mandatory requirements for removing barriers to switching data processing services are being introduced.



“Cloud switching” under the Data Act



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