

Transparency Requirement of the New EU Data Act

Background

On 12 September 2025, a new regulation (EU) 2023/2854 enters into force with harmonised rules on the access to and use of data (the “EU Data Act”).

The most important feature of the EU Data Act is the right for end-customers and their designated third-party service providers to access certain data generated by the use of so-called connected products. This is promoted by an additional right to also receive certain pre-contractual information about the data capabilities of such products.

Scania is sharing this information to ensure that all our suppliers and business partners are aware of the EU Data Act and understand the consequences under their contract(s) with us.

Overview of the EU Data Act – Key Points

What Products Are Covered?

Under the EU Data Act, a “Connected Product” is any physical item that obtains, generates, or collects data concerning its use or environment with an ability to also communicate such data via an electronic communications service, physical connection, or on-device access.

This definition catches Scania’s complete vehicles, power solutions units and other products, but potentially also connected bodywork, superstructures, and other individual components from Scania’s suppliers (whether sold by them directly to Users or indirectly through Scania).

Who Has the Rights?

Data access rights under the EU Data Act apply to the benefit of “Users”, defined as anyone who owns or has a right to use a Connected Product. In addition, third-party service providers who have been appointed by such Users have similar access rights.

Who Has the Responsibilities?

Data access requests under the EU Data Act can be made by Users to anyone who has access to the data in the capacity of a so-called “Data Holder”. This will typically be the manufacturer.

However, the Transparency Requirement set out below does not apply to the Data Holder but rather to whoever it is that sells or leases a Connected Product to the User. This can be the Data Holder, but more commonly it will be for instance a sales or leasing company.



What is the Geographic Scope?

Rights and obligations under the EU Data Act apply only to the benefit of Users located in EU member states and relating to specific physical Connected Products (rather than product categories generally) that were placed on the EU market.

What Data Is Covered?

Data in scope of the EU Data Act is any data which is raw or pre-processed, but not highly enriched, and which the manufacturer designed to be retrievable via an electronic communications service, physical connection, or on-device access.

Transparency Requirement

In order to ensure that a User understands all data access opportunities with a Connected Product on offer, Art. 3.2 of the EU Data Act obliges sellers and lessors to provide Users with detailed information about the specific data capabilities of the Connected Product as well as where and how data will be accessible. This information must be given before the User places an order or signs a sale or lease contract.

We encourage you to study the EU Data Act, specifically Art. 3.2, and to prepare solutions to fulfil the above transparency requirement as and when applicable to yourselves when your products are being sold directly to Users in the EU rather than to Scania. Such solutions can be to provide the relevant information in the sales process via for instance;

- a) a web, app or other online interface that Users are conveniently referred to;
- b) data sheets that are handed over to Users; or
- c) inclusion in quotations.

There can of course be other solutions too.

Implications for Your Business with Scania

We require of you as a matter of your contract(s) with Scania that you continuously and timely supply to us all and any information as reasonably necessary for Scania and its sales organisation to be able to forward such information in compliance with the transparency requirement as applicable to us when we sell or lease your Connected Products to our own customers.

The form and manner of providing relevant information should be discussed with Scania and approved for each product category, but can (by way of example) be to continuously;

- a) confirm to Scania which online interfaces our Customers should be referred to; or
- b) provide Scania with data sheets for forwarding to our customers.

Contact

For questions and clarifications around any of the above, please contact your local Scania market contact.