

DA.016 Technical measures preventing unauthorised access

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Art. 11 (1) Data Act - Trialogue Agreement

A data holder may apply appropriate technical protection measures, including smart contracts and encryption, to **prevent unauthorised access** to the data, including metadata, and to **ensure compliance** with Articles 5, 6, 8, and 9, as well as with the agreed contractual terms for making data available. Such technical protection measures shall **neither discriminate** between data recipients, **nor hinder** the user's right to effectively obtain a copy, retrieve, use or access data or provide data to third parties pursuant to Article 5 or any right of a third party under Union law or national legislation implementing Union law as referred to in Article 8(1). Users and third parties **shall not alter or remove** such technical protection measures unless agreed by the data holder.