

EU Data Act (whole Part)

Audit Checklist

94 audit questions across 19 sections.

HOW TO USE THIS CHECKLIST

Each question has three boxes the auditor fills in during the audit:

1. **Compliance** — the binary headline: Compliant / Non-compliant.
2. **Classification** — where the gap is, four-state grid: Documented / Implemented matrix.
3. **Finding level** — severity: Maj / Min / Obs (Major nonconformity / Minor nonconformity / Observation).

Severity is the auditor's call on the day, against the real finding — no severity is pre-suggested per question.



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Regulation:
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Obligation to make product data and related service data accessible to the user

Q1 ARTICLE

DA Art.3(1)

Are connected products designed and manufactured, and related services designed and provided, so that product data and related service data – including the relevant metadata necessary to interpret and use them – are, by default, easily, securely, free of charge, in a comprehensive, structured, commonly used and machine-readable format and, where relevant and technically feasible, directly accessible to the user?

SOURCE VERBATIM

1. Connected products shall be designed and manufactured, and related services shall be designed and provided, in such a manner that product data and related service data, including the relevant metadata necessary to interpret and use those data, are, by default, easily, securely, free of charge, in a comprehensive, structured, commonly used and machine-readable format, and, where relevant and technically feasible, directly accessible to the user.

– Regulation (EU) 2023/2854, Article 3(1)

COMPLIANCE

Compliant Non-compliant

CLASSIFICATION (FOUR-STATE)

- Documented and Implemented
- Documented Not Implemented
- Not Documented but Implemented
- Not Documented and Not Implemented

FINDING LEVEL

Maj Min Obs
 Maj = Major nonconformity · Min = Minor nonconformity · Obs = Observation

SUGGESTED EVIDENCE TO REQUEST

- Product/service design specifications providing default, machine-readable, direct user access to data and metadata

MANAGEMENT SYSTEM REFERENCE:

FINDINGS / NOTES:

Before concluding a contract for the purchase, rent or lease of a connected product, does the seller, rentor or lessor (which may be the manufacturer) provide the user, clearly and comprehensibly, with the type, format and estimated volume of product data which the connected product is capable of generating?

SOURCE VERBATIM

1. Before concluding a contract for the purchase, rent or lease of a connected product, the seller, rentor or lessor, which may be the manufacturer, shall provide at least the following information to the user, in a clear and comprehensible manner: (a) the type, format and estimated volume of product data which the connected product is capable of generating;

— Regulation (EU) 2023/2854, Article 3(2)(a)

COMPLIANCE

Compliant Non-compliant

CLASSIFICATION (FOUR-STATE)

- Documented and Implemented
 Documented Not Implemented
 Not Documented but Implemented
 Not Documented and Not Implemented

FINDING LEVEL

Maj Min Obs
Maj = Major nonconformity · Min =
Minor nonconformity · Obs =
Observation

SUGGESTED EVIDENCE TO REQUEST

- Pre-contract disclosure stating product-data type, format and estimated volume

MANAGEMENT SYSTEM REFERENCE:

FINDINGS / NOTES:

Does the pre-contract information state whether the connected product is capable of generating data continuously and in real time?

SOURCE VERBATIM

(b) whether the connected product is capable of generating data continuously and in real-time;
 – Regulation (EU) 2023/2854, Article 3(2)(b)

COMPLIANCE

Compliant Non-compliant

CLASSIFICATION (FOUR-STATE)

- Documented and Implemented
 Documented Not Implemented
 Not Documented but Implemented
 Not Documented and Not Implemented

FINDING LEVEL

Maj Min Obs
 Maj = Major nonconformity · Min =
 Minor nonconformity · Obs =
 Observation

SUGGESTED EVIDENCE TO REQUEST

- Pre-contract disclosure of continuous/real-time data-generation capability

MANAGEMENT SYSTEM REFERENCE:

FINDINGS / NOTES: