

Commission Delegated Regulation (EU) 2018/573 of 15 December  
2017 on key elements of data storage contracts to be concluded as part  
of a traceability system for tobacco products (Text with EEA relevance)

*Article 19*

**Data portability**

1 The contract shall require providers to ensure full data portability in cases where a manufacturer or importer contracts a new provider to operate its primary repository. The current provider shall deliver to the new provider, prior to the date of termination of the contract, an up-to-date copy of all data stored in the primary repository. Any updates to the data after that delivery shall be migrated to the new provider without undue delay.

2 In order to ensure business continuity, the contract shall include an applicable exit plan laying down the procedure to be followed in case of the termination of the contract and a new provider is contracted by the manufacturer or importer. The plan shall include a requirement for the current provider to continue providing its services until the new provider becomes operational.

3 The contract shall contain provisions ensuring that the current provider has no right of retention with respect to any data, information or other necessary material related to the primary repository after they have been delivered to the new provider.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2018/573, Article 19.