

EU Data Act Compliance Attestation

Introduction

Regulation (EU) 2023/2854 of the European Parliament and of the Council — commonly referred to as the EU Data Act — establishes rules on fair access to and use of data generated by connected products and related services across the European Union. It entered into force on 11 January 2024 and applies from 12 September 2025. The Data Act addresses data portability and sharing for businesses and consumers, prohibits unfair data access contractual terms, and mandates interoperability requirements to prevent vendor lock-in in cloud and edge services.

Akka is subject to the EU Data Act as a provider of data processing services — specifically its SaaS platform — to EU-based customers. The regulation requires Akka to ensure customers can access, transfer, and reuse data processed through the platform, and to support switching between providers without unreasonable barriers. This attestation confirms Akka's compliance with the applicable provisions of the EU Data Act as of the date stated below.

Scope

This attestation covers Akka Technologies, Inc.'s ("Akka") obligations under the EU Data Act in its capacity as a provider of cloud and data processing services to EU customers. In-scope activities include:

Data access and portability: enabling customers to access, export, and transfer data generated through the use of the Akka platform.

Switching facilitation: ensuring customers are not contractually or technically locked into Akka's platform, and supporting orderly transitions to alternative providers.

Data sharing contracts: ensuring that contractual terms governing data sharing are fair, transparent, and not abusive under Articles 13 and 14 of the Regulation.

API interoperability: providing documented, open interfaces that allow customers to integrate, export, and migrate their data.

Compliance Posture

Akka maintains 14 controls specifically mapped to the EU Data Act within its Information Security Management System (ISMS). All 14 controls are in Implemented status. Risk distribution across the control set is as follows:

- 13 controls rated Low risk
- 1 control rated Medium risk
- 0 controls rated High risk

Overall EU Data Act compliance is assessed as Compliant. Akka's platform architecture has been reviewed against the portability and interoperability requirements of the Regulation, and contractual templates have been updated to reflect the fair data access provisions.

Key Controls Implemented

Data Access Rights

Akka's platform provides customers with the ability to access and export data processed through their use of the platform at any time during the contract term. Customers have access to export mechanisms for all data they generate or introduce into the platform, and these mechanisms are available without additional cost beyond what is reasonably necessary to provide the export. Akka does not impose technical barriers that would prevent customers from accessing their data.

Data Portability and Switching

In compliance with the Data Act's switching provisions, Akka's customer contracts do not include terms that restrict a customer's ability to switch to a competing service provider or to operate a multi-vendor or hybrid environment. Akka supports data portability by providing data in standard, documented formats wherever technically feasible. Transition assistance periods are contractually available to customers who notify Akka of their intention to switch.

API Interoperability

Akka provides documented application programming interfaces (APIs) enabling customers to programmatically access their data and integrate Akka's services with other platforms. API documentation is publicly available and maintained as a current, accurate representation of the interface. Akka's APIs are designed following open standards to facilitate interoperability and reduce dependency on proprietary formats.

Fair Data Access Terms

Akka's standard contractual terms governing access to and use of data generated through the platform are reviewed to ensure they comply with the fairness and non-abusiveness

requirements of Articles 13 and 14 of the EU Data Act. Akka does not impose restrictions on customers' use of their own data for purposes other than those agreed at the point of contract. Data sharing arrangements with third parties are governed by appropriate agreements that limit further use to the agreed purposes.

Data Sharing Contracts and Sub-Processors

Where Akka shares customer data with sub-processors for the purpose of delivering its services, it does so under written agreements that impose equivalent obligations on those sub-processors with respect to data access, portability, and confidentiality. A current list of sub-processors is maintained and disclosed to customers. Changes to sub-processors are communicated to affected customers in advance.

Supporting Evidence

The following evidence supports this attestation:

- EU Data Act compliance review completed against all applicable provisions
- Customer-facing Data Processing Agreement (DPA) incorporating Data Act obligations, available at trust.akka.io
- Published API documentation demonstrating open and documented interfaces
- Sub-processor register maintained and publicly disclosed
- Contractual switching assistance provisions incorporated in standard customer agreements
- Internal ISMS with 14 fully implemented EU Data Act controls
- Periodic legal review of standard contractual terms for compliance with fair data access obligations

Conclusion

Akka Technologies, Inc. attests that, as of the date of this document, its data processing and platform services comply with the applicable requirements of Regulation (EU) 2023/2854 (EU Data Act). All 14 EU Data Act controls in Akka's ISMS are fully implemented, risk levels are Low or Medium, and no High-risk control gaps exist.

This attestation is reviewed annually or upon material changes to Akka's platform, services, or the applicable regulatory framework. It is available to customers, prospects, and supervisory authorities on request.

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