

are overriding legitimate interests not to disclose the data. The controller may charge a reasonable fee based on administrative costs.

Principle 19: Customer's right to re-sell

- (1) Where the customer lawfully re-sells the commodity to a third party any rights within the meaning of Principle 12 shall lie with the third party, and the controller of the data is shall take all necessary steps in order to put the third party in the same position as the customer. The controller may charge a reasonable fee based on administrative costs.
- (2) However, the customer has a right against the controller that no user-generated data about the original customer is disclosed to the third party where the disclosure might harm the customer's legitimate interests.
- (3) Paragraphs (1) and (2) apply accordingly to any subsequent re-sale.

Principle 20: Customer's right to switch supplier

- (1) The controller of user-generated data may not prevent a customer from lawfully switching to another supplier of commodities, or providing the commodity in house, by withholding user-generated data.
- (2) The customer has the right to receive user-generated data that is necessary for switching to another supplier of an equivalent commodity or for providing the commodity in house, free of any charge, in a structured, commonly used and machine-readable format and to transmit those data to another controller.
- (3) Paragraph (2) applies also where the user-generated data is necessary for negotiating a more favorable arrangement with another supplier. The controller may charge a reasonable fee, based on the controller's investment in the data.