

Directive (EU) 2019/770 of the European Parliament and of the Council
of 20 May 2019 on certain aspects concerning contracts for the supply
of digital content and digital services (Text with EEA relevance)

Article 2

Definitions

For the purposes of this Directive, the following definitions apply:

- (1) ‘digital content’ means data which are produced and supplied in digital form;
- (2) ‘digital service’ means:
 - (a) a service that allows the consumer to create, process, store or access data in digital form; or
 - (b) a service that allows the sharing of or any other interaction with data in digital form uploaded or created by the consumer or other users of that service;
- (3) ‘goods with digital elements’ means any tangible movable items that incorporate, or are inter-connected with, digital content or a digital service in such a way that the absence of that digital content or digital service would prevent the goods from performing their functions;
- (4) ‘integration’ means the linking and incorporation of digital content or a digital service with the components of the consumer's digital environment in order for the digital content or digital service to be used in accordance with the requirements for conformity provided for by this Directive;
- (5) ‘trader’ means any natural or legal person, irrespective of whether privately or publicly owned, that is acting, including through any other person acting in that natural or legal person's name or on that person's behalf, for purposes relating to that person's trade, business, craft, or profession, in relation to contracts covered by this Directive;
- (6) ‘consumer’ means any natural person who, in relation to contracts covered by this Directive, is acting for purposes which are outside that person's trade, business, craft, or profession;
- (7) ‘price’ means money or a digital representation of value that is due in exchange for the supply of digital content or a digital service;
- (8) ‘personal data’ means personal data as defined in point (1) of Article 4 of Regulation (EU) 2016/679;
- (9) ‘digital environment’ means hardware, software and any network connection used by the consumer to access or make use of digital content or a digital service;
- (10) ‘compatibility’ means the ability of the digital content or digital service to function with hardware or software with which digital content or digital services of the same type are normally used, without the need to convert the digital content or digital service;

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

- (11) ‘functionality’ means the ability of the digital content or digital service to perform its functions having regard to its purpose;
- (12) ‘interoperability’ means the ability of the digital content or digital service to function with hardware or software different from those with which digital content or digital services of the same type are normally used;
- (13) ‘durable medium’ means any instrument which enables the consumer or the trader to store information addressed personally to that person in a way that is accessible for future reference, for a period of time adequate for the purposes of the information and which allows the unchanged reproduction of the information stored.