



DUAA IMPLEMENTATION TRACKER

Data (Use and Access) Act 2025 commencement dates and related ICO guidance tracker

Key:

	In force		Confirmed		<i>Anticipated/approximate but not confirmed</i>
--	----------	--	-----------	--	--

Definitions:

2018 Act means the Data Protection Act 2018.

DUAA means Data (Use and Access) Act 2025.

PECR means the Privacy and Electronic Communications (EC Directive) Regulations 2003.

UK GDPR means the EU GDPR as it forms part of the law of England and Wales, Scotland and Northern Ireland by virtue of the European Union (Withdrawal) Act 2018.

DATE	UPDATE/GUIDANCE/DUAA MEASURES	SOURCE/REF/DETAIL
1 January 2024	<u>Treated as having come into force retroactively:</u> Amendment to Article 15 (UK GDPR) (right of access by the data subject): controllers need only conduct a "reasonable and proportionate search" on receiving subject access requests.	Section 78
19 June 2025	<u>DUAA becomes Law.</u>	Data (Use and Access) Act 2025
19 June 2025	<u>The following DUAA provisions come into force immediately upon Royal Assent:</u> + Section 66: meaning of "the 2018 Act" and "the UK GDPR". + Section 78: searches in response to data subjects' requests. + Part 1 of Schedule 16: grant of smart meter communication licences and section 22 so far as relating to that Part of that Schedule. + Section 126: retention of biometric data and recordable offences. + Section 127: retention of pseudonymised biometric data. + Section 128: retention of biometric data from INTERPOL. + Part 8 (Final provisions): Includes the Secretary of State's powers to make consequential amendments, regulations under the DUAA, commencement provision, and transitional, transitory and saving provisions). + Any other provision of the DUAA (including provisions modifying other legislation) conferring power to make regulations or is otherwise necessary for enabling the exercise of such a power on or after the day on which the DUAA is passed.	Section 142(2)

Stage 1 DUAA plans for commencement – GOV.UK

Commencement of technical provisions which clarify aspects of the legal framework; and measures requiring the government to publish an impact assessment, a report and a progress update on Artificial Intelligence (AI) and copyright issues.

21 July 2025	The Commencement No 1 Regulations are made, which bring certain provisions of DUAA into force on 20 August 2025 (see below).	The Data (Use and Access) Act 2025 (Commencement No 1) Regulations 2025
19 August 2025	<u>Section 142(3) brings the following provisions into force:</u> + Section 69 (consent to law enforcement processing): amends definition of consent for law enforcement processing by a competent authority in Part 3 of the 2018 ACT to align it with the UK GDPR definition. + Section 82 (logging of law enforcement processing): removes the requirement in section 62 of Part 3 to the 2018 Act for a competent authority to record a "justification" in their logs when consulting or disclosing personal data. + Section 96 (notices from the Information Commissioner): replaces existing provisions in section 141 of the 2018 Act with a new section 141A on the ways in which the ICO can serve notices and clarifies that notices can be served by post and email. + Section 97 (power of the Information Commissioner to require documents): amends sections 142, 143, 145, 148 and 160 and Schedule 17 of the 2018 Act. Clarifies that the ICO's information notice powers allow it to obtain documents as well as information from an individual or an organisation.	Section 142(3)
20 August 2025	<u>The following provisions come into force:</u> + Part 1: Sets out rules for access to customer and business data. + Section 72: Allows data processing based on relevant international law (with some exceptions). + Section 74: Regulates processing of special categories of personal data (e.g., sensitive data). + Section 84: Addresses law enforcement data processing and related codes of conduct. + Section 91: Outlines the duties of the Commissioner in performing their functions. + Section 92: Provides for codes of practice regarding personal data processing. + Section 93: Covers how panels and impact assessments are used in developing codes of practice. + Section 95: Requires analysis of performance regarding data use and protection. + Section 102: Mandates an annual report on regulatory actions taken. + Section 104: Sets procedures for courts handling subject access requests. + Section 106: Protects prohibitions, restrictions, and data subject rights. + Section 107: Allows for regulations made by the Secretary of State under the UK GDPR. + Section 108: Further minor provisions about data protection.	The Data (Use and Access) Act 2025 (Commencement No. 1) Regulations 2025

	+ Section 109: Defines PECR. + Section 110: Interpretation of PECR. + Section 111: Requires timely notification to the Commissioner of personal data breaches. – amends PECR by extending the time periods for relevant service providers to notify a personal data breach under PECR to the regulator. The change mirrors UK GDPR requirements and moves from the existing obligation to notify without undue delay or within 24 hours, to without undue delay "and, where feasible, not later than 72 hours after having become aware of it", and requiring an explanation where notification is not made within 72 hours. + Section 113: Clarifies time periods for emergency alert communications. + Section 117: Establishes the Information Commission (without function until early 2026). + Section 125: Provides for information collection to support research on online safety. + Section 129: Addresses the eIDAS Regulation (electronic identification and trust services). + Section 134: Sets time periods for the eIDAS and EITSET Regulations. + Section 135: Requires an economic impact assessment. + Section 136: Mandates a report on the use of copyright works in developing AI systems. + Section 137: Requires a progress statement on implementation. + Schedule 11: Adds further minor provisions about data protection (with some exceptions). + Schedule 14: Covers provisions related to the Information Commission.	
Stage 2 DUAA plans for commencement – GOV.UK <i>Commencement of most of the measures on digital verification services in Part 2 of the Act; and measures in Part 7 on the retention of information by providers of internet services in connection with the death of a child.</i>		
21 August 2025	<u>ICO open consultations on:</u> + draft complaints guidance for organisations. + draft recognised legitimate interest guidance. + draft recognised legitimate interest guidance: requesting personal information for your public tasks or official functions.	ICO consultation on draft complaints guidance for organisations ICO ICO consultation on draft recognised legitimate interest guidance ICO ICO consultation on draft recognised legitimate interest guidance: requesting personal information for your public tasks or official functions ICO
22 August 2025	<u>ICO opens consultation on:</u> + "draft changes to how we handle data protection complaints".	ICO consultation on draft changes to how we

		handle data protection complaints ICO
2 September 2025	The Commencement No. 2 Regulations are made which commence section 124 of the DUAA on 30 September 2025 (see below).	The Data (Use and Access) Act 2025 (Commencement No.2) Regulations 2025
4 September 2025	The Commencement No. 3 Regulations are made to bring into force sections 79, 88, 89 and 90 of the DUAA on 5 September 2025 and 17 November 2025 (see below).	The Data (Use and Access) Act 2025 (Commencement No. 3 and Transitional and Saving Provisions) Regulations 2025
5 September 2025	The Commencement No. 3 Regulations bring the following provisions into force: + Sections 79: Data subjects' rights to information: legal professional privilege exemption. Introduces a new exemption when the personal data requested is protected by legal professional privilege. + Section 88: National security exemption. Introduces a new exemption for law enforcement processing by competent authorities when it is necessary for the purposes of safeguarding national security.	The Data (Use and Access) Act 2025 (Commencement No. 3 and Transitional and Saving Provisions) Regulations 2025
30 September 2025	The Commencement No. 2 Regulations bring the following provisions into force: + Section 124: Retention of information held by providers of internet services in connection with the death of a child. Amends the Online Safety Act 2023 section 100.	The Data (Use and Access) Act 2025 (Commencement No. 2) Regulations 2025
16 October 2025	<u>ICO launches consultation on:</u> + New 'charitable purpose soft opt-in' rules to support fundraising under DUAA.	ICO consultation on new electronic mail marketing rules for charities ICO
19 October 2025	<u>ICO closes consultation on:</u> + Draft complaints guidance for organisations.	
31 October 2025	<u>ICO launches consultation on:</u> + Data protection enforcement procedural guidance; covering its approach to investigations and enforcement action under the UK GDPR and 2018 Act	ICO consultation on data protection enforcement procedural guidance ICO
Autumn 2025	<u>The ICO expected to publish guidance on:</u> + Encryption. + Detailed right to access.	
30 October 2025	<u>ICO closes consultations on:</u> + draft recognised legitimate interest guidance. + draft recognised legitimate interest guidance: requesting personal information for your public tasks or official functions.	

31 October 2025	<u>ICO closes consultation on:</u> + “draft changes to how we handle data protection complaints”.	
17 November 2025	<u>The Commencement No. 3 Regulations bring the following provisions into force:</u> + Section 89: Joint processing by intelligences services and competent authorities. + Section 90: Joint processing: consequential amendments. These amend part 3 and 4 of the 2018 Act – which govern the processing of personal data for law enforcement purposes and by the intelligence services.	<u>The Data (Use and Access) Act 2025 (Commencement No. 3 and Transitional and Saving Provisions) Regulations 2025</u>
27 November 2025	<u>ICO closes consultation on:</u> + New ‘charitable purpose soft opt-in’ rules to support fundraising.	
By 19 December 2025	Government to provide a progress report to Parliament on Copyright and AI Consultation Paper.	
27 December 2025	EU/UK adequacy decisions extended to this date.	
Winter 2025/26	<u>ICO to launch consultations on:</u> + Automated Decision Making (ADM) and Profiling Guidance update. + Research, Archiving and Statistics Provisions update.	
Winter 2025/26	<u>Final versions of ICO guidance due for publication on:</u> + Complaints Guidance for organisations. + Codes of Conduct and Certification Guidance Update. + Data Sharing for Scams and Frauds. + International transfers. + Legitimate Interest Update. + Recognised Legitimate Interest. + Updates to Direct Marketing and Privacy and Electronic Communications Guidance.	
Stage 3 DUAA plans for commencement – GOV.UK <i>Commencement of the main changes to data protection legislation in Part 5 of the Act (except for section 103 on complaints by data subjects). Commencement of provisions on information standards for health and adult social care in England in Part 7.</i>		
January 2026	<u>Commencement of the following measures covering:</u> + Main changes to data protection legislation – Part 5 – New automated decision-making techniques. – Provisions for regulating novel and special category data. – New legal basis when relying on “recognised legitimate interests”. – Definition of research and scientific purposes to “include any research that can reasonably be described	Data Use and Access Act 2025: plans for commencement – GOV.UK

	as scientific, whether publicly or privately funded and whether carried out as a commercial or non-commercial activity". – Reformulation of the data protection test when undertaking international transfers. – Further clarity on obligations when responding to subject access requests. – Obligations on controllers regarding children's privacy. + Provisions on information standards for health and adult social care in England – Part 7.	
23 January 2026	<u>ICO closes consultation on:</u> + Data protection enforcement procedural guidance.	ICO consultation on data protection enforcement procedural guidance ICO
Stage 4 <u>DUAA plans for commencement – GOV.UK</u> Commencement of provisions that require a longer lead-in time. E.g. National Underground Register in Part 3 of the Act, and the electronic system of registering births and deaths in Part 4, which rely on appropriate technology being in place.		
Early 2026	Changes to the Information Commissioner's Office (ICO) governance structures in Part 6 of the Act will take place once members of the Information Commission's new Board have been appointed. This is expected in early 2026.	Data Use and Access Act 2025: plans for commencement – GOV.UK
Spring 2026	ICO to release updated Automated Decision-Making (ADM) and Profiling Guidance.	Technology ICO
By 19 March 2026	<u>Government required to publish:</u> + a report on the use of copyright works in the development of AI systems; and + an assessment of the economic impact of the Copyright and AI Consultation Paper.	section 136 DUAA section 135 DUAA
Mid-June 2026 (approximately 12 months after Royal Assent)	Measures in Part 5 expected to be commenced, requiring controllers to establish processes for handling complaints from data subjects.	
"More than 6 months after Royal Assent"	<u>Provisions to be commenced relating to:</u> + Measures on the National Underground Register – Part 3. + The electronic system for registering births and death – Part 4 [reliant on specific technology being in place].	
Summer 2026	<u>Final versions of ICO guidance due for publication on:</u> + Research, Archiving and Statistics Provisions update.	