STATUTORY INSTRUMENTS

2018 No. 625 (C. 51)

DATA PROTECTION

The Data Protection Act 2018 (Commencement No. 1 and Transitional and Saving Provisions) Regulations 2018

Made - - - - 24th May 2018

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 212(1) and section 213(2) of the Data Protection Act 2018(**1**).

Citation and interpretation

1.—(1) These Regulations may be cited as the Data Protection Act 2018 (Commencement No. 1 and Transitional and Saving Provisions) Regulations 2018.

(2) In these Regulations "the 2018 Act" means the Data Protection Act 2018.

Provisions coming into force on 25th May 2018

2.—(1) The following provisions of the 2018 Act, so far as not already in force (see section 212(2) of the 2018 Act), come into force on 25th May 2018—

(a) section 2 (protection of personal data);

(b) Part 2 (general processing) (including Schedules 1, 2, 3, 4, 5 and 6), other than paragraph 62 of Schedule 6;

(c) Part 3 (law enforcement processing) (including Schedules 7 and 8);

(d) Part 4 (intelligence services processing) (including Schedules 9, 10 and 11), other than the provisions listed in paragraph (2);

(e) Part 5 (the Information Commissioner) (including Schedules 12, 13 and 14), other than the provisions listed in—

(i) section 212(3) of the 2018 Act; and

(ii) regulation 3;

(f) Part 6 (enforcement) (including Schedules 15, 16 and 17), other than the provisions listed in section 212(3) of the 2018 Act;

(g) Part 7 (supplementary and final provision) (including Schedules 18, 19 and 20), other than the provisions listed in—

(**1**) 2018 c.12.

(i) paragraph (3); and

(ii) regulation 3.

(2) The provisions referred to in paragraph (1)(d) are—

(a) section 93 (right to information);

(b) section 102 (general obligations of the controller);

(c) section 103 (data protection by design);

(d) section 104 (joint controllers);

(e) section 105 (processors);

(f) section 108 (communication of a personal data breach).

(3) The provisions referred to in paragraph (1)(g)(i) are the following paragraphs in Schedule 19 —

(a) paragraph 76;

(b) paragraph 201;

(c) paragraph 211;

(d) paragraph 227.

Provisions coming into force on 23rd July 2018

3. The following provisions of the 2018 Act come into force on 23rd July 2018—

(a) section 123 (age-appropriate design code);

(b) section 125 (approval of codes prepared under section 121 to 124) so far as it relates to a code prepared under section 123 (age-appropriate design code);

(c) section 126 (publication and review of codes issued under section 125(4)) so far as it relates to a code prepared under section 123 (age-appropriate design code);

(d) section 127 (effect of codes issued under section 125(4)) so far as it relates to a code prepared under section 123 (age-appropriate design code);

(e) section 188 (representation of data subjects with their authority: collective proceedings);

(f) section 189 (duty to review provision for representation of data subjects);

(g) section 190 (post-review powers to make provision about representation of data subjects);

(h) section 191 (Framework for Data Processing by Government);

(i) section 192 (approval of the Framework);

(j) section 193 (publication and review of the Framework);

(k) section 194 (effect of the Framework);

(l) section 195 (reserve forces: data sharing by HMRC).

Transitional and saving provisions relating to the Electronic Identification and Trust Services for Electronic Transactions Regulations 2016

4.—(1) In this regulation—

"the 1998 Act" means the Data Protection Act 1998(**2**);

(**2**) 1998 c.29.