STATUTORY INSTRUMENTS

2026 No. 317 (C. 25)

DATA PROTECTION

RIGHTS OF DATA SUBJECTS

The Victims and Prisoners Act 2024 (Commencement No. 10) and Data (Use and Access) Act 2025 (Commencement No. 8) Regulations 2026

Made - - - - 18th March 2026

The Secretary of State makes these Regulations in exercise of the powers conferred by section 81(2) of the Victims and Prisoners Act 2024(**a**) and section 142(1) of the Data (Use and Access) Act 2025(**b**).

Citation, extent and interpretation

1.—(1) These Regulations may be cited as the Victims and Prisoners Act 2024 (Commencement No. 10) and Data (Use and Access) Act 2025 (Commencement No. 8) Regulations 2026.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

(3) In these Regulations—

"the 2024 Act" means the Victims and Prisoners Act 2024;

"the 2025 Act" means the Data (Use and Access) Act 2025.

Provision of the 2024 Act coming into force on 31st March 2026

2. Section 31 (right to erasure of personal data in the UK) of the 2024 Act comes into force on 31st March 2026.

Provision of the 2025 Act coming into force on 31st March 2026

3. Paragraph 32 of Schedule 11 (Victims and Prisoners Act 2024) to the 2025 Act comes into force on 31st March 2026.

(**a**) 2024 c. 21.
(**b**) 2025 c. 18.

Signed by authority of the Secretary of State

Alex Davies-Jones
Parliamentary Under Secretary of State
Ministry of Justice

18th March 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force specified provisions of the Victims and Prisoners Act 2024 (c. 21) ("the 2024 Act") and the Data (Use and Access) Act 2025 (c. 18) ("the 2025 Act") on 31st March 2026. These are the tenth commencement Regulations made under the 2024 Act and the eighth commencement Regulations made under the 2025 Act.

Regulation 2 brings into force section 31 of the 2024 Act. Section 31 makes amendments to Article 17 of Regulation (EU) 2016/679 of the European Parliament, known as the UK General Data Protection Regulation ("UK GDPR"), and the Data Protection Act 2018. Article 17 of the UK GDPR ('right to erasure') provides for the circumstances in which data subjects have a right to have personal data erased. The right to erasure is not absolute and does not apply if processing is necessary for one of the reasons specified in Article 17(3), including where processing is necessary for compliance with a legal obligation or for the performance of a task carried out in the public interest or in the exercise of official authority.

Section 31(2) of the 2024 Act adds a new ground to Article 17(1) of the UK GDPR, Article 17(1)(g), which provides that data subjects have the right to have their personal data erased where it has been processed as a result of an allegation about the data subject that meets the criteria specified in Article 17(1)(g). This provides that the allegation must have been made by a person who is a malicious person in relation to the data subject, have been investigated by the data controller and the controller must have decided that no further action is to be taken in relation to the allegation. Section 31(3) of the 2024 Act amends Article 17 to insert additional paragraphs that provide a definition of a "malicious person" for the purposes of Article 17(1)(g). A "malicious person" is someone who: (a) has been convicted of an offence of stalking or harassment (including breach of a stalking protection order) in relation to the data subject (the victim of that offence); or (b) is subject to a stalking protection order made to protect the data subject from a risk associated with stalking. These changes mean that victims of stalking and harassment can request erasure of their personal data when that data has been processed as a result of an unfounded allegation made by their perpetrator.

Regulation 3 brings into force paragraph 32 of Schedule 11 to the 2025 Act. Paragraph 32 ensures that the amendments made by section 31 of the 2024 Act extend to the United Kingdom to align with the extent of the UK GDPR itself.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Victims and Prisoners Act 2024 have been brought into force by commencement regulations made before the date of these Regulations.

Provision	*Date of Commencement*	*S.I. No.*
Section 68	17th June 2024	2024/755
Section 75 (partially)	2nd August 2024	2024/846
Section 76 (partially)	2nd August 2024	2024/846
Section 34 (partially)	18th September 2024	2024/966
Section 36 (partially)	18th September 2024	2024/966
Section 37	18th September 2024	2024/966
Section 38	18th September 2024	2024/966
Section 39	18th September 2024	2024/966
Section 40 (partially)	18th September 2024	2024/966
Section 41 (partially)	18th September 2024	2024/966
Section 42 (partially)	18th September 2024	2024/966
Section 43 (partially)	18th September 2024	2024/966
Section 44	18th September 2024	2024/966
Section 45	18th September 2024	2024/966
Section 47	18th September 2024	2024/966
Section 66 (partially)	1st November 2024	2024/966
Section 67	1st November 2024	2024/966
Section 1	29th January 2025	2025/95
Section 2 (partially)	29th January 2025	2025/95
Section 5	29th January 2025	2025/95
Section 22 (partially)	29th January 2025	2025/95
Section 23 (partially)	29th January 2025	2025/95
Section 24 (partially)	29th January 2025	2025/95
Section 25 (partially)	29th January 2025	2025/95
Section 26 (partially)	29th January 2025	2025/95
Section 27	29th January 2025	2025/95
Section 66 (remainder)	1st February 2025	2024/966
Section 58 (partially)	3rd February 2025	2025/95
Section 59 (partially)	3rd February 2025	2025/95
Section 65	3rd February 2025	2025/95
Section 74	3rd February 2025	2025/95
Section 60 (partially)	3rd April 2025	2025/441
Schedule 2	3rd April 2025	2025/441
Section 16	9th May 2025	2025/441
Section 75 (remainder)	27th May 2025	2025/441
Section 76 (remainder)	27th May 2025	2025/441
Section 17 (partially)	1st June 2025	2025/616
Section 17 (remainder)	1st October 2025	2025/616
Section 21	25th June 2025	2025/731
Section 34 (remainder)	25th June 2025	2025/731
Section 35	25th June 2025	2025/731
Section 36 (remainder)	25th June 2025	2025/731
Section 40 (remainder)	25th June 2025	2025/731
Section 41 (remainder)	25th June 2025	2025/731
Section 42 (remainder)	25th June 2025	2025/731
Section 43 (remainder)	25th June 2025	2025/731
Section 20 (partially)	7th November 2025	2025/1168
Section 23 (remainder)	31st December 2025	2025/1325
Section 24 (remainder)	31st December 2025	2025/1325
Section 25 (remainder)	31st December 2025	2025/1325
Section 26 (remainder)	31st December 2025	2025/1325
Section 61	31st December 2025	2025/1325
Section 62	31st December 2025	2025/1325

Section 63	31st December 2025	2025/1325
Section 64	31st December 2025	2025/1325
Section 28	12th January 2026	2025/1168
Section 29	12th January 2026	2025/1168
Section 30	12th January 2026	2025/1168

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Data (Use and Access) Act 2025 have been brought into force by commencement regulations made before the date of these Regulations.

Provision	*Date of Commencement*	*S.I. No.*
Part 1	20th August 2025	2025/904
Section 72 (partially)	20th August 2025	2025/904
Section 74	20th August 2025	2025/904
Section 84	20th August 2025	2025/904
Section 91	20th August 2025	2025/904
Section 92	20th August 2025	2025/904
Section 93	20th August 2025	2025/904
Section 95	20th August 2025	2025/904
Section 102	20th August 2025	2025/904
Section 104	20th August 2025	2025/904
Section 106	20th August 2025	2025/904
Section 107	20th August 2025	2025/904
Section 108	20th August 2025	2025/904
Section 109	20th August 2025	2025/904
Section 110 (partially)	20th August 2025	2025/904
Section 111	20th August 2025	2025/904
Section 113	20th August 2025	2025/904
Section 117 (partially)	20th August 2025	2025/904
Section 125	20th August 2025	2025/904
Section 129	20th August 2025	2025/904
Section 134	20th August 2025	2025/904
Section 135	20th August 2025	2025/904
Section 136	20th August 2025	2025/904
Section 137	20th August 2025	2025/904
Schedule 11 (partially)	20th August 2025	2025/904
Schedule 14	20th August 2025	2025/904
Section 79	5th September 2025	2025/996
Section 88	5th September 2025	2025/996
Section 124	30th September 2025	2025/982
Section 89	17th November 2025	2025/996
Section 90	17th November 2025	2025/996
Part 2 (partially)	1st December 2025	2025/1213
Section 67	5th February 2026	2026/82
Section 68	5th February 2026	2026/82
Section 70	5th February 2026	2026/82
Section 71	5th February 2026	2026/82
Section 72 (remainder)	5th February 2026	2026/82
Section 73	5th February 2026	2026/82
Section 75	5th February 2026	2026/82
Section 76	5th February 2026	2026/82
Section 77	5th February 2026	2026/82
Section 80	5th February 2026	2026/82
Section 81	5th February 2026	2026/82
Section 83	5th February 2026	2026/82
Section 85	5th February 2026	2026/82
Section 86	5th February 2026	2026/82

Section 87	5th February 2026	2026/82
Section 94	5th February 2026	2026/82
Section 98	5th February 2026	2026/82
Section 99	5th February 2026	2026/82
Section 100	5th February 2026	2026/82
Section 101	5th February 2026	2026/82
Section 105	5th February 2026	2026/82
Section 110 (remainder)	5th February 2026	2026/82
Section 112	5th February 2026	2026/82
Section 114	5th February 2026	2026/82
Section 115	5th February 2026	2026/82
Section 116	5th February 2026	2026/82
Section 120	5th February 2026	2026/82
Section 121	5th February 2026	2026/82
Section 130	5th February 2026	2026/82
Section 132	5th February 2026	2026/82
Section 133 (partially)	5th February 2026	2026/82
Schedule 4	5th February 2026	2026/82
Schedule 5	5th February 2026	2026/82
Schedule 6	5th February 2026	2026/82
Schedule 7	5th February 2026	2026/82
Schedule 8	5th February 2026	2026/82
Schedule 9	5th February 2026	2026/82
Schedule 11 (partially)	5th February 2026	2026/82
Schedule 12	5th February 2026	2026/82
Schedule 13	5th February 2026	2026/82
Schedule 15	5th February 2026	2026/82
Section 138	6th February 2026	2026/31
Section 123	12th February 2026	2026/126
Section 103	19th June 2026	2026/82
Schedule 10	19th June 2026	2026/82

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