



PRIVACY LAWS & BUSINESS

DATA PROTECTION & PRIVACY INFORMATION WORLDWIDE

DUAA data protection aspects in force by the end of this year

Laura Linkomies reports on the steps DSIT and the ICO are taking to implement the law, and issue guidance.

The Data (Use and Access) Act (DUAA) amends, but does not replace, the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 (DPA) and the Privacy and Electronic Communications Regulations (PECR).

The government has now issued commencement regulations. While some of the provisions have already entered into force, the data protection part of the Act will be mostly brought into force approximately six

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ICO fines 23andMe £2.31m – what have we learned?

Taylor Wessing's **Mike Vallance** looks at the ICO's final conclusions on the DNA testing site 23andMe data breach and at key takeaways.

The 23andMe data breach has caught the attention of the privacy community as a clear and stark reminder of the damage that can be caused by a data breach. On 17 June 2025, the UK Information Commissioner's Office (ICO)

announced a revised fine of £2.31 million to be imposed on the prominent consumer genetics company¹ following a data breach that exposed sensitive genetic and health information of

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ICO on the fast track

The new Data Use and Access Act 2025 (DUAA) may not be radically different from the Data Protection Act 2018, yet it requires the ICO to conduct a full review of its existing guidance as the majority of the data protection provisions of the Act are expected to be in force just before the end of 2025. Updates are expected in a rapid fashion – ICO consultations are already underway on legitimate interests and complaints procedures (p.4). In the summer, the regulator was also seeking views on its data transfer guidance under the UK GDPR. This is a hot potato considering for example the recent Ireland DPC fine on TikTok's transfers to China. When reading the response by law firm Hogan Lovells, I feel that many may join them in spirit in asking the ICO to adopt and promote a more streamlined approach to transfer risk assessments, especially when the data in question is not sensitive.

The regulator is now working on updating guidance for automated profiling tools to help users who use them to meet their obligations under the Online Safety Act 2023 (p.16). Data Subject Access Request (DSAR) guidance will also be looked at in light of the DUAA – although much of it is already adopted by the ICO in its day-to-day work (p.13). However, organisations may wish to review their DSAR policies now to prepare for the new data subjects' right of complaint.

The DUAA will enhance the ICO's enforcement powers (p.10), and especially under PECR, where fines for breaches increase to UK GDPR levels – up to £17.5m or 4% of annual worldwide turnover (p.8).

I look forward to our half-day conference on 1 October to hear more about work on DUAA implementation (see p.15). Before that, I am delighted to be able to attend the Global Privacy Assembly in South Korea later this month, and to report for our sister publication, *PL&B International Report*.

Laura Linkomies, Editor

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Do you wish to contribute to *PL&B UK Report*? Please contact Laura Linkomies, Editor (tel: +44 (0)20 8868 9200 or email: laura.linkomies@privacylaws.com) to discuss your idea, or offer to be interviewed about your organisation's data protection/Freedom of Information work.

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Angela Parkin, Group Director of Data Protection, Equiniti

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