

The Information Commissioner's Office (ICO) issued a response to the Data Protection and Digital Information (No 2) Bill which was reintroduced on 8 March 2023. [Here is the Information Commissioner's full response.](#)

Here is a summary of the key points:

- **General Comments:**

The ICO appreciates the opportunity to comment on the draft regulations and acknowledges the necessity of ensuring a smooth transition of data protection law post-Brexit. However, they express concerns about the complexity of the proposed changes and the potential for confusion.
- **Amendments to the GDPR:**

The ICO notes that the draft regulations make significant amendments to the GDPR as it will apply in the UK (the "UK GDPR"). They highlight the need for clear guidance on these changes to ensure understanding and compliance.
- **Role of the ICO:**

The ICO expresses concern about the potential for their role to be diminished under the draft regulations. They argue for the importance of maintaining their role and independence, particularly in relation to international data protection matters.
- **Transfers of Personal Data:**

The ICO raises concerns about the provisions relating to transfers of personal data from the UK to other countries. They suggest that the draft regulations could be clearer in this area.
- **Data Protection Impact Assessments (DPIAs):**

The ICO comments on the proposed changes to the requirements for DPIAs, suggesting that these could lead to confusion and increased risk of non-compliance.
- **Data Protection Officers (DPOs):**

The ICO notes that the draft regulations propose changes to the requirements for DPOs. They express concern that these changes could lead to a reduction in the number of DPOs and a corresponding decrease in data protection governance.
- **Fees and Charges:**

The ICO comments on the proposed changes to the system of fees and charges for data controllers. They suggest that these changes could have significant implications for the ICO's funding.
- **Conclusion:**

The ICO concludes by reiterating their willingness to work with the government to ensure that the transition of data protection law post-Brexit is as smooth as possible. They stress the importance of clear and comprehensive guidance to support understanding and compliance.