SmartSuite

Framework / Privacy / Global Privacy Regulations

Uitvoeringswet Algemene verordening gegevensbescherming (UAVG)

The UAVG is the Dutch Act of May 16, 2018 that carries out the GDPR: it names the Autoriteit Persoonsgegevens, sets rules for minors and special data, and limits some rights.



What it is

The Uitvoeringswet Algemene verordening gegevensbescherming (UAVG, the Dutch GDPR Implementation Act) is the Netherlands' statute that carries out the EU General Data Protection Regulation (Regulation (EU) 2016/679) and fills in the points the GDPR leaves to member states. Under Article 4 it applies to every controller or processor with an establishment in the Netherlands and to non-EU organizations that offer goods or services to people in the Netherlands or monitor their behavior there. It has applied since May 25, 2018 and replaced the Wet bescherming persoonsgegevens (Article 51).

At a glance

PUBLISHER
Staten-Generaal of the Kingdom of the Netherlands (Act of May 16, 2018, Staatsblad 2018, 144); supervised by the Autoriteit Persoonsgegevens

TYPE
Regulation

VERSION
Act of May 16, 2018 (Stb. 2018, 144), as amended by the Verzamelwet gegevensbescherming (Stb. 2026, 154) from September 1, 2026

EFFECTIVE
May 25, 2018 (Stb. 2018, 145); amendments in force September 1, 2026

DOMAIN
Privacy

FAMILY
Global Privacy Regulations

REGION
Netherlands

ADOPTION MODEL
Regulatory Compliance

IMPLEMENTATION COMPLEXITY
High

Source: wetten.overheid.nl/BWBR0040940/

Why it matters

- **Minors have set rules** Article 5 requires the legal representative's consent where the data subject is under 16; a child of 12 to 15 may exercise rights alongside the representative, and a person of 16 or older may go to court alone (Article 5(4) and (5)).
- **Special-category exceptions are listed** Articles 22 to 30 spell out who may process health, genetic, biometric and similar data; for example Article 30(1) lets employers process health data for re-integration of employees on sick leave.
- **One regulator with fining power** The AP is the supervisory authority (Article 6(2)) and may fine under Article 14(3), also public bodies (Article 18), and may fine up to EUR 20,000,000 or 4% of worldwide turnover for criminal-data breaches (Article 17).
- **Sanction decisions become public** Under Article 21b, in force since September 1, 2026, the AP publishes sanction decisions after ten working days, unless public-access exceptions apply or interim relief is requested.

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How SmartSuite supports UAVG

Special-Category Register

Record each processing activity that touches health, biometric, genetic or criminal-offense data with the exception it relies on in Articles 22 to 33 and its owner.

Minors and Consent Records

Track where consent is collected from people under 16 and how the legal representative's consent in Article 5 is obtained and stored.

Rights Requests and Deadlines

Log requests under GDPR Articles 15 to 22 with the Article 12(3) deadline that UAVG Article 34 applies, the decision taken and any restriction used under Article 41.

BSN and Identifier Controls

Document every use of the citizen service number against the law that prescribes it (Article 46) and review access to it.

Processor and Vendor Oversight

Keep vendors and processors that handle Dutch personal data in Third Party Risk Management, with contracts, assessments and open findings.

AP Inquiry and Audit Readiness

Assemble policies, assessments and evidence in Compliance Management so a response to an AP investigation draws on current records.

Common framework mappings

CCPA/CPRA | GDPR | ISO 27701 | NIST Privacy Framework v1.0 | Swiss FADP (SR 235.1) | UK DPA 2018

Official resources

Netherlands Implementation Act GDPR (UAVG) Text

Provides the full legislative text of the Netherlands Implementation Act GDPR (UAVG).

wetten.overheid.nl/BWBR0040940

Autoriteit Persoonsgegevens - GDPR/UAVG Guidance

Outlines guidance for organizations to align with GDPR and UAVG requirements in the Netherlands.

autoriteitpersoonsgegevens.nl/themas/basis-avg/avg-algemeen

Dutch Government GDPR Information

Describes the implementation and impact of GDPR and UAVG within the Netherlands.

rijksoverheid.nl/themas/overheid-en-democratie/privacy-en-persoonsgegevens

Autoriteit Persoonsgegevens (English)

The Dutch data protection authority's English pages: its role under the GDPR and the UAVG, guidance and enforcement decisions.

autoriteitpersoonsgegevens.nl/en

Frequently asked questions

Who must follow the UAVG?

Every controller or processor with an establishment in the Netherlands, in the public or the private sector, and, under Article 4(2), non-EU organizations whose processing relates to offering goods or services to people in the Netherlands or monitoring their behavior there. Processing governed by the Wet basisregistratie personen or the Kieswet is outside the Act (Article 2(2)).

What does the UAVG add to the GDPR?

It names the Autoriteit Persoonsgegevens as supervisory authority (Article 6), sets the consent rules for minors (Article 5), lists Dutch exceptions to the ban on special-category and criminal-offense data (Articles 22 to 33), and sets remedies (Articles 34 to 38) and exemptions from data subject rights (Articles 40 to 47). The GDPR's core duties, including the 72-hour breach notice in Article 33, remain in the GDPR.

What are the UAVG rules for children?

Where GDPR Article 8 does not apply and consent is needed, a person under 16 needs the consent of the legal representative (Article 5(1)). Below age 12 the representative exercises data subject rights; from 12 to 15 the child and the representative can both exercise them; from 16 a minor can go to court without the representative's help (Article 5(4) and (5)).

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What can the Autoriteit Persoonsgegevens do?

It can impose administrative fines up to the amounts in GDPR Article 83(4) to (6) (Article 14(3)), including on public bodies (Article 18), fine criminal-data breaches up to EUR 20,000,000 or 4% of worldwide turnover (Article 17) and issue orders subject to administrative enforcement (Article 16). Since September 1, 2026 it must also publish sanction decisions after ten working days (Article 21b).

What changed on September 1, 2026?

The Verzamelwet gegevensbescherming (Stb. 2026, 154) amended the UAVG, including new Article 21b on publishing sanctions, new Article 14(7) and (8) on consulting stakeholders before the AP issues policy rules, and Articles 30a, 30b, 47a and 48b. Article 23a on accountants' mandatory audit engagements has not yet entered into force.

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Full framework page and mappings: smartsuite.com/frameworks/netherlands-implementation-act-gdpr-uavg-uitvoeringswet-avg