GOVERNMENT SUBMITS BILL POSTPONING BY ONE YEAR THE ENTRY INTO FORCE OF LAW NO. 21,719 ON PERSONAL DATA PROTECTION AND STRENGTHENING THE INSTITUTIONAL FRAMEWORK OF THE DATA PROTECTION AGENCY

On September 1, 2026, the Government submitted to the Senate a bill amending Law No. 21,719, whose entry into force is currently scheduled for December 1, 2026. The bill proposes postponing the date until **December 1, 2027** , in order to provide an additional period for the gradual implementation of the new personal data protection framework and to adopt the measures necessary for the establishment and operation of the institutional framework responsible for its enforcement, namely, the Personal Data Protection Agency (the "Agency").

The bill grounds the postponement on the technical, institutional and operational complexity involved in implementing the new framework, as well as on the need for the Agency to be duly constituted and in a position to exercise its powers in a timely manner and adopt the regulatory determinations needed to guide its implementation. It also seeks to provide data controllers with a reasonable period to adapt their processes to the new legal requirements.

Main amendments

• **Postponement of entry into force:** The entry into force of the amendments introduced by Law No. 21,719 would be postponed until December 1, 2027.
• **Transitional sanction regime:** The specific reference to smaller enterprises in the sixth transitional article would be removed, so that, during the first twelve months following the law's entry into force, the Agency's authority to impose a written reprimand would no longer be limited to those enterprises and would instead apply to all persons subject to the law.
• **New composition of the Agency's Governing Board:** The number of Board members would increase from three to five. They would

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continue to serve six-year terms, with no possibility of reappointment, and the Board would be partially renewed every two years. The applicable quorum would increase from two to three Board members.

• **Initial appointment:** The initial appointment would have to be made no later than twelve months before the law enters into force. The President's proposal would identify, in a single act, two persons to serve two-year terms, two persons to serve four-year terms and one person to serve a six-year term. If the Senate does not rule on the proposal within the statutory deadline, it would be deemed accepted without further formality.

• **Exclusive service and incompatibilities:** As of the date of their appointment, Board members would be subject to the exclusive-service requirement established in Article 30 quáter and to the provisions of the first paragraph of Article 30 quinquies of Law No. 21,719.

• **Establishment of the Agency:** The bill would preserve the possibility for the Governing Board to exercise certain establishment-related functions before the law enters into force. However, any instructions or general rules issued during that period would have binding force only as of the entry into force of the new framework.

Next steps

The bill will begin its legislative consideration before the Senate. The duration of the legislative process will depend on the urgency assigned to the bill by the executive and on the progress of the parliamentary debate.

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