the dpia

GLOBAL PRIVACY NEWS
FROM THE DPO CENTRE



**The DPIA is an assessment of the impact of the most significant and important-to-know data protection issues from around the globe. It's not the full story, just a quick 3-minute read, collated and condensed to keep you updated with the latest news in our ever-evolving industry.**

# LLMs vs AI agents: Managing different AI risks

LLMs and AI agents share many of the same risks, but those risks can increase as AI systems gain greater autonomy, access to organisational data and systems, and the authority to take actions without prior human approval.

Our latest blog explains how LLMs and AI agents differ, the factors organisations should consider when determining the appropriate level of governance, and how to avoid governance gaps as AI systems and their capabilities evolve.

**Read our blog**




## UNITED STATES & CANADA

# US lawmakers introduce Ban Artificial Superintelligence Act

The proposed bill would prohibit the development and deployment of AI that exceeds human cognitive capabilities across most domains, whilst temporarily pausing advanced AI development until new federal safety rules and a model review process are established.

It also proposes a new Department of Artificial Intelligence to oversee these measures, monitor frontier AI systems throughout their lifecycle, and require the removal of dangerous capabilities.

The proposal reflects growing scrutiny of the potential risks associated with increasingly capable and autonomous AI systems.

Learn more about the proposed legislation

## OPC publishes guidance on assessing third-party providers

New guidance from the Office of the Privacy Commissioner of Canada (OPC) recommends carrying out privacy due diligence before selecting a provider or entering into an agreement, with assessments conducted by people with appropriate privacy and technical expertise. It covers areas including data flows, subcontractors, international transfers, security, AI training data, retention, and ongoing monitoring.

Organisations subject to the Personal Information Protection and Electronic Documents Act (PIPEDA) remain responsible for personal information under their control when using third parties. The OPC is accepting feedback on the guidance until 4 December 2026.

Read the guidance

## Delaware expands consumer privacy protections under DPDPA

Delaware's Governor has signed amendments to the Delaware Personal Data Privacy Act (DPDPA), expanding its scope and introducing stronger protections for consumers from 1 January 2027.

The changes broaden the definition of sensitive data to include information such as citizenship and immigration status, neural data, and certain financial account credentials. Consumers will also gain new rights to access inferences made about them, find out whether their data is being used for profiling that produces legal or similarly significant effects, and identify categories of third parties receiving their data.

Organisations subject to the DPDPA should review whether the expanded scope, consumer rights, and sensitive data requirements will require changes to their existing privacy processes before the amendments take effect.

Learn more about the amendments




*The DPO Centre brings together specialists from across the Axiom GRC group for **five expert-led webinars**. Each session focuses on a key AI challenge creating new risks for organisations. Sign up for one, or join us for all five.*

## UNITED KINGDOM

# New safeguarding information sharing duty comes into force

A new information sharing duty under the Children's Wellbeing and Schools Act comes into force on 30 September 2026, requiring relevant organisations and practitioners to share information where certain conditions are met to safeguard or promote the welfare of a child.

The Department for Education has published statutory guidance to support implementation, including guidance on transparency, lawful data sharing, and engaging with children and families. In-scope organisations should review their privacy notices, records of processing, data sharing arrangements and staff training ahead of the new duty.

Read the guidance

## EUROPEAN UNION

# Spain reports first data breach caused by AI agent

Spain's Data Protection Agency (AEPD) has received its first notification of a personal data breach carried out using an autonomous AI agent. The agent was used to identify vulnerabilities and gain access to files containing personal data.

The AEPD warns that AI-assisted cyberattacks are no longer theoretical and can be carried out at a speed that traditional security processes may struggle to match. It urges

organisations to review whether their security and incident response measures can respond quickly enough to emerging threats.

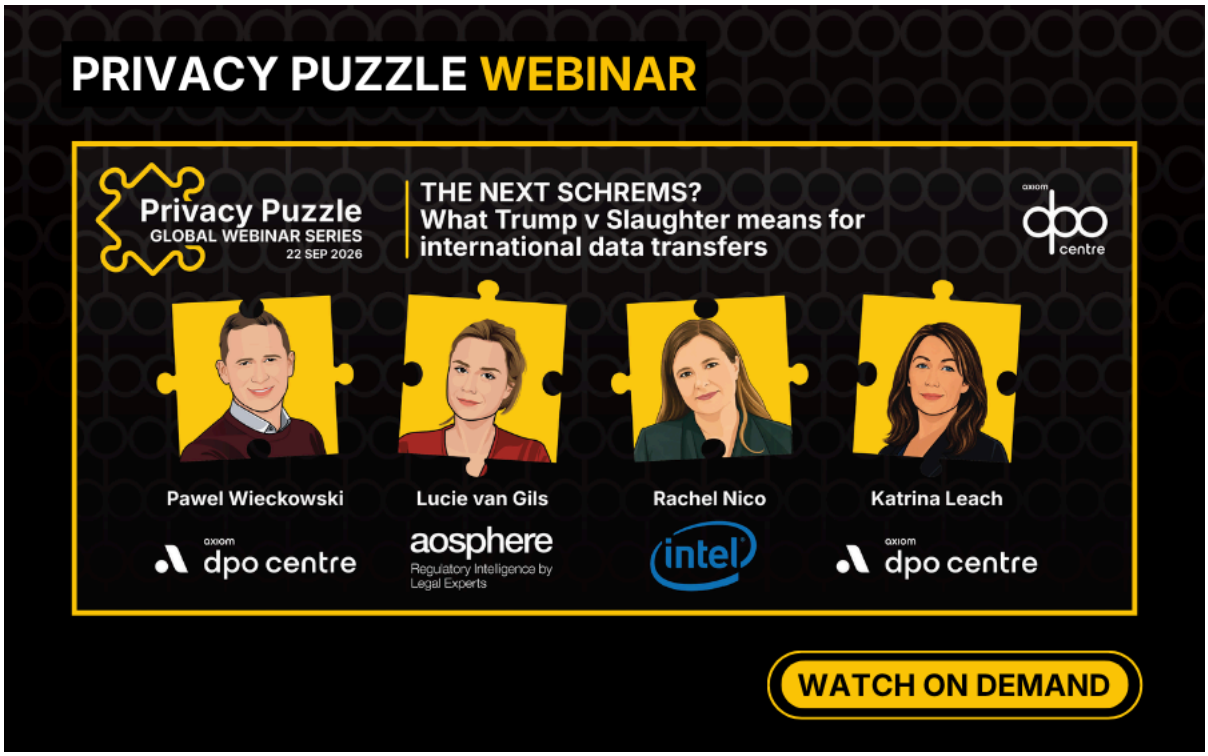
Read our blog to learn about the risks and governance considerations associated with AI agents.

## EDPB adopts final guidelines on DSA and GDPR

The European Data Protection Board (EDPB) has published final guidelines to support consistent application of the Digital Services Act (DSA) and General Data Protection Regulation (GDPR) where DSA requirements involve the processing of personal data by intermediary service providers. They cover areas including content moderation, recommender systems, online advertising, and measures to protect minors.

Organisations subject to both laws should consider the guidelines when assessing how their DSA obligations interact with existing GDPR requirements.

Read the final guidelines




## INTERNATIONAL

## China issues guidance on personal data in AI disputes

China's Supreme People's Court has issued its first national guidance on how courts should handle AI-related disputes, including cases involving the processing of personal information.

The guidance addresses the use of publicly available personal information for AI model training. Courts should consider factors including the purpose of processing, sensitivity of the information, its potential impact on individuals, and how the data could reasonably be expected to be used.

The guidance aims to create greater consistency in how existing laws, including China's Personal Information Protection Law (PIPL), are applied to AI-related disputes.

**Learn more about the guidance**




## We are recruiting!

To support our ongoing requirement to continuously grow our remarkable and extraordinary **#ONETEAM**, we are seeking candidates for the following positions:

- **Data Protection Officer (United Kingdom)**
- **Data Protection Officer - Life Sciences (United Kingdom)**
- **Data Protection Officer (Poland)**
- **Data Protection Officer - Life Sciences (Poland)**
- **Data Protection Coordinator - Life Sciences (Poland)**

If you are looking for a new and exciting challenge, **apply today!**

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