

Regulation (EU) 2016/679 of the European Parliament and of the Council
of 27 April 2016 on the protection of natural persons with regard to the
processing of personal data and on the free movement of such data (United
Kingdom General Data Protection Regulation)(Text with EEA relevance)

CHAPTER III

Rights of the data subject

Section 3

Rectification and erasure

Article 17

Right to erasure ('right to be forgotten')

1 The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- a the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b the data subject withdraws consent on which the processing is based according to point (a) of Article 6(1), or point (a) of Article 9(2), and where there is no other legal ground for the processing;
- c the data subject objects to the processing pursuant to Article 21(1) and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2);
- d the personal data have been unlawfully processed;
- e the personal data have to be erased for compliance with a legal obligation [^{F1}under domestic law];
- f the personal data have been collected in relation to the offer of information society services referred to in Article 8(1).

2 Where the controller has made the personal data public and is obliged pursuant to paragraph 1 to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

3 Paragraphs 1 and 2 shall not apply to the extent that processing is necessary:

- a for exercising the right of freedom of expression and information;
- b for compliance with a legal obligation which requires processing [^{F2}under domestic law] or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2016/679 of the European Parliament and of the Council, Article 17. (See end of Document for details)

- c for reasons of public interest in the area of public health in accordance with points (h) and (i) of Article 9(2) as well as Article 9(3);
- d for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) in so far as the right referred to in paragraph 1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- e for the establishment, exercise or defence of legal claims.

Textual Amendments

- F1** Words in Art. 17(1)(e) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), **Sch. 1 para. 15(2)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 17(3)(b) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), **Sch. 1 para. 15(3)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)

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