



Llywodraeth Cymru
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Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill

Data Protection Impact Assessment

Data protection impact assessment of the Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill 2025.

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Step 1: Identifying the need for a DPIA

1. The Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill proposed is primary legislation. The Information Commissioner's Office (ICO) and Article 36(4) (of the UK GDPR) assessment confirm the proposals involve collecting personal and special category data. Therefore, this impact assessment has been developed. The Article 36(4) form was submitted to the ICO on 28 February 2025 and the Welsh Government committed to providing further detail on the proposal (via a DPIA) ahead of the closure of the Article 36(4) process. This was shared on 19 September.
2. This assessment aims to describe the data protection and privacy implications of the legislative provisions. It considers compliance risks, but also broader risks to the rights and freedoms of individuals. Levels of risk have been assessed, considering both the likelihood and the severity of any impact on individuals. It also helps to minimise risks and assess whether remaining risks are justified, necessary and proportionate.
3. The aim is that this assessment is helping us build data protection compliance into the legislation. This will lead on to influencing how the proposals are developed and implemented. Many of the details will be provided for in subordinate legislation yet to be prepared (and which will be dependent upon the Bill receiving Royal Assent).
4. This is a living document which will be updated in line with any policy or other changes during the legislative process. It has been developed alongside discussion of the policy with stakeholders. This version of the document reflects the Bill as introduced to the Senedd in 2025.
5. The Bill makes it the responsibility of the Welsh Ministers to establish a licensing scheme. In exercising these powers, the Welsh Government and any delivery partners will have regard to any statutory duties under the Data Protection Act 2018. Similarly, any new data collection required by the Bill is without prejudice to the UK General Data Protection Regulation (UK GDPR) which all organisations involved must adhere to.
6. The Welsh Government has engaged with a range of stakeholders throughout the development of the policy (see Chapter 4 of the Explanatory Memorandum to the Bill).

Step 2: Policy proposals

The Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill ("the Bill") provides the legislative framework for a licensing scheme for visitor accommodation in Wales, starting with self-catering accommodation. This scheme will support tourism in Wales, by reassuring visitors that accommodation meets the standards they would expect and providing a clear regime for providers.

The licensing scheme will build upon the register of visitor accommodation providers as set out in its companion legislation, the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 ("the VARL Act"). Under that Act, the Welsh Revenue Authority (WRA) will establish, maintain and publish the register of providers, which will also detail the type and location of the premises they operate across Wales. This information may be of interest to local authorities, visitors, businesses and researchers, and will inform the future licensing scheme.

The Bill will complement other measures introduced by the Welsh Government to address the challenges arising from a concentration of second homes and short-term holiday lets in particular areas in Wales. A secondary outcome of this Bill will be to align more closely regulation of self-catering visitor accommodation with the regulation of the private rented sector, ensuring consistent standards for that accommodation, and monitoring compliance with those standards.

The Bill also creates a Code of Welsh law on tourism that will incorporate existing legislation on the development of tourism in Wales, with a view to improving the accessibility of tourism legislation]

Step 3: Collection of personal data

8. The Bill creates new requirements to collect and share personal data from visitor accommodation providers (VAPs) as part of a licensing scheme.
9. As the Bill creates these new responsibilities we will rely on UK GDPR Article 6(1)(c) where “processing is necessary for compliance with a legal obligation to which the controller is subject” as the statutory basis for processing the data. Article 6(1)(e) “processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller” may also be relevant. There are seven instances where the Bill creates powers to process personal data:
 - The creation of a register of licensed accommodation providers, part of which will be published
 - Determining licence applications
 - Undertaking inspections of premises or documentation to check compliance
 - Issuing penalty notices or undertaking prosecutions where an offence is committed
 - Sharing information with other regulators to support the exercise of relevant functions
 - Requiring VAPs to include a registration number in their advertising
 - Requiring VAPs to make information about their accommodation available to visitors
10. During the assessment we have looked at the nature of the processing of data for each of the new powers. We have also considered any risks and how these may be mitigated. The assessment covers:
 - the powers the Bill has to collect and use data;
 - how the data will be maintained and retained;
 - whether the data will need to be shared and how that might be done.
 - the nature of the data, as it includes special category or criminal offence data in some situations;
 - how much data will be collected and used, how often it will be collected and how long it will be kept for;
 - the context of the processing, especially its impact on individuals;
 - the purpose for the data, what the Bill sets out to achieve and what the benefits are of processing.
11. The implementation of the licensing scheme will be subject to separate DPIAs, which will outline the risks at a closer operational level.

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12. The Bill confers functions upon Welsh Ministers to manage a licensing scheme for VAPs. This means the Welsh Ministers will be the data controller for administration of the licensing scheme.
13. If agency arrangements are made for another organisation to support the Welsh Ministers in the exercise of those functions (for example if the Welsh Revenue Authority provide support with the management of the online system for licensing applications to integrate this with registration), they may be a data controller for information collected.
14. The Bill creates powers for information to be shared with other regulators where necessary to support the delivery of licensing functions. Where information is shared with other regulators, they may be data controllers for that information.

The collection and use of the data

15. It is proposed that visitor accommodation businesses in Wales would require a licence to operate. Initially this will apply only to a sub-set of self-catered accommodation. However, it is our intention that other visitor accommodation types are brought into scope in the future.
16. This scheme builds on the register of people who provide visitor accommodation as set out in the Visitor Accommodation (Register & Levy) Etc. (Wales) Act 2025. As part of the proposed licensing process they will need to provide personal data and certain information related to their business.
17. The majority of the personal data to be processed for the purposes of the licence will have been collected by the Welsh Revenue Authority (WRA) as set out in the VARL Act.
18. The Bill requires VAPs to give personal information as part of an application for a licence. That will include information on the register established under the VARL Act in relation to the VAP and relevant premises, as well as evidence to enable the Welsh Ministers to assess whether they meet licence requirements in relation to fire, electrical, gas and carbon monoxide safety, public liability insurance and training.
19. Operational procedures have not yet been developed. We envisage that most of the data will either be shared with the licensing authority by the registration authority (the WRA) if the VAP consents, or pre-populated from the register so the data subject can check and confirm before submitting a licence application. This will include the name, business address and contact information for the VAP, as well as information about the accommodation they provide, including the address, the type of

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accommodation provided, and the number of people who can sleep at the accommodation. Any further data collected to support a licence application or enforcement (e.g. a gas safety certificate to evidence compliance with the corresponding licence condition), will be collected from the data subject.

20. Part 4 of this Bill requires the Welsh Ministers and the WRA to collectively make available a public directory of visitor accommodation. This includes information the WRA are already required to publish under the VARL Act as well as details of any relevant licence held in respect of that accommodation.
21. The Bill specifies the following information will be published about a licence:
 - a. The accommodation to which a licence relates
 - b. The premises at which that accommodation is provided
 - c. The registration number issued in respect of that premises
 - d. The date the licence was granted or renewed
 - e. The date the licence expires
 - f. Details of any additional conditions attached to the licence
 - g. Details of any amendments to the licence

Maintenance and management of the data

22. Further data protection impacts will be covered by a separate assessment at the operational delivery point. However, the intention is that the data will be held to appropriate security and record-keeping standards. This will include working within a published retention and disposal schedule. The underlying system will support data sharing and application of any updates or rectification of errors in line with the UK GDPR and UK Data Protection Act (DPA)2018 legislation. As well as the legislation for this policy, privacy notices will outline this framework to users of relevant services and other interested parties.

Sharing data

23. The information relating to licensed VAPs will be included alongside the public register that is currently being developed as set out in the VARL Act. There is a power for the Welsh Ministers to share the licensing data with primary regulators for enforcement purposes, namely local authorities, national park authorities, corporate joint committees, the fire services or WRA and vice versa.

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24. The main benefit of sharing data between regulators is to support their effectiveness in discharging their functions. Any concerns raised can be acted on by the appropriate regulator, which in turn prevents duplication of effort both for the authorities and for VAPs, who don't have to provide the same information to multiple regulators.
25. Most of the data which will be published in relation to visitor accommodation will already be publicly available via the public register created by the VARL Act, with the addition of information about licensing for the purposes of promoting accommodation in Wales and assuring visitors that standards have been met as set out above. This Bill sets out the information required and that the information can be published.

Nature of the data

26. There is no intention to collect UK GDPR Article 9 special category data routinely. However, collection might occur as a consequence of enforcement. For example, an investigation into an accommodation provider could discover special category data.
27. The Welsh Ministers will be responsible for prosecuting the offences created in the bill. In the course of investigations and proceedings they may obtain Article 10 data on criminal offences, and operational arrangements for these will need to be subject to their own assessment.
28. There is no intention to collect data on other offences routinely. However, it is possible that other regulators may wish to share information about offences committed in relation e.g. to fire safety, so that appropriate enforcement action can be taken where this amounts to a breach of licence conditions.
- 29.

Data to be collected

30. The data which will be collected is set out in sections 18-20, 29-31 & 36 of the Bill. Welsh Ministers have powers to request other information if necessary to process applications. They also have the power to require information under sections 20 & 29 where this is necessary or expedient for them to be able to discharge their functions, in particular for the purposes of determining whether a VAP is complying with their licence conditions. This power does not permit the collection of information if disclosure is prohibited by other legislation.
31. The data is required to ensure the integrity of the licensing scheme, and necessary to support enforcement so that it can achieve its purpose of promoting the compliance of accommodation in Wales with the minimum standards prescribed by the scheme.

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Scale of the data collection

32. There is currently no complete data to accurately estimate the scale of the data collection. The Welsh Government collects information from local authorities about the level of accommodation across Wales. The latest bedstock data report, published in August 2022¹ identified 16,600 accommodation establishments. In contrast, the Inter-Departmental Business Register (IDBR)² indicates there were 1,875 businesses classified as accommodation (SIC 55) in Wales in 2024.
33. More detailed consideration of the potential number of affected accommodation providers in Wales is set out in the regulatory impact assessment for the Bill, but our best estimate is that there are 15,000 affected VAPs.
34. This is based on the most recent *Lighthouse Hosts, listings and bed spaces of short-term lets through online collaborative economy platforms, UK* report, which estimates the number of short term lets in self-contained premises (excluding rooms in shared properties) in Wales as of June 2025 at 37,357, rounded down to take account of the estimated 20% of 'ghost listings' [Data accessed for Wales on 31.07.2025 via] <https://www.visitbritain.org/research-insights#explore-different-datasets-using-our-visualisations>. The number of VAPs is then calculated based on an assumption that a 'typical' provider has two self-catering visitor accommodation premises.

The requirement for the data

35. The Bill requires VAPs to gain a licence to operate self-contained self-catering accommodation in Wales. The data will be processed as strictly required in line with statutory functions and obligations as set out within legislation.
36. There will be adherence to the data minimisation principles with regards to the information to be made available to the public, so that only information within the public interest is available to view.

Current state of technology

37. As a data controller, the Welsh Ministers follow strict security standards and treats the security of data very seriously. This includes robust procedures to safeguard and secure the information collected.

¹ [Summary of Wales bedstock data: situation as at June 2022 | GOV.WALES](#)

² [UK Business Counts - enterprises by industry and employment size band - Nomis - Official Census and Labour Market Statistics](#)

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The reason for processing

38. The primary purpose of the data is to support the administration of the licensing scheme. Published information will support visitors to understand which accommodation in Wales is licensed, and what that means, and book accommodation in Wales with confidence. In addition, it will provide data and intelligence to the Welsh Government and local authorities to support future developments in tourism and other policy areas.

The benefits of processing

39. Publication of relevant parts of the data will supplement the public register of VAPs. Bringing these together will provide a transparent, authoritative and trustworthy single source of information to visitors and other stakeholders. Giving visitors clear information about which accommodation is licensed will support the effectiveness of the licensing regime and offer increased confidence that the accommodation meets licence conditions.
40. The register of VAPs goes some way to provide more accurate information about visitor accommodation in Wales. The data collected as a result of licensing will reinforce this to support better informed evidence gathering for any future policy interventions. This will either be in conjunction with, or as a possible replacement to, existing data collection surveys. In particular, the requirement to include a premises registration number in all advertising of visitor accommodation will support the integrity of the register and the licensing regime, providing increased confidence in the accuracy of the register, and making it harder for accommodation providers to operate without meeting regulatory requirements.

Step 4: Consultation

41. Chapter 4 of the Explanatory Memorandum details the consultation that has taken place in relation to the Bill.
42. We have consulted with the ICO about the proposals, most recently on 18 March 2025. We discussed the importance of a DPIA, and how it will be a key tool to assess the necessity and proportionality of the proposals. It has been an important mechanism for identifying potential risks to the rights and freedoms of individuals, and to identify mitigations to lessen the risks that have been identified. The production of a detailed operational DPIA will be important in establishing the specific protections in relation to the processing of data collected under the licensing regime in the Bill.

Step 5: Necessity and proportionality

43. The Welsh Ministers have been named as the authority to take overall responsibility for the licensing scheme.
44. A key element of the Bill's design principles has been to minimise the collection of personal data. This ensures proper data governance is in place where the collection of personal data is absolutely necessary. For example, by building on the register created by the VARL Act, we are aiming to avoid duplicate collection and processing of data.
45. The Bill provides powers for Welsh Ministers to make supplementary regulations about the scheme, including its procedures. These regulations will be subject to further consideration and will include an appropriate privacy notice under Art. 14 of the UK GDPR. This will outline how the information is used, for example to produce non identifiable statistics and who the data can be shared with.
46. Special category data as described in UK GDPR Article 9 will not be routinely collected. However, an investigation as a consequence of enforcement could discover special category data, or data relating to a criminal offence. The ability to conduct such investigations is necessary to support the integrity of the licensing regime.
47. The lawful basis for this processing is UK GDPR Article 6(1)(c), as the Bill gives the licensing authority the legal responsibility for managing the licensing scheme. Article 6(1)(e) may also be relevant.. The authority will explain the details of the management of the scheme in relevant privacy notices to provide transparency.

Step 6: Identification and management of risks

48. The implementation of the licensing scheme will be subject to a separate DPIA to outline the risks at a closer operational level. These would include risks associated with loss, breach and inappropriate storage or processing of data.

The risks identified

Describe source of risk and nature of potential impact on individuals. Include associated compliance and corporate risks as necessary.	Likelihood of harm	Severity of harm	Overall risk
Over-specification in the Bill to require collection of data which is not needed in practice	Low	Medium	Low - a data minimisation approach has been taken and information only expressly specified which is essential to the functioning of the scheme.
Publication of individual VAP information could lead to identification of people who could be at risk	Low	High	Low - provision has been included to require consent for an individual's name and/or home address to be published, unless it is also part of their company name, or the property at which they provide accommodation respectively, in line with the approach already taken in the VARL Bill.

Measures to reduce risks

49. Data minimisation has been at the forefront of the policy design for the Bill. We have built on the register as set out in the VARL Act and used similar techniques to those employed by other pieces of legislation.

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50. When operational processes are established, an assessment will be undertaken to monitor and mitigate risks in relation to data loss, breach, storage and processing, and any other risks identified.
51. An express restriction has been included in the Bill to prevent the publication of the name and home address of a VAP who is an individual (rather than a company, partnership or other entity). Such information can only be published if the person consents, if their name is part of the company name, and/or the address is the address at which they provide visitor accommodation. When developing operational processes, consideration will be given to how to ensure VAPs understand their rights and are able to make an informed decision as to whether to request their information be withheld, particularly for those who have not already consented to that information being published under the procedures in the VARL Act.

Step 7: Summary of the main data principles

52. This summary sets out the main principles we have applied to the data which will be created by this Bill.

Will the data be shared

53. The Bill gives the Welsh Ministers powers to share information with the WRA, to support the administration of the scheme, and other regulators, to support effective regulatory cooperation where necessary.
54. The Bill provides for parts of the data to be published. This will allow visitors to know whether the accommodation they are staying in is licensed. It will also allow local authorities to use aggregate datasets for analytical purposes. Both of these will decrease the need for data sharing gateways and will be subject to further DPIAs.

Does the proposal require a data sharing agreement

55. Not at this stage. However, data sharing agreements will be required in implementing the Bill and will be subject to the usual data management and governance arrangements between the responsible bodies.

Has Legal Services confirmed that the basis outlined above provides the necessary statutory gateway for processing

56. This is new legislation and as such has been developed between officials and lawyers to ensure that there are necessary gateways for sharing.

Will the proposal involve new or significantly changed processing of personal data

57. The requirement in this Bill for visitor accommodation to be licensed is new. Processing personal data about individuals will be necessary.

Will the personal data be consolidated, linked or matched with data from other sources

58. The information received as part of licensing will be linked/matched, where possible, to existing information held in the national register of visitor accommodation providers. Privacy notices for which the WRA, as the registration authority, is responsible will be amended to reflect this.

Will the personal data be used for automated decision making

59. The Bill does not set out any requirements for automated decision making. The licensing authority will need to make determinations as to whether the application requirements are met on the basis of evidence submitted. As operational procedures are developed, consideration may be given to

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whether automated tools can help provide a better and more efficient licensing service by e.g. scanning gas safety certificates and cross-referencing with the Gas Safe Register, but the authority will remain responsible for any decisions made.

Does the proposal involve new or changed data collection, retention or sharing policies/practices

60. All the personal data being processed will require new policies and practices, which will include privacy notices and retention periods. These will be subject to further DPIAs carried out by the licensing authority as operational delivery is developed.

Will the proposal involve new or changed identity management or authentication processes

61. It is probable that VAPs will be required to use multi factor authentication to access their WRA registration account to apply for a licence. This will be subject to further DPIAs carried out by the licensing authority as operational delivery is developed.

Will the proposal have the effect of enabling identification of individuals who were previously anonymous

62. The public register as detailed in the VARL Act will mean that some details of VAPs will already be in the public domain. Many would also be available due to the nature of their visitor accommodation businesses. This Bill creates a new requirement to publish information in relation to licensed accommodation. However, in line with the restrictions for the same information under the VARL Act, individual's names and home addresses will only be published with their consent, unless either their name is part of the business name, or their address is the address at which they provide visitor accommodation (in which case it would already be published under the VARL Act).

What is the statutory basis for processing the data

63. The Bill will be primary legislation in Wales, with provisions relating to the administration of the licence. However, some administrative elements will need to be set out in secondary legislation.

Does the proposal require a contract between Welsh Government as data controller and a third-party processor?

64. The licensing powers will be a function of Welsh Ministers. However, the Welsh Ministers are able to make agency arrangements for others to discharge functions on their behalf. Therefore, whilst no third-party processor will necessarily be required, operational decisions could be made to engage one. Any such decision would be subject to its own assessment.