



# Data Protection Act 2018

## 2018 CHAPTER 12

### PART 6

#### ENFORCEMENT

##### *Penalties*

#### **158 Fixed penalties for non-compliance with charges regulations**

- (1) The Commissioner must produce and publish a document specifying the amount of the penalty for a failure to comply with regulations made under section 137.
- (2) The Commissioner may specify different amounts for different types of failure.
- (3) The maximum amount that may be specified is 150% of the highest charge payable by a controller in respect of a financial year in accordance with the regulations, disregarding any discount available under the regulations.
- (4) The Commissioner—
  - (a) may alter or replace the document, and
  - (b) must publish any altered or replacement document.
- (5) Before publishing a document under this section (including any altered or replacement document), the Commissioner must consult—
  - (a) the Secretary of State, and
  - (b) such other persons as the Commissioner considers appropriate.
- (6) The Commissioner must arrange for a document published under this section (including any altered or replacement document) to be laid before Parliament.

#### **Commencement Information**

**II** S. 158 in force at 25.5.2018 by S.I. 2018/625, reg. 2(1)(f)

**Status:**

Point in time view as at 25/05/2018.

**Changes to legislation:**

Data Protection Act 2018, Section 158 is up to date with all changes known to be in force on or before 22 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.