



# Data Protection Act 2018

## 2018 CHAPTER 12

### PART 3

#### LAW ENFORCEMENT PROCESSING

### CHAPTER 3

#### RIGHTS OF THE DATA SUBJECT

##### *Overview and scope*

#### **43 Overview and scope**

- (1) This Chapter—
  - (a) imposes general duties on the controller to make information available (see section 44);
  - (b) confers a right of access by the data subject (see section 45);
  - (c) confers rights on the data subject with respect to the rectification of personal data and the erasure of personal data or the restriction of its processing (see sections 46 to 48);
  - (d) regulates automated decision-making (see sections 49 and 50);
  - (e) makes supplementary provision (see sections 51 to 54).
- (2) This Chapter applies only in relation to the processing of personal data for a law enforcement purpose.
- (3) But sections 44 to 48 do not apply in relation to the processing of relevant personal data in the course of a criminal investigation or criminal proceedings, including proceedings for the purpose of executing a criminal penalty.
- (4) In subsection (3), “relevant personal data” means personal data contained in a judicial decision or in other documents relating to the investigation or proceedings which are created by or on behalf of a court or other judicial authority.

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*Status: This is the original version (as it was originally enacted).*

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- (5) In this Chapter, “the controller”, in relation to a data subject, means the controller in relation to personal data relating to the data subject.