

SCOTTISH STATUTORY INSTRUMENTS

2003 No. 581

The Pupils' Educational Records (Scotland) Regulations 2003

Fees

9.—^[F1](1A) In complying with a request made under regulation 5(2), the responsible body may only charge a fee where Article 12(5) or Article 15(3) of the ^[F2]UK GDPR would permit the charging of a fee if the request had been made by the pupil to whom the information relates under Article 15 of the ^[F2]UK GDPR].

(1B) Where paragraph (1A) permits the charging of a fee, the responsible body may not charge a fee that—

- (a) exceeds the cost of supply, or
- (b) exceeds any limit in regulations made under section 12 of the Data Protection Act 2018 that would apply if the request had been made by the pupil to whom the information relates under Article 15 of the ^[F3]UK GDPR.]

(2) Where a fee is charged for supplying a copy of the requested information in its original format, no greater charge shall be made for supplying a copy of that information in an alternative language or form under regulation 8.

Textual Amendments

- F1** Reg. 9(1A)(1B) substituted for reg. 9(1) (25.5.2018) by [Data Protection Act 2018 \(c. 12\), s. 212\(1\), Sch. 19 para. 300](#) (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F2** Words in reg. 9(1A) 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. 3 para. 51](#) (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in reg. 9(1B) 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. 3 para. 51](#) (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I1** [Reg. 9](#) in force at 5.1.2004, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Pupils' Educational Records (Scotland) Regulations 2003, Section 9.