



Data Protection Act 1998

1998 CHAPTER 29

PART V

ENFORCEMENT

41 Cancellation of enforcement notice.

- (1) If the Commissioner considers that all or any of the provisions of an enforcement notice need not be complied with in order to ensure compliance with the data protection principle or principles to which it relates, he may cancel or vary the notice by written notice to the person on whom it was served.
- (2) A person on whom an enforcement notice has been served may, at any time after the expiry of the period during which an appeal can be brought against that notice, apply in writing to the Commissioner for the cancellation or variation of that notice on the ground that, by reason of a change of circumstances, all or any of the provisions of that notice need not be complied with in order to ensure compliance with the data protection principle or principles to which that notice relates.

Modifications etc. (not altering text)

- C1** Ss. 40, 41, 43 extended (with modifications) (1.3.2000) by S.I. 1999/2093, reg. 34, **Sch. 3 para. 5(2)**
- C2** S. 41 applied (with modifications) (22.7.2016) by [The Electronic Identification and Trust Services for Electronic Transactions Regulations 2016](#) (S.I. 2016/696), reg. 1, Sch. 2 paras. 1(b), **2**

Status:

Point in time view as at 22/07/2016. This version of this provision has been superseded.

Changes to legislation:

Data Protection Act 1998, Section 41 is up to date with all changes known to be in force on or before 09 May 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.