



Data Protection Act 1998

1998 CHAPTER 29

PART V

ENFORCEMENT

45 Determination by Commissioner as to the special purposes.

- (1) Where at any time it appears to the Commissioner (whether as a result of the service of a special information notice or otherwise) that any personal data—
 - (a) are not being processed only for the special purposes, or
 - (b) are not being processed with a view to the publication by any person of any journalistic, literary or artistic material which has not previously been published by the data controller,he may make a determination in writing to that effect.
- (2) Notice of the determination shall be given to the data controller; and the notice must contain particulars of the right of appeal conferred by section 48.
- (3) A determination under subsection (1) shall not take effect until the end of the period within which an appeal can be brought and, where an appeal is brought, shall not take effect pending the determination or withdrawal of the appeal.

Status:

Point in time view as at 01/03/2000. This version of this provision has been superseded.

Changes to legislation:

Data Protection Act 1998, Section 45 is up to date with all changes known to be in force on or before 06 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.