



# Data Protection Act 1998

## 1998 CHAPTER 29

### PART V

#### ENFORCEMENT

#### **48 Rights of appeal**

- (1) A person on whom an enforcement notice, an information notice or a special information notice has been served may appeal to the Tribunal against the notice.
- (2) A person on whom an enforcement notice has been served may appeal to the Tribunal against the refusal of an application under section 41(2) for cancellation or variation of the notice.
- (3) Where an enforcement notice, an information notice or a special information notice contains a statement by the Commissioner in accordance with section 40(8), 43(5) or 44(6) then, whether or not the person appeals against the notice, he may appeal against—
  - (a) the Commissioner's decision to include the statement in the notice, or
  - (b) the effect of the inclusion of the statement as respects any part of the notice.
- (4) A data controller in respect of whom a determination has been made under section 45 may appeal to the Tribunal against the determination.
- (5) Schedule 6 has effect in relation to appeals under this section and the proceedings of the Tribunal in respect of any such appeal.