



Data Protection Act 1998

1998 CHAPTER 29

PART VI

MISCELLANEOUS AND GENERAL

[^{F1}Monetary penalties^{F1F1}]

[^{F1}55B Monetary penalty notices: procedural rights

- (1) Before serving a monetary penalty notice, the Commissioner must serve the data controller with a notice of intent.
- (2) A notice of intent is a notice that the Commissioner proposes to serve a monetary penalty notice.
- (3) A notice of intent must—
 - (a) inform the data controller that he may make written representations in relation to the Commissioner's proposal within a period specified in the notice, and
 - (b) contain such other information as may be prescribed.
- (4) The Commissioner may not serve a monetary penalty notice until the time within which the data controller may make representations has expired.
- (5) A person on whom a monetary penalty notice is served may appeal to the Tribunal against—
 - (a) the issue of the monetary penalty notice;
 - (b) the amount of the penalty specified in the notice.
- (6) In this section, “prescribed” means prescribed by regulations made by the Secretary of State.]

Status: Point in time view as at 01/10/2009. This version of this provision has been superseded.

Changes to legislation: Data Protection Act 1998, Section 55B is up to date with all changes known to be in force on or before 11 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. (See end of Document for details)

Textual Amendments

- F1** **S. 55B** inserted (1.10.2009 for certain purposes and 6.4.2010 to the extent that it is not already in force) by **Criminal Justice and Immigration Act 2008 (c. 4), ss. 144(1), 153; S.I. 2009/2606, art. 2(n); S.I. 2010/712, art. 4**

Status:

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