Data Protection Act 1998

1998 CHAPTER 29

PART VI

MISCELLANEOUS AND GENERAL

[F1Monetary penalties F1F1F1]

[F155C Guidance about monetary penalty notices

(1) The Commissioner must prepare and issue guidance on how he proposes to exercise his functions under sections 55A and 55B.

(2) The guidance must, in particular, deal with—
  (a) the circumstances in which he would consider it appropriate to issue a monetary penalty notice, and
  (b) how he will determine the amount of the penalty.

(3) The Commissioner may alter or replace the guidance.

(4) If the guidance is altered or replaced, the Commissioner must issue the altered or replacement guidance.

(5) The Commissioner may not issue guidance under this section without the approval of the Secretary of State.

(6) The Commissioner must lay any guidance issued under this section before each House of Parliament.

(7) The Commissioner must arrange for the publication of any guidance issued under this section in such form and manner as he considers appropriate.

(8) In subsections (5) to (7), "guidance" includes altered or replacement guidance.]

Textual Amendments

F1   S. 55C inserted (1.10.2009) by Criminal Justice and Immigration Act 2008 (c. 4), **ss. 144(1)**, 153; S.I. 2009/2606, **art. 2(n)**

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Point in time view as at 01/10/2009. This version of this provision has been superseded.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 55C is up to date with all changes known to be in force on or before 07 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.