



Freedom of Information Act 2000

2000 CHAPTER 36

PART VII

AMENDMENTS OF DATA PROTECTION ACT 1998

Amendments relating to personal information held by public authorities

69 Right of access to unstructured personal data held by public authorities.

(1) In section 7(1) of the ^{M1}Data Protection Act 1998 (right of access to personal data), for “sections 8 and 9” there is substituted “ sections 8, 9 and 9A ”.

^{F1}(2) After section 9 of that Act there is inserted—

“9A Unstructured personal data held by public authorities.

- (1) In this section “unstructured personal data” means any personal data falling within paragraph (e) of the definition of “data” in section 1(1), other than information which is recorded as part of, or with the intention that it should form part of, any set of information relating to individuals to the extent that the set is structured by reference to individuals or by reference to criteria relating to individuals.
- (2) A public authority is not obliged to comply with subsection (1) of section 7 in relation to any unstructured personal data unless the request under that section contains a description of the data.
- (3) Even if the data are described by the data subject in his request, a public authority is not obliged to comply with subsection (1) of section 7 in relation to unstructured personal data if the authority estimates that the cost of complying with the request so far as relating to those data would exceed the appropriate limit.
- (4) Subsection (3) does not exempt the public authority from its obligation to comply with paragraph (a) of section 7(1) in relation to the unstructured

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Changes to legislation: Freedom of Information Act 2000, Section 69 is up to date with all changes known to be in force on or before 05 August 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)

personal data unless the estimated cost of complying with that paragraph alone in relation to those data would exceed the appropriate limit.

(5) In subsections (3) and (4) “the appropriate limit” means such amount as may be prescribed by the Secretary of State by regulations, and different amounts may be prescribed in relation to different cases.

(6) Any estimate for the purposes of this section must be made in accordance with regulations under section 12(5) of the Freedom of Information Act 2000.”

(3) In section 67(5) of that Act (statutory instruments subject to negative resolution procedure), in paragraph (c), for “or 9(3)” there is substituted “, 9(3) or 9A(5)”.

Textual Amendments

F1 By [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), [art. 9](#), [Sch. 2 para. 12\(1\)\(b\)](#), it is provided (19.8.2003) that in s. 69(2), in the inserted s. 9A of the Data Protection Act 1998, in each place for the words "Lord Chancellor" there be substituted the words "Secretary of State"

Commencement Information

II [S. 69](#) wholly in force at 1.1.2005; [s. 69](#) in force at Royal Assent to the extent that it confers power to make regulations, see [s. 87\(1\)\(m\)\(3\)](#); [s. 69](#) in force for certain further purposes at 1.1.2005 by [S.I. 2002/1909](#), [art. 2](#) and otherwise in force at 1.1.2005 by [S.I. 2004/3122](#), [art. 2](#)

Marginal Citations

M1 [1998 c. 29](#).

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