



# Data Protection Act 2018

## 2018 CHAPTER 12

### PART 6

#### ENFORCEMENT

##### *Remedies in the court*

#### **168 Compensation for contravention of the GDPR**

- (1) In Article 82 of the GDPR (right to compensation for material or non-material damage), “non-material damage” includes distress.
- (2) Subsection (3) applies where—
  - (a) in accordance with rules of court, proceedings under Article 82 of the GDPR are brought by a representative body on behalf of a person, and
  - (b) a court orders the payment of compensation.
- (3) The court may make an order providing for the compensation to be paid on behalf of the person to—
  - (a) the representative body, or
  - (b) such other person as the court thinks fit.