
STATUTORY INSTRUMENTS

2000 No. 191

The Data Protection (Subject Access) (Fees and Miscellaneous Provisions) Regulations 2000

Certain subject access requests in respect of health records—transitional provisions

- 6.—(1) This regulation applies only to cases in which a request made under section 7 of the Act—
- (a) relates wholly or partly to personal data forming part of an accessible record which is a health record within the meaning of section 68(2) of the Act,
 - (b) does not relate exclusively to data within paragraphs (a) and (b) of the definition of “data” in section 1(1) of the Act, and
 - (c) is made before 24th October 2001.

(2) Where in a case to which this regulation applies, the obligation imposed by section 7(1)(c) (i) of the Act is to be complied with by supplying the data subject with a copy of information in permanent form, the maximum fee which may be required by a data controller under section 7(2) (b) of the Act is £50.

(3) Except in a case to which paragraph (2) above applies, a data controller may not require a fee under section 7(2)(b) of the Act where, in a case to which this regulation applies, the request relates solely to personal data which—

- (a) form part of an accessible record—
 - (i) which is a health record within the meaning of section 68(2) of the Act, and
 - (ii) at least some of which was made after the beginning of the period of 40 days immediately preceding the date of the request; and
- (b) do not fall within paragraph (a) or (b) of the definition of “data” in section 1(1) of the Act.

(4) For the purposes of paragraph (3) above, an individual making a request in any case to which this regulation applies may specify that his request is limited to personal data of the description set out in that paragraph.