



# Data Protection Act 2018

## 2018 CHAPTER 12

### PART 5

#### THE INFORMATION COMMISSIONER

##### *Fees*

#### **134 Fees for services**

The Commissioner may require a person other than a data subject or a data protection officer to pay a reasonable fee for a service provided to the person, or at the person's request, which the Commissioner is required or authorised to provide under the data protection legislation.

#### **135 Manifestly unfounded or excessive requests by data subjects etc**

- (1) Where a request to the Commissioner from a data subject or a data protection officer is manifestly unfounded or excessive, the Commissioner may—
  - (a) charge a reasonable fee for dealing with the request, or
  - (b) refuse to act on the request.
- (2) An example of a request that may be excessive is one that merely repeats the substance of previous requests.
- (3) In any proceedings where there is an issue as to whether a request described in subsection (1) is manifestly unfounded or excessive, it is for the Commissioner to show that it is.
- (4) Subsections (1) and (3) apply only in cases in which the Commissioner does not already have such powers and obligations under Article 57(4) of the GDPR.

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*Status: This is the original version (as it was originally enacted).*

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### **136 Guidance about fees**

- (1) The Commissioner must produce and publish guidance about the fees the Commissioner proposes to charge in accordance with—
  - (a) section 134 or 135, or
  - (b) Article 57(4) of the GDPR.
- (2) Before publishing the guidance, the Commissioner must consult the Secretary of State.