



# Data Protection Act 1984

## 1984 CHAPTER 35

### PART II

#### REGISTRATION AND SUPERVISION OF DATA USERS AND COMPUTER BUREAUX

##### *Supervision*

#### **11 De-registration notices**

- (1) If the Registrar is satisfied that a registered person has contravened or is contravening any of the data protection principles he may—
  - (a) serve him with a notice (" a de-registration notice ") stating that he proposes, at the expiration of such period as is specified in the notice, to remove from the register all or any of the particulars constituting the entry or any of the entries contained in the register in respect of that person ; and
  - (b) subject to the provisions of this section, remove those particulars from the register at the expiration of that period.
- (2) In deciding whether to serve a de-registration notice the Registrar shall consider whether the contravention has caused or is likely to cause any person damage or distress, and the Registrar shall not serve such a notice unless he is satisfied that compliance with the principle or principles in question cannot be adequately secured by the service of an enforcement notice.
- (3) A de-registration notice shall contain—
  - (a) a statement of the principle or principles which the Registrar is satisfied have been or are being contravened and his reasons for reaching that conclusion and deciding that compliance cannot be adequately secured by the service of an enforcement notice; and
  - (b) particulars of the rights of appeal conferred by section 13 below.
- (4) Subject to subsection (5) below, the period specified in a de-registration notice pursuant to subsection (1)(a) above shall not expire before the end of the period within which an appeal can be brought against the notice and, if such an appeal is brought,

*Status: This is the original version (as it was originally enacted).*

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the particulars shall not be removed pending the determination or withdrawal of the appeal.

- (5) If by reason of special circumstances the Registrar considers that any particulars should be removed from the register as a matter of urgency he may include a statement to that effect in the de-registration notice; and in that event subsection (4) above shall not apply but the particulars shall not be removed before the end of the period of seven days beginning with the date on which the notice is served.
- (6) The Registrar may cancel a de-registration notice by written notification to the person on whom it was served.
- (7) References in this section to removing any particulars include references to restricting any description which forms part of any particulars.