



Data Protection Act 1998

1998 CHAPTER 29

PART VI

MISCELLANEOUS AND GENERAL

Annotations:

Modifications etc. (not altering text)

- C1** Pt. VI applied (with modifications) (3.12.2014) by [The Criminal Justice and Data Protection \(Protocol No. 36\) Regulations 2014 \(S.I. 2014/3141\)](#), regs. 1(b), **51(1)(b)**

^{F1} Functions of Commissioner

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Annotations:

Amendments (Textual)

- F1** Act repealed (except s. 62, Sch. 15 paras. 13, 15, 16, 18, 19) (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 44** (with ss. 117, 209, 210, Sch. 20 paras. 2-9, 17-25, 27-46, 53, 54, 58); S.I. 2018/625, reg. 2(1)(g)

Unlawful obtaining et cetera etc. of personal data

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Monetary penalties

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Records obtained under data subject's right of access

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Changes to legislation: Data Protection Act 1998, Part VI is up to date with all changes known to be in force on or before 20 July 2018. 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)

Information provided to Commissioner or Tribunal

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General provisions relating to offences

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Amendments of Consumer Credit Act 1974

62 Amendments of Consumer Credit Act 1974.

(1) In section 158 of the ^{M1}Consumer Credit Act 1974 (duty of agency to disclose filed information)—

(a) in subsection (1)—

(i) in paragraph (a) for “individual” there is substituted “ partnership or other unincorporated body of persons not consisting entirely of bodies corporate ”, and

(ii) for “him” there is substituted “ it ”,

(b) in subsection (2), for “his” there is substituted “ the consumer’s ”, and

(c) in subsection (3), for “him” there is substituted “ the consumer ”.

(2) In section 159 of that Act (correction of wrong information) for subsection (1) there is substituted—

“(1) Any individual (the “objector”) given—

(a) information under section 7 of the Data Protection Act 1998 by a credit reference agency, or

(b) information under section 158,

who considers that an entry in his file is incorrect, and that if it is not corrected he is likely to be prejudiced, may give notice to the agency requiring it either to remove the entry from the file or amend it.”

(3) In subsections (2) to (6) of that section—

(a) for “consumer”, wherever occurring, there is substituted “ objector ”, and

(b) for “Director”, wherever occurring, there is substituted “ the relevant authority ”.

(4) After subsection (6) of that section there is inserted—

“(7) The Data Protection Commissioner may vary or revoke any order made by him under this section.

(8) In this section “the relevant authority” means—

(a) where the objector is a partnership or other unincorporated body of persons, the Director, and

(b) in any other case, the Data Protection Commissioner.”

(5) In section 160 of that Act (alternative procedure for business consumers)—

(a) in subsection (4)—

(i) for “him” there is substituted “ to the consumer ”, and

(ii) in paragraphs (a) and (b) for “he” there is substituted “ the consumer ” and for “his” there is substituted “ the consumer’s ”, and

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(b) after subsection (6) there is inserted—

“(7) In this section “consumer” has the same meaning as in section 158.”

Annotations:

Marginal Citations

M1 1974 c. 39.

General

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 20(2)(aa) inserted by 2009 c. 25 Sch. 20 para. 4(c)
- s. 31(4)(a)(va) inserted by 2016 c. 21 (N.I.) Sch. 3 para. 13
- s. 55(2)(ca) inserted by 2008 c. 4 s. 78