



# Data Protection Act 1998

## 1998 CHAPTER 29

### PART II

#### RIGHTS OF DATA SUBJECTS AND OTHERS

#### **11 Right to prevent processing for purposes of direct marketing.**

- (1) An individual is entitled at any time by notice in writing to a data controller to require the data controller at the end of such period as is reasonable in the circumstances to cease, or not to begin, processing for the purposes of direct marketing personal data in respect of which he is the data subject.
- (2) If the court is satisfied, on the application of any person who has given a notice under subsection (1), that the data controller has failed to comply with the notice, the court may order him to take such steps for complying with the notice as the court thinks fit.

[<sup>F1</sup>(2A) This section shall not apply in relation to the processing of such data as are mentioned in paragraph (1) of regulation 8 of the Telecommunications (Data Protection and Privacy) Regulations 1999 (processing of telecommunications billing data for certain marketing purposes) for the purposes mentioned in paragraph (2) of that regulation.]

- (3) In this section “direct marketing” means the communication (by whatever means) of any advertising or marketing material which is directed to particular individuals.

#### **Annotations:**

#### **Amendments (Textual)**

**F1** S. 11(2A) inserted (1.3.2000) by S.I. 1999/2093, reg. 3(3), Sch. 1 Pt. II para. 3

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Data Protection Act 1998. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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

- Blanket amendment text amended by [S.I. 2011/1043 art. 3 6](#)

**Commencement Orders yet to be applied to the Data Protection Act 1998:**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2011/601 art. 2](#) commences (1998 c. 29)