



Data Protection Act 1998

1998 CHAPTER 29

PART II

RIGHTS OF DATA SUBJECTS AND OTHERS

13 Compensation for failure to comply with certain requirements.

- (1) An individual who suffers damage by reason of any contravention by a data controller of any of the requirements of this Act is entitled to compensation from the data controller for that damage.
- (2) An individual who suffers distress by reason of any contravention by a data controller of any of the requirements of this Act is entitled to compensation from the data controller for that distress if—
 - (a) the individual also suffers damage by reason of the contravention, or
 - (b) the contravention relates to the processing of personal data for the special purposes.
- (3) In proceedings brought against a person by virtue of this section it is a defence to prove that he had taken such care as in all the circumstances was reasonably required to comply with the requirement concerned.

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)