



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.

Status: This is the original version (as it was originally enacted).

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.