



Data Protection Act 2018

2018 CHAPTER 12

PART 6

ENFORCEMENT

The special purposes

174 The special purposes

- (1) In this Part, “the special purposes” means one or more of the following—
 - (a) the purposes of journalism;
 - (b) academic purposes;
 - (c) artistic purposes;
 - (d) literary purposes.
- (2) In this Part, “special purposes proceedings” means legal proceedings against a controller or processor which relate, wholly or partly, to personal data processed for the special purposes and which are—
 - (a) proceedings under section 167 (including proceedings on an application under Article 79 of the [^{F1}UK GDPR]), or
 - (b) proceedings under Article 82 of the [^{F2}UK GDPR] or section 169.
- (3) The Commissioner may make a written determination, in relation to the processing of personal data, that—
 - (a) the personal data is not being processed only for the special purposes;
 - (b) the personal data is not being processed with a view to the publication by a person of journalistic, academic, artistic or literary material which has not previously been published by the controller.
- (4) The Commissioner must give written notice of the determination to the controller and the processor.
- (5) The notice must provide information about the rights of appeal under section 162.

Changes to legislation: Data Protection Act 2018, Section 174 is up to date with all changes known to be in force on or before 18 April 2024. 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) [View outstanding changes](#)

- (6) The determination does not take effect until one of the following conditions is satisfied—
- (a) the period for the controller or the processor to appeal against the determination has ended without an appeal having been brought, or
 - (b) an appeal has been brought against the determination and—
 - (i) the appeal and any further appeal in relation to the determination has been decided or has otherwise ended, and
 - (ii) the time for appealing against the result of the appeal or further appeal has ended without another appeal having been brought.

Textual Amendments

- F1** Words in s. 174(2)(a) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), [Sch. 2 para. 74](#) (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in s. 174(2)(b) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), [Sch. 2 para. 74](#) (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)

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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. 204(1)(l) inserted by [S.I. 2024/374 Sch. 5 para. 7](#)
- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)