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## SCHEDULE 1

Regulation 4(1)

### CREDIT REFERENCE AGENCY FILES INDIVIDUALS (INCLUDING SOLE TRADERS)

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YOUR RIGHTS UNDER SECTION 159 OF THE CONSUMER CREDIT ACT 1974,  
AND UNDER THE DATA PROTECTION ACT 1998,  
IF YOU THINK ANY ENTRY IN OUR FILE IS WRONG

This statement of your rights is provided by [Note 1] together with all the information we hold about you on our files. Our postal address is [Note 2].

Your rights are as follows—

**If you think that any of the information we have sent you is wrong and that you are likely to suffer because it is wrong, you can ask us to correct it or remove it from our file.**

You need to write to us telling us what you want us to do. You should explain why you think the information is wrong.

**If you write to us, we have to reply in writing within 28 days.**

Our reply will tell you whether we have corrected the information, removed it from our file or done nothing. If we tell you that we have corrected the information, you will get a copy.

**If our reply says that we have done nothing, or if we fail to reply within 28 days, or if we correct the information but you are not happy with the correction, you can write your own note of correction and ask for it to be included on our file.**

To do this, you will need to write to us within 28 days of receiving our reply. If you did not get a reply from us and you want the information we sent you to be corrected, you will need to write to us within 8 weeks of the letter you wrote to us in which you asked us to correct the information or remove it from our file.

Your letter will need to—

- include the note of correction you have written. It must not be more than 200 words long and should give a clear and accurate explanation of why you think the information is wrong. If the information is factually correct but you think it creates a misleading impression, your note of correction can explain why.
- ask us to add your note of correction to our file and to include a copy of it whenever we give anyone any of the information you think is wrong or any information based on it.

**If we accept your note of correction, we have to tell you in writing within 28 days that we are going to add it to our file.**

**If we think it would be wrong to add your note of correction to our file, we have to apply for a ruling from the Data Protection Commissioner.**

We will apply for a ruling if we do not want to include your note of correction because we think it is wrong, or because we think it is defamatory, frivolous or scandalous, or unsuitable for publication for some other reason. We can only refuse to include your note of correction if the Commissioner agrees with us.

**If we have not written to you within 28 days of receiving your note of correction, or if we have written telling you that we are not going to add your note of correction to our file, you can appeal to the Data Protection Commissioner.**

If you want to do this, you will have to write to the following address [Note 3]—

The Data Protection Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Telephone no. 01625-545700  
Fax no. 01625-524510  
e.mail: data@wycliffe.demon.co.uk

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**Note 1:** insert the name of the credit reference agency issuing the statement.

**Note 2:** insert the credit reference agency's postal address.

**Note 3:** if the address, telephone number, fax number or e.mail address of the Data Protection Commissioner have changed, substitute the correct details.

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When you write, you must give the following details—

- your full name and address
- our name and address
- details of the information you think is wrong, including—
  - why you think it is wrong,
  - why you think you are likely to suffer because it is wrong, and
  - an indication of when you sent us your note of correction.

It would be helpful to the Commissioner if you could include a copy of your note of correction.

Before deciding what to do, the Commissioner may ask us for our side of the story and send us a copy of your letter. In return, you will be sent any comments we make.

The Commissioner can make any order she thinks fit when she has considered your appeal. For example, she can order us to accept your note of correction and add it to our file.

**If at any stage we fail to correct or remove wrong information, you can ask the Data Protection Commissioner to check whether we are meeting the requirements of the Data Protection Act 1998.**

The Data Protection Act 1998 requires us to take reasonable steps to check the accuracy of personal information. If you think we have failed to correct or remove wrong information about you, you have the right to ask the Data Protection Commissioner, at the above address, to check whether our dealing with your information has met this requirement.

**IMPORTANT NOTE:** The various time limits referred to in this statement (mostly 28 days) start with the day following receipt and end with the day of delivery. That means (for example) that if you have 28 days to reply to a letter from us, the period starts with the day after you receive our letter; and you then have to make sure that your reply is delivered to us no later than 28 days from that date. In order to avoid the risk of losing your rights you should therefore allow for postal delays.