STATUTORY INSTRUMENTS

2018 No. 480

The Data Protection (Charges and Information) Regulations 2018

Requirements on data controllers

- **2.**—(1) A data controller must comply with the requirements of this regulation unless all of the processing of personal data they undertake is exempt processing.
- (2) Within the first 21 days of each charge period a data controller must pay a charge to the Information Commissioner, determined in accordance with regulation 3.
- (3) Within the first 21 days of each charge period a data controller must provide to the Information Commissioner the following information, as of the first day of each charge period—
 - (a) the name and address of the data controller;
 - (b) whether the number of members of staff of the data controller is—
 - (i) less than or equal to 10,
 - (ii) greater than 10 but less than or equal to 250, or
 - (iii) greater than 250;
 - (c) whether the turnover for the data controller's financial year is—
 - (i) less than or equal to £632,000,
 - (ii) greater than £632,000 but less than or equal to £36 million, or
 - (iii) greater than £36 million; and
 - (d) whether the data controller is a public authority.
 - (4) Paragraph (3)(c) does not apply to a data controller that is a public authority.
 - (5) For the purposes of paragraph (3)(a)—
 - (a) the address of a registered company is that of its registered office, and
 - (b) the address of a person (other than a registered company) carrying on a business is that of the person's principal place of business in the UK.
 - (6) In this regulation—

"charge period" means—

- (a) for a person who is a data controller immediately before 25th May 2018 and has paid a fee pursuant to section 18(5) or 19(4) of the Data Protection Act 1998(1)—
 - (i) the period of 12 months beginning on the date which is 12 months after the date on which that fee was most recently received by the Information Commissioner, and
 - (ii) each subsequent period of 12 months;
- (b) for a person who is a data controller immediately before 25th May 2018 but has not paid a fee pursuant to section 18(5) or 19(4) of the Data Protection Act 1998—

- (i) the period of 12 months beginning on 25th May 2018, and
- (ii) each subsequent period of 12 months; or
- (c) for a person who becomes a data controller on or after 25th May 2018—
 - (i) the period of 12 months beginning on the date on which the person becomes a data controller, and
 - (ii) each subsequent period of 12 months;

[&]quot;registered company" means a company registered under the Companies Acts as defined by section 2(1) of the Companies Act 2006.