



# Data Protection Act 1998

## 1998 CHAPTER 29

### PART III

#### NOTIFICATION BY DATA CONTROLLERS

#### 26 Fees regulations.

- (1) Fees regulations prescribing fees for the purposes of any provision of this Part may provide for different fees to be payable in different cases.
- (2) In making any fees regulations, the [<sup>F1</sup>Lord Chancellor] shall have regard to the desirability of securing that the fees payable to the Commissioner are sufficient to offset—
  - (a) the expenses incurred by the Commissioner and the Tribunal in discharging their functions [<sup>F2</sup>under this Act]and any expenses of the Secretary of State in respect of the Commissioner or the Tribunal [<sup>F3</sup>so far as attributable to their functions under this Act], and
  - (b) to the extent that the Secretary of State considers appropriate—
    - (i) any deficit previously incurred (whether before or after the passing of this Act) in respect of the expenses mentioned in paragraph (a), and
    - (ii) expenses incurred or to be incurred by the Secretary of State in respect of the inclusion of any officers or staff of the Commissioner in any scheme under section 1 of the <sup>M1</sup>Superannuation Act 1972.

#### Textual Amendments

- F1** Words in s. 26(2) substituted (26.11.2001) by S.I. 2001/3500, art. 8, Sch. 2 Pt. I para. 6(1)(m)
- F2** Words in s. 26(2)(a) inserted (30.11.2000) by 2000 c. 36, ss. 18(4), 87(1)(i), Sch. 2 Pt. II para. 17 (with ss. 7(1)(7), 56, 78)
- F3** Words in s. 26(2)(a) inserted (30.11.2000) by 2000 c. 36, ss. 18(4), 87(1)(i), Sch. 2 Pt. II para. 17 (with ss. 7(1)(7), 56, 78)

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*Status: Point in time view as at 26/11/2001. This version of this provision has been superseded.*

**Changes to legislation:** Data Protection Act 1998, Section 26 is up to date with all changes known to be in force on or before 14 May 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)

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**Marginal Citations**

**M1** 1972 c. 11.

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