



# Data Protection Act 1998

## 1998 CHAPTER 29

### PART II

#### RIGHTS OF DATA SUBJECTS AND OTHERS

#### **13 Compensation for failure to comply with certain requirements**

- (1) An individual who suffers damage by reason of any contravention by a data controller of any of the requirements of this Act is entitled to compensation from the data controller for that damage.
- (2) An individual who suffers distress by reason of any contravention by a data controller of any of the requirements of this Act is entitled to compensation from the data controller for that distress if—
  - (a) the individual also suffers damage by reason of the contravention, or
  - (b) the contravention relates to the processing of personal data for the special purposes.
- (3) In proceedings brought against a person by virtue of this section it is a defence to prove that he had taken such care as in all the circumstances was reasonably required to comply with the requirement concerned.