



Data Protection Act 1998

1998 CHAPTER 29

PART III

NOTIFICATION BY DATA CONTROLLERS

17 Prohibition on processing without registration.

- (1) Subject to the following provisions of this section, personal data must not be processed unless an entry in respect of the data controller is included in the register maintained by the Commissioner under section 19 (or is treated by notification regulations made by virtue of section 19(3) as being so included).
- (2) Except where the processing is assessable processing for the purposes of section 22, subsection (1) does not apply in relation to personal data consisting of information which falls neither within paragraph (a) of the definition of “data” in section 1(1) nor within paragraph (b) of that definition.
- (3) If it appears to the [^{F1} Secretary of State] that processing of a particular description is unlikely to prejudice the rights and freedoms of data subjects, notification regulations may provide that, in such cases as may be prescribed, subsection (1) is not to apply in relation to processing of that description.
- (4) Subsection (1) does not apply in relation to any processing whose sole purpose is the maintenance of a public register.

Textual Amendments

- F1** Words in s. 17 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, [Sch. 2 para. 9\(1\)\(a\)](#)

Modifications etc. (not altering text)

- C1** [S. 17\(1\)](#) excluded (1.3.2000) by [S.I. 2000/188](#), [reg. 3](#)

Status:

Point in time view as at 19/08/2003. This version of this provision has been superseded.

Changes to legislation:

Data Protection Act 1998, Section 17 is up to date with all changes known to be in force on or before 07 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.