



# Data Protection Act 1998

## 1998 CHAPTER 29

### PART VI

#### MISCELLANEOUS AND GENERAL

##### *Functions of Commissioner*

##### [<sup>F1</sup>52AA Direct marketing code

- (1) The Commissioner must prepare a code of practice which contains—
  - (a) practical guidance in relation to the carrying out of direct marketing in accordance with the requirements of this Act and the Privacy and Electronic Communications (EC Directive) Regulations 2003 (S.I. 2003/2426), and
  - (b) such other guidance as the Commissioner considers appropriate to promote good practice in direct marketing.
- (2) For this purpose “good practice” means such practice in direct marketing as appears to the Commissioner to be desirable having regard to the interests of data subjects and others, and includes (but is not limited to) compliance with the requirements mentioned in subsection (1)(a).
- (3) Before a code is prepared under this section, the Commissioner must consult such of the following as the Commissioner considers appropriate—
  - (a) trade associations (within the meaning of section 51);
  - (b) data subjects;
  - (c) persons who appear to the Commissioner to represent the interests of data subjects.
- (4) In this section “direct marketing” has the meaning given by section 11(3).]

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##### Textual Amendments

**F1** S. 52AA inserted (27.6.2017) by [Digital Economy Act 2017 \(c. 30\)](#), ss. **96(2)**, 118(2)

**Status:**

Point in time view as at 27/06/2017. This version of this provision has been superseded.

**Changes to legislation:**

Data Protection Act 1998, Section 52AA is up to date with all changes known to be in force on or before 10 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.