Data Protection Act 2018

2018 CHAPTER 12

PART 6

ENFORCEMENT

Information notices and assessment notices: destruction of documents etc

148 Destroying or falsifying information and documents etc

(1) This section applies where a person—

(a) has been given an information notice requiring the person to provide the Commissioner with information, or

(b) has been given an assessment notice requiring the person to direct the Commissioner to a document, equipment or other material or to assist the Commissioner to view information.

(2) It is an offence for the person—

(a) to destroy or otherwise dispose of, conceal, block or (where relevant) falsify all or part of the information, document, equipment or material, or

(b) to cause or permit the destruction, disposal, concealment, blocking or (where relevant) falsification of all or part of the information, document, equipment or material,

with the intention of preventing the Commissioner from viewing, or being provided with or directed to, all or part of the information, document, equipment or material.

(3) It is a defence for a person charged with an offence under subsection (2) to prove that the destruction, disposal, concealment, blocking or falsification would have occurred in the absence of the person being given the notice.

Changes to legislation:
Data Protection Act 2018, Cross Heading: Information notices and assessment notices: destruction of documents etc is up to date with all changes known to be in force on or before 07 October 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.
View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13A inserted by 2024 c. 21 s. 31(4)
- s. 204(1)(l) inserted by S.I. 2024/374 Sch. 5 para. 7
- Sch. 3 para. 8(1)(y) added by 2022 c. 18 (N.I.) Sch. 3 para. 78(3)