



Data Protection Act 2018

2018 CHAPTER 12

PART 5

THE INFORMATION COMMISSIONER

Codes of practice

128 Other codes of practice

- (1) The Secretary of State may by regulations require the Commissioner—
 - (a) to prepare appropriate codes of practice giving guidance as to good practice in the processing of personal data, and
 - (b) to make them available to such persons as the Commissioner considers appropriate.
- (2) Before preparing such codes, the Commissioner must consult such of the following as the Commissioner considers appropriate—
 - (a) trade associations;
 - (b) data subjects;
 - (c) persons who appear to the Commissioner to represent the interests of data subjects.
- (3) Regulations under this section—
 - (a) must describe the personal data or processing to which the code of practice is to relate, and
 - (b) may describe the persons or classes of person to whom it is to relate.
- (4) Regulations under this section are subject to the negative resolution procedure.
- (5) In this section—

“good practice in the processing of personal data” means such practice in the processing of personal data as appears to the Commissioner to be desirable having regard to the interests of data subjects and others, including compliance with the requirements of the data protection legislation;

Changes to legislation: Data Protection Act 2018, Section 128 is up to date with all changes known to be in force on or before 22 April 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) View outstanding changes

“trade association” includes a body representing controllers or processors.

Commencement Information

II S. 128 in force at Royal Assent for specified purposes, see s. 212(2)(f)

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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. 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\(3\)](#)