



# Data Protection Act 2018

## 2018 CHAPTER 12

### PART 6

#### ENFORCEMENT

##### *Appeals etc*

#### **164 Applications in respect of urgent notices**

- (1) This section applies where an information notice, an assessment notice or an enforcement notice given to a person contains an urgency statement.
- (2) The person may apply to the court for either or both of the following—
  - (a) the disapplication of the urgency statement in relation to some or all of the requirements of the notice;
  - (b) a change to the time at which, or the period within which, a requirement of the notice must be complied with.
- (3) On an application under subsection (2), the court may do any of the following—
  - (a) direct that the notice is to have effect as if it did not contain the urgency statement;
  - (b) direct that the inclusion of the urgency statement is not to have effect in relation to a requirement of the notice;
  - (c) vary the notice by changing the time at which, or the period within which, a requirement of the notice must be complied with;
  - (d) vary the notice by making other changes required to give effect to a direction under paragraph (a) or (b) or in consequence of a variation under paragraph (c).
- (4) The decision of the court on an application under this section is final.
- (5) In this section, “urgency statement” means—
  - (a) in relation to an information notice, a statement under section 142(7)(a),

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*Status: This is the original version (as it was originally enacted).*

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- (b) in relation to an assessment notice, a statement under section 146(8)(a) or (9) (d), and
- (c) in relation to an enforcement notice, a statement under section 150(8)(a).