



Statutory Document No. 17/03

THE DATA PROTECTION ACT 2002

THE DATA PROTECTION (FEES) REGULATIONS 2003

Approved by Tynwald 18th February 2003

Coming into operation 1st April 2003

In exercise of the powers conferred on the Treasury by sections 13(2), 15(5) and 16(4) and (7) of the Data Protection Act 2002¹, and of all other enabling powers, and after consultation with the Isle of Man Data Protection Supervisor, the following Regulations are hereby made:—

1. Citation and commencement

This Order may be cited as the Data Protection (Fees) Regulations 2003 and, subject to section 61(1) of the Data Protection Act 2002, shall come into operation on the 1st April 2003.

2. Prescribed fees

(1) Subject to paragraph (2), the fees specified in column 3 of the following table are prescribed for the purposes of the provisions of the Data Protection Act 2002 specified in column 1 of the table —

<i>Provision</i>	<i>Subject matter</i>	<i>Fee</i>
Section 15(5)	Notification by data controller under section 15(1) (including a notification in respect of more than one data controller under regulation 4 or 5 of the Data Protection (Notification) Regulations 2003 ²)	£40
Section 16(4)	Retention of entry in register (other than an entry to which regulation 12 of the Data Protection (Notification) Regulations 2003 applies)	£40
Section 16(7)	Supply of certified copy of register entry	£2

¹ 2002 c.3

² SD 16/03

Price 30p Price Band A

(2) No fee is payable by a data controller to which this paragraph applies and by which personal data are not processed except —

- (a) in any case, for the purposes of —
 - (i) establishing or maintaining membership of or support for the body or association, or
 - (ii) providing or administering activities for individuals who are either members of the body or association or have regular contact with it; or
- (b) in the case of a registered charity, for the purposes of the charity.

(3) Paragraph (2) applies to a body or association which is not established or conducted for profit, other than —

- (a) the Council of Ministers;
- (b) a Department or Statutory Board;
- (c) Tynwald, the Council or the Keys;
- (d) a local authority or joint board; or
- (e) a body established by or acting under the direction of one or more bodies mentioned in sub-paragraphs (a) to (d).

MADE 15th January 2003



Minister for the Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations specify the fees payable by a data controller on notification under section 15 of the Data Protection Act 2002 and for retention in the register maintained under section 16 of the Act, and also the fee payable by a member of the public for a certified copy entry in the register. Voluntary organisations are given an exemption from registration fees.