



Statutory Document No. 18/03

THE DATA PROTECTION ACT 2002

THE DATA PROTECTION (SUBJECT ACCESS) REGULATIONS 2003

Approved by Tynwald

18th February 2003

Coming into operation

1st April 2003

In exercise of the powers conferred on the Council of Ministers by sections 5 and 6 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, commencement and interpretation

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

(2) In these Regulations "the Act" means the Data Protection Act 2002.

2. Extent of subject access requests

(1) A request for information under any provision of section 5(1)(a), (b) or (c) of the Act is to be treated as extending also to information under all other provisions of section 5(1)(a), (b) and (c).

(2) A request for information under any provision of section 5(1) of the Act is to be treated as extending to information under the provisions of section 5(1)(d) only where the request shows an express intention to that effect.

(3) A request for information under the provisions of section 5(1)(d) of the Act is to be treated as extending also to information under any other provision of section 5(1) only where the request shows an express intention to that effect.

3. Maximum subject access fee

The maximum fee which may be required by a data controller under section 5(2)(b) of the Act is £10.

¹ 2002 c.2

Price 30p Price Band A

MADE 30th January 2003

Mary Williams

Chief Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations make miscellaneous provision in respect of the exercise of the right of access to personal data conferred in section 5 of the Data Protection Act 2002. Regulation 2 provides that a request for access to information under any provision of section 5(1)(a) to (c) of the Act is to be treated as extending to all such information, except in the case of information about the logic of automated decision-taking under section 5(1)(d). Regulation 3 provides that the maximum fee which a data controller may charge for access to data under section 5(2) of the Act is £10.