



# Data Protection Act 1998

## 1998 CHAPTER 29

### PART II

#### RIGHTS OF DATA SUBJECTS AND OTHERS

#### **8 Provisions supplementary to section 7.**

- (1) The [<sup>F1</sup> Secretary of State] may by regulations provide that, in such cases as may be prescribed, a request for information under any provision of subsection (1) of section 7 is to be treated as extending also to information under other provisions of that subsection.
- (2) The obligation imposed by section 7(1)(c)(i) must be complied with by supplying the data subject with a copy of the information in permanent form unless—
  - (a) the supply of such a copy is not possible or would involve disproportionate effort, or
  - (b) the data subject agrees otherwise;and where any of the information referred to in section 7(1)(c)(i) is expressed in terms which are not intelligible without explanation the copy must be accompanied by an explanation of those terms.
- (3) Where a data controller has previously complied with a request made under section 7 by an individual, the data controller is not obliged to comply with a subsequent identical or similar request under that section by that individual unless a reasonable interval has elapsed between compliance with the previous request and the making of the current request.
- (4) In determining for the purposes of subsection (3) whether requests under section 7 are made at reasonable intervals, regard shall be had to the nature of the data, the purpose for which the data are processed and the frequency with which the data are altered.
- (5) Section 7(1)(d) is not to be regarded as requiring the provision of information as to the logic involved in any decision-taking if, and to the extent that, the information constitutes a trade secret.

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*Status: Point in time view as at 03/12/2014. This version of this provision has been superseded.*

**Changes to legislation:** Data Protection Act 1998, Section 8 is up to date with all changes known to be in force on or before 26 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)

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- (6) The information to be supplied pursuant to a request under section 7 must be supplied by reference to the data in question at the time when the request is received, except that it may take account of any amendment or deletion made between that time and the time when the information is supplied, being an amendment or deletion that would have been made regardless of the receipt of the request.
- (7) For the purposes of section 7(4) and (5) another individual can be identified from the information being disclosed if he can be identified from that information, or from that and any other information which, in the reasonable belief of the data controller, is likely to be in, or to come into, the possession of the data subject making the request.

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**Textual Amendments**

- F1** Words in s. 8 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 9(1)(a)**

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**Modifications etc. (not altering text)**

- C1** S. 8 applied (with modifications) (3.12.2014) by [The Criminal Justice and Data Protection \(Protocol No. 36\) Regulations 2014 \(S.I. 2014/3141\)](#), regs. 1(b), **44(1)**

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**Commencement Information**

- I1** S. 8 wholly in force at 1.3.2000; s. 8 in force for certain purposes at Royal Assent see s. 75(2)(i); s. 8 in force at 1.3.2000 insofar as not already in force by [S.I. 2000/183](#), **art. 2(1)**

**Status:**

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