



**Data Protection Division  
Guidance Note Number 05/10**

**Subject Access Request Fees**

## Subject Access Request Fees

Section 14(6) (a) of the Data Protection Act 2005 ("the Act") provides that a fee may be payable to the data controller concerned in respect of a Subject Access Request. The amount of the fee shall not exceed such amount as in the opinion of the Commissioner is reasonable, having regard to the estimated cost to the data controller of compliance with the request.

From the date of commencement of the Act, the Data Protection Commissioner's website contained the following notice:

*"A person has a right to be given a copy of his or her own personal data upon payment of a fee which is generally no more than £10 (the GHA and Law Enforcement Agencies will be entitled to charge £20 if the request is very complex and involved). The request must be made in writing to the person who controls the data and you must receive a reply within 28 days after identifying yourself fully to the satisfaction of that person."*

This statement has caused confusion and some data controllers have been charging fees in excess of these.

Therefore, the Data Protection Commissioner, in exercise of the powers conferred on him by Section 14(6) (a) of the Act and all other powers, issues the following notice.

## Maximum Subject Access Fee

Except as otherwise provided for in this notice, the maximum fee which may be required by a data controller under section 14(6) of the Act is £10.

When a request is made which relates wholly, or partly, to personal data forming part of a health record or a police record where the information is provided in a form other than in writing on paper<sup>1</sup> the maximum fee shall be £20.

For further guidance please contact the Data Protection Commissioner

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<sup>1</sup> These include, *inter alia*, x-rays, scans, CDs, DVDs, photographs, CCTV pictures, and audio recordings.