

Regulation (EU) 2016/679 of the European Parliament and of the Council  
of 27 April 2016 on the protection of natural persons with regard to the  
processing of personal data and on the free movement of such data (United  
Kingdom General Data Protection Regulation)(Text with EEA relevance)

*CHAPTER III*

*Rights of the data subject*

*Section 2*

*Information and access to personal data*

*Article 13*

**Information to be provided where personal data are collected from the data subject**

1 Where personal data relating to a data subject are collected from the data subject, the controller shall, at the time when personal data are obtained, provide the data subject with all of the following information:

- a the identity and the contact details of the controller and, where applicable, of the controller's representative;
- b the contact details of the data protection officer, where applicable;
- c the purposes of the processing for which the personal data are intended as well as the legal basis for the processing;
- d where the processing is based on point (f) of Article 6(1), the legitimate interests pursued by the controller or by a third party;
- e the recipients or categories of recipients of the personal data, if any;
- f where applicable, the fact that the controller intends to transfer personal data to a third country or international organisation and the existence or absence of [<sup>F1</sup>relevant adequacy regulations under section 17A of the 2018 Act], or in the case of transfers referred to in Article 46 or 47, or the second subparagraph of Article 49(1), reference to the appropriate or suitable safeguards and the means by which to obtain a copy of them or where they have been made available.

2 In addition to the information referred to in paragraph 1, the controller shall, at the time when personal data are obtained, provide the data subject with the following further information necessary to ensure fair and transparent processing:

- a the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period;
- b the existence of the right to request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject or to object to processing as well as the right to data portability;
- c where the processing is based on point (a) of Article 6(1) or point (a) of Article 9(2), the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
- d the right to lodge a complaint with [<sup>F2</sup>the Commissioner];

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) 2016/679 of the European Parliament and of the Council, Section 2. (See end of Document for details)

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- e whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the data subject is obliged to provide the personal data and of the possible consequences of failure to provide such data;
- f the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

3 Where the controller intends to further process the personal data for a purpose other than that for which the personal data were collected, the controller shall provide the data subject prior to that further processing with information on that other purpose and with any relevant further information as referred to in paragraph 2.

4 Paragraphs 1, 2 and 3 shall not apply where and insofar as the data subject already has the information.

#### Textual Amendments

- F1** Words in Art. 13(1)(f) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), **Sch. 1 para. 12(2)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 13(2)(d) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), **Sch. 1 para. 12(3)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)

### Article 14

#### Information to be provided where personal data have not been obtained from the data subject

1 Where personal data have not been obtained from the data subject, the controller shall provide the data subject with the following information:

- a the identity and the contact details of the controller and, where applicable, of the controller's representative;
- b the contact details of the data protection officer, where applicable;
- c the purposes of the processing for which the personal data are intended as well as the legal basis for the processing;
- d the categories of personal data concerned;
- e the recipients or categories of recipients of the personal data, if any;
- f where applicable, that the controller intends to transfer personal data to a recipient in a third country or international organisation and the existence or absence of [F<sup>3</sup>relevant adequacy regulations under section 17A of the 2018 Act], or in the case of transfers referred to in Article 46 or 47, or the second subparagraph of Article 49(1), reference to the appropriate or suitable safeguards and the means to obtain a copy of them or where they have been made available.

2 In addition to the information referred to in paragraph 1, the controller shall provide the data subject with the following information necessary to ensure fair and transparent processing in respect of the data subject:

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- a the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period;
  - b where the processing is based on point (f) of Article 6(1), the legitimate interests pursued by the controller or by a third party;
  - c the existence of the right to request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject and to object to processing as well as the right to data portability;
  - d where processing is based on point (a) of Article 6(1) or point (a) of Article 9(2), the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
  - e the right to lodge a complaint with [<sup>F4</sup>the Commissioner];
  - f from which source the personal data originate, and if applicable, whether it came from publicly accessible sources;
  - g the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- 3 The controller shall provide the information referred to in paragraphs 1 and 2:
- a within a reasonable period after obtaining the personal data, but at the latest within one month, having regard to the specific circumstances in which the personal data are processed;
  - b if the personal data are to be used for communication with the data subject, at the latest at the time of the first communication to that data subject; or
  - c if a disclosure to another recipient is envisaged, at the latest when the personal data are first disclosed.
- 4 Where the controller intends to further process the personal data for a purpose other than that for which the personal data were obtained, the controller shall provide the data subject prior to that further processing with information on that other purpose and with any relevant further information as referred to in paragraph 2.
- 5 Paragraphs 1 to 4 shall not apply where and insofar as:
- a the data subject already has the information;
  - b the provision of such information proves impossible or would involve a disproportionate effort, in particular for processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, subject to the conditions and safeguards referred to in Article 89(1) or in so far as the obligation referred to in paragraph 1 of this Article is likely to render impossible or seriously impair the achievement of the objectives of that processing. In such cases the controller shall take appropriate measures to protect the data subject's rights and freedoms and legitimate interests, including making the information publicly available;
  - c obtaining or disclosure is expressly laid down by [<sup>F5</sup>a provision of domestic law] which provides appropriate measures to protect the data subject's legitimate interests; or
  - d where the personal data must remain confidential subject to an obligation of professional secrecy regulated by [<sup>F6</sup>domestic law], including a statutory obligation of secrecy.

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) 2016/679 of the European Parliament and of the Council, Section 2. (See end of Document for details)

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### Textual Amendments

- F3** Words in Art. 14(1)(f) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), **Sch. 1 para. 13(2)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 14(2)(e) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), **Sch. 1 para. 13(3)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 14(5)(c) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), **Sch. 1 para. 13(4)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 14(5)(d) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), **Sch. 1 para. 13(5)** (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)

## Article 15

### Right of access by the data subject

1 The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information:

- a the purposes of the processing;
- b the categories of personal data concerned;
- c the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- d where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- e the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- f the right to lodge a complaint with [<sup>F7</sup>the Commissioner];
- g where the personal data are not collected from the data subject, any available information as to their source;
- h the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

2 Where personal data are transferred to a third country or to an international organisation, the data subject shall have the right to be informed of the appropriate safeguards pursuant to Article 46 relating to the transfer.

3 The controller shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the controller may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.

4 The right to obtain a copy referred to in paragraph 3 shall not adversely affect the rights and freedoms of others.

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**Changes to legislation:** *There are currently no known outstanding effects for the Regulation (EU) 2016/679 of the European Parliament and of the Council, Section 2. (See end of Document for details)*

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### Textual Amendments

- F7** Words in [Art. 15\(1\)\(f\)](#) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), [Sch. 1 para. 14](#) (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EU) 2016/679 of the European Parliament and of the Council, Section 2.