**Data Protection Act 2003**

**Why was the act passed?**

* To deal with privacy issues coming from personal information kept about people on a computer
* To give rights to individuals and to put the responsibility on those who kept the information

**Content of the Act:**

1. Rights of the data subject:
2. Right of access:
* A person has a right to a copy of the data kept about them on a computer
* A written request must have been given 40 days before
1. Correction of errors:
* A person has the right to have any mistakes or inaccurate data about them changed or deleted
* Data can also be deleted if it was unfairly obtained
1. Complaints to the Data Protection Commissioner:
* You can complain if the ‘data controller’ is not complying with the act and rights as stated above
* The DPC has the legal power to overrule them and have the information deleted etc.
1. Compensation:
* If a person suffers due to incorrect information you may be able to get compensation, e.g. Refusal of credit / loan
1. Obligations of data controllers:
* Acquire information fairly
* Keep the data safe
* Delete the data when no longer needed
* Keep the data up to date
* Give a copy to the person if they want it
* Make sure it is relevant
1. Functions of the Data Protection Commissioner:
* To make sure data controllers comply with the act
* To keep a register of data controllers
* To encourage good practices
* To investigate complaints
* To force data controllers to delete / fix personal data
* To force the data controllers to hand over information needed for investigations
* To prosecute any data controllers if they are offending the act

**Q: How does this protect the data subject?**

* They are entitled to see and be aware of the information about them on a computer
* Compensation
* DPC fights for them if they have been wronged

**Definitions:**

Data – information in a form that can be automatically processed

Data subject – the person that the data is about

Data processor – person organising the data for the controller

Data controller – the body that controls the contents and use of the data