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**DATA PROTECTION ACT 1998  
1998 CHAPTER 29**

**PART VI MISCELLANEOUS AND GENERAL  
Unlawful obtaining etc of personal data  
Royal Assent [16 July 1998]**

**Data Protection Act 1998, Ch. 29, s. 55 (Eng.)**

**55 Unlawful obtaining etc of personal data**

(1) A person must not knowingly or recklessly, without the consent of the data controller--

(a) obtain or disclose personal data or the information contained in personal data, or

(b) procure the disclosure to another person of the information contained in personal data.

(2) Subsection (1) does not apply to a person who shows--

(a) that the obtaining, disclosing or procuring--

(i) was necessary for the purpose of preventing or detecting crime, or

(ii) was required or authorised by or under any enactment, by any rule of law or by the order of a court,

(b) that he acted in the reasonable belief that he had in law the right to obtain or disclose the data or information or, as the case may be, to procure the disclosure of the information to the other person,

(c) that he acted in the reasonable belief that he would have had the consent of the data controller if the data controller had known of the obtaining, disclosing or procuring and the circumstances of it, or

(d) that in the particular circumstances the obtaining, disclosing or procuring was justified as being in the public interest.

(3) A person who contravenes subsection (1) is guilty of an offence.

(4) A person who sells personal data is guilty of an offence if he has obtained the data in contravention of subsection (1).

(5) A person who offers to sell personal data is guilty of an offence if--

(a) he has obtained the data in contravention of subsection (1), or