



# Data Protection Act 2018

## 2018 CHAPTER 12

### PART 6

#### ENFORCEMENT

##### *The special purposes*

#### **176 Staying special purposes proceedings**

- (1) In any special purposes proceedings before a court, if the controller or processor claims, or it appears to the court, that any personal data to which the proceedings relate—
  - (a) is being processed only for the special purposes,
  - (b) is being processed with a view to the publication by any person of journalistic, academic, artistic or literary material, and
  - (c) has not previously been published by the controller,the court must stay or, in Scotland, sist the proceedings.
- (2) In considering, for the purposes of subsection (1)(c), whether material has previously been published, publication in the immediately preceding 24 hours is to be ignored.
- (3) Under subsection (1), the court must stay or sist the proceedings until either of the following conditions is met—
  - (a) a determination of the Commissioner under section 174 with respect to the personal data or the processing takes effect;
  - (b) where the proceedings were stayed or sisted on the making of a claim, the claim is withdrawn.

**Changes to legislation:**

Data Protection Act 2018, Section 176 is up to date with all changes known to be in force on or before 13 May 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 204(1)(l) inserted by [S.I. 2024/374 Sch. 5 para. 7](#)
- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)