

Accessing Your Personal Information

Under section 4 of the Data Protection Acts, 1988 and 2003, you have a right to obtain a copy, clearly explained, of any information relating to you kept on computer or in a structured manual filing system, by any person or organisation. All you need to do is write to the organisation or individual concerned and ask for it.

Your request could read as follows:

Dear ...

I wish to make an access request under the Data Protection Acts 1988 and 2003 for a copy of any information you keep about me, on computer or in manual form. I am making this request under section 4 of the Data Protection Acts.

You should also include any additional details that may be necessary to enable the organisation to locate your record; e.g. customer account number, staff number, or PPS number (if you are writing to a public-sector organisation). When requesting some types of record, such as credit records or Garda records, it may also be useful to provide a list of previous addresses, previous names, and date of birth. You may be asked to pay a fee, but this cannot exceed €6.35.

Once you have made your request, and paid any appropriate fee, you must be given the information within 40 days, although most organisations manage to reply much sooner.

Are there any exceptions to the right of access?

Yes. Section 5 of the Data Protection Acts set out a small number of circumstances in which your right to see your computer records can be limited. This is necessary in order to strike a balance between the rights of the individual, on the one hand, and some important needs of civil society, on the other hand. For example, a criminal suspect does not have a right to see the information held about him by An Garda Síochána, where that would impede the criminal investigation; and you do not have a right to see communications between a lawyer and his or her client, where that communication would be subject to legal privilege in court.

The right of access to medical data and social workers' data is also restricted in some very limited circumstances, where the health and mental well-being of the individual might be affected by obtaining access to the data. Your right to obtain access to examination results, and to see information relating to other people, is also curtailed. Further details on all of these points can be obtained by clicking on the link below.

LINK» [more about the limitations on the right of access](#)

What if an organisation refuses to respond to my access request?

If a person or organisation does not comply with an access request which you have made, it is open to you to make a complaint to the Data Protection Commissioner. The Commissioner will investigate the matter for you and ensure that your rights are fully upheld. The Commissioner has wide powers to investigate complaints made to him and will take appropriate action against any persons or organisation who is not complying with the provisions of the Acts.