

Personal Data Protection Act, No. 9 of 2022

REGULATIONS made by the Minister of Education, Science and Technology with the concurrence of the Data Protection Authority of Sri Lanka under section 53 read with subsection (6) of section 17, of the Personal Data Protection Act, No. 9 of 2022.

Minister of Education, Science and Technology

Colombo,

2024

Regulations

1. These regulations may be cited as the Personal Data Protection (Fees) Regulations, No. of 2024.
2. These regulations apply to the controllers who receive requests made by the data subjects under sections 13, 14, 15, or 16 of the Act.
3. Where a data subject requests from the relevant controller to –
 - (a) access to personal data under section 13 of the Act;
 - (b) withdraw the consent to the processing of personal data or refrain from further processing of personal data under section 14 of the Act;
 - (c) rectify or complete personal data under section 15 of the Act;
 - (d) erase his personal data in the circumstances specified under section 16 of the Act,

the controller may charge such fees as may be specified in the succeeding regulation.

4. (1) Where -

- (a) the controller believes that the request is manifestly unreasonable, unfounded, excessive, or made in bad faith to cause disruptions to the controller; or
- (b) the data subject requests further copies of their personal data when exercising his right of access under section 13 of the Act,

the controller may charge a fee not exceeding rupees one thousand per request.

(2) In assessing whether a request is unreasonable under sub-regulation 1, the controller shall employ an objective assessment involving a test of proportionality where the request is balanced with the effort or costs involved in giving effect to the requests.

(3) It shall be the duty of the controller to justify to the data subject and the Authority why it has concluded the request to be unreasonable, unfounded, excessive, or made in bad faith to cause disruptions to the controller.

5. In these regulations-

“Act” means the Personal Data Protection Act, No. 9 of 2022.