

SCHEDULES

SCHEDULE 17

Section 178

REVIEW OF PROCESSING OF PERSONAL DATA FOR THE PURPOSES OF JOURNALISM

Interpretation

- 1 In this Schedule—
- “relevant period” means—
- (a) the period of 18 months beginning when the Commissioner starts the first review under section 178, and
 - (b) the period of 12 months beginning when the Commissioner starts a subsequent review under that section;
- “the relevant review”, in relation to a relevant period, means the review under section 178 which the Commissioner must produce a report about by the end of that period.

Information notices

- 2 (1) This paragraph applies where the Commissioner gives an information notice during a relevant period.
- (2) If the information notice—
- (a) states that, in the Commissioner’s opinion, the information is required for the purposes of the relevant review, and
 - (b) gives the Commissioner’s reasons for reaching that opinion,
- subsections (5) and (6) of section 142 do not apply but the notice must not require the information to be provided before the end of the period of 24 hours beginning when the notice is given.

Assessment notices

- 3 (1) Sub-paragraph (2) applies where the Commissioner gives an assessment notice to a person during a relevant period.
- (2) If the assessment notice—
- (a) states that, in the Commissioner’s opinion, it is necessary for the controller or processor to comply with a requirement in the notice for the purposes of the relevant review, and
 - (b) gives the Commissioner’s reasons for reaching that opinion,
- subsections (6) and (7) of section 146 do not apply but the notice must not require the controller or processor to comply with the requirement before the end of the period of 7 days beginning when the notice is given.
- (3) During a relevant period, section 147 has effect as if for subsection (5) there were substituted—

Status: This is the original version (as it was originally enacted).

“(5) The Commissioner may not give a controller or processor an assessment notice with respect to the processing of personal data for the special purposes unless a determination under section 174 with respect to the data or the processing has taken effect.”

Applications in respect of urgent notices

- 4 Section 164 applies where an information notice or assessment notice contains a statement under paragraph 2(2)(a) or 3(2)(a) as it applies where such a notice contains a statement under section 142(7)(a) or 146(8)(a).