



# Data Protection Act 2018

## 2018 CHAPTER 12

### PART 2

#### GENERAL PROCESSING

### CHAPTER 2

#### THE GDPR

##### *Transfers of personal data to third countries etc*

## **18 Transfers of personal data to third countries etc**

- (1) The Secretary of State may by regulations specify, for the purposes of Article 49(1) (d) of the GDPR—
  - (a) circumstances in which a transfer of personal data to a third country or international organisation is to be taken to be necessary for important reasons of public interest, and
  - (b) circumstances in which a transfer of personal data to a third country or international organisation which is not required by an enactment is not to be taken to be necessary for important reasons of public interest.
- (2) The Secretary of State may by regulations restrict the transfer of a category of personal data to a third country or international organisation where—
  - (a) the transfer is not authorised by an adequacy decision under Article 45(3) of the GDPR, and
  - (b) the Secretary of State considers the restriction to be necessary for important reasons of public interest.
- (3) Regulations under this section—
  - (a) are subject to the made affirmative resolution procedure where the Secretary of State has made an urgency statement in respect of them;

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*Status: This is the original version (as it was originally enacted).*

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- (b) are otherwise subject to the affirmative resolution procedure.
- (4) For the purposes of this section, an urgency statement is a reasoned statement that the Secretary of State considers it desirable for the regulations to come into force without delay.