

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Data Protection Act 2018, Cross Heading: Journalism etc in connection with unlawful acts and dishonesty etc. (See end of Document for details)

SCHEDULES

PROSPECTIVE

SCHEDULE 1

SPECIAL CATEGORIES OF PERSONAL DATA AND CRIMINAL CONVICTIONS ETC DATA

PART 2

SUBSTANTIAL PUBLIC INTEREST CONDITIONS

Journalism etc in connection with unlawful acts and dishonesty etc

- 13 (1) This condition is met if—
- (a) the processing consists of the disclosure of personal data for the special purposes,
 - (b) it is carried out in connection with a matter described in sub-paragraph (2),
 - (c) it is necessary for reasons of substantial public interest,
 - (d) it is carried out with a view to the publication of the personal data by any person, and
 - (e) the controller reasonably believes that publication of the personal data would be in the public interest.
- (2) The matters mentioned in sub-paragraph (1)(b) are any of the following (whether alleged or established)—
- (a) the commission of an unlawful act by a person;
 - (b) dishonesty, malpractice or other seriously improper conduct of a person;
 - (c) unfitness or incompetence of a person;
 - (d) mismanagement in the administration of a body or association;
 - (e) a failure in services provided by a body or association.
- (3) The condition in sub-paragraph (1) is met even if, when the processing is carried out, the controller does not have an appropriate policy document in place (see paragraph 5 of this Schedule).
- (4) In this paragraph—
- “act” includes a failure to act;
 - “the special purposes” means—
- (a) the purposes of journalism;
 - (b) academic purposes;
 - (c) artistic purposes;
 - (d) literary purposes.

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