

SCHEDULES

SCHEDULE 20

TRANSITIONAL PROVISION ETC

PART 7

ENFORCEMENT ETC UNDER THE 1998 ACT

Enforcement notices

- 33 (1) The repeal of sections 40 and 41 of the 1998 Act (enforcement notices) does not affect the application of those sections after the relevant time in a case in which—
- (a) the Commissioner served a notice under section 40 of the 1998 Act before the relevant time (and did not cancel it before that time), or
 - (b) the Commissioner is satisfied, after that time, that a data controller —
 - (i) contravened the old data protection principles before that time, or
 - (ii) contravened the sixth data protection principle sections after that time.
- (2) In this paragraph, “the relevant time” means the time when the repeal of section 40 of the 1998 Act comes into force.