
Changes to legislation: Data Protection Act 2018, Cross Heading: Decision following referral to appeal panel is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 5

ACCREDITATION OF CERTIFICATION PROVIDERS: REVIEWS AND APPEALS

Decision following referral to appeal panel

- 6 (1) The appeal panel must, before the end of the period of 28 days beginning with the day on which the appeal panel is established in accordance with paragraph 4—
- (a) make a reasoned recommendation in writing to the accreditation authority, and
 - (b) give a copy of the recommendation to the applicant.
- (2) For the purposes of sub-paragraph (1), where there is an objection under paragraph 4(7), an appeal panel is not to be taken to be established in accordance with paragraph 4 until the replacement member is appointed (or, if there is more than one objection, until the last replacement member is appointed).
- (3) The accreditation authority must, before the end of the period of 3 working days beginning with the day on which the authority receives the recommendation—
- (a) make a reasoned final decision in writing, and
 - (b) give a copy of the decision to the applicant.
- (4) Where the accreditation authority is the [^{F1}UK national accreditation body], the recommendation must be given to, and the final decision must be made by, the chief executive of that body.

Textual Amendments

- F1** Words in Sch. 5 para. 6(4) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), Sch. 2 para. 95(c) (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)