



Data Protection Act 2018

2018 CHAPTER 12

PART 2

GENERAL PROCESSING

CHAPTER 2

THE GDPR

Accreditation of certification providers

17 Accreditation of certification providers

- (1) Accreditation of a person as a certification provider is only valid when carried out by—
 - (a) the Commissioner, or
 - (b) the national accreditation body.
- (2) The Commissioner may only accredit a person as a certification provider where the Commissioner—
 - (a) has published a statement that the Commissioner will carry out such accreditation, and
 - (b) has not published a notice withdrawing that statement.
- (3) The national accreditation body may only accredit a person as a certification provider where the Commissioner—
 - (a) has published a statement that the body may carry out such accreditation, and
 - (b) has not published a notice withdrawing that statement.
- (4) The publication of a notice under subsection (2)(b) or (3)(b) does not affect the validity of any accreditation carried out before its publication.
- (5) Schedule 5 makes provision about reviews of, and appeals from, a decision relating to accreditation of a person as a certification provider.

Status: This is the original version (as it was originally enacted).

- (6) The national accreditation body may charge a reasonable fee in connection with, or incidental to, the carrying out of the body's functions under this section, Schedule 5 and Article 43 of the GDPR.
- (7) The national accreditation body must provide the Secretary of State with such information relating to its functions under this section, Schedule 5 and Article 43 of the GDPR as the Secretary of State may reasonably require.
- (8) In this section—
 - “certification provider” means a person who issues certification for the purposes of Article 42 of the GDPR;
 - “the national accreditation body” means the national accreditation body for the purposes of Article 4(1) of Regulation [\(EC\) No 765/2008](#) of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation [\(EEC\) No 339/93](#).