



# Data Protection Act 2018

## 2018 CHAPTER 12

### PART 3

#### LAW ENFORCEMENT PROCESSING

### CHAPTER 2

#### PRINCIPLES

#### **36 The second data protection principle**

- (1) The second data protection principle is that—
  - (a) the law enforcement purpose for which personal data is collected on any occasion must be specified, explicit and legitimate, and
  - (b) personal data so collected must not be processed in a manner that is incompatible with the purpose for which it was collected.
- (2) Paragraph (b) of the second data protection principle is subject to subsections (3) and (4).
- (3) Personal data collected for a law enforcement purpose may be processed for any other law enforcement purpose (whether by the controller that collected the data or by another controller) provided that—
  - (a) the controller is authorised by law to process the data for the other purpose, and
  - (b) the processing is necessary and proportionate to that other purpose.
- (4) Personal data collected for any of the law enforcement purposes may not be processed for a purpose that is not a law enforcement purpose unless the processing is authorised by law.