

*Status: Point in time view as at 16/07/1998.*

*Changes to legislation: Data Protection Act 1998, Cross Heading: Effect of registration under Part II of 1984 Act is up to date with all changes known to be in force on or before 02 June 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)*

## SCHEDULES

### SCHEDULE 14

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### *Effect of registration under Part II of 1984 Act*

- 2 (1) Subject to sub-paragraphs (4) and (5) any person who, immediately before the commencement of Part III of this Act—
- (a) is registered as a data user under Part II of the 1984 Act, or
  - (b) is treated by virtue of section 7(6) of the 1984 Act as so registered,
- is exempt from section 17(1) of this Act until the end of the registration period or, if earlier, 24th October 2001.
- (2) In sub-paragraph (1) “the registration period”, in relation to a person, means—
- (a) where there is a single entry in respect of that person as a data user, the period at the end of which, if section 8 of the 1984 Act had remained in force, that entry would have fallen to be removed unless renewed, and
  - (b) where there are two or more entries in respect of that person as a data user, the period at the end of which, if that section had remained in force, the last of those entries to expire would have fallen to be removed unless renewed.
- (3) Any application for registration as a data user under Part II of the 1984 Act which is received by the Commissioner before the commencement of Part III of this Act (including any appeal against a refusal of registration) shall be determined in accordance with the old principles and the provisions of the 1984 Act.
- (4) If a person falling within paragraph (b) of sub-paragraph (1) receives a notification under section 7(1) of the 1984 Act of the refusal of his application, sub-paragraph (1) shall cease to apply to him—
- (a) if no appeal is brought, at the end of the period within which an appeal can be brought against the refusal, or
  - (b) on the withdrawal or dismissal of the appeal.
- (5) If a data controller gives a notification under section 18(1) at a time when he is exempt from section 17(1) by virtue of sub-paragraph (1), he shall cease to be so exempt.
- (6) The Commissioner shall include in the register maintained under section 19 an entry in respect of each person who is exempt from section 17(1) by virtue of sub-paragraph (1); and each entry shall consist of the particulars which, immediately before the commencement of Part III of this Act, were included (or treated as included) in respect of that person in the register maintained under section 4 of the 1984 Act.

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- (7) Notification regulations under Part III of this Act may make provision modifying the duty referred to in section 20(1) in its application to any person in respect of whom an entry in the register maintained under section 19 has been made under subparagraph (6).
- (8) Notification regulations under Part III of this Act may make further transitional provision in connection with the substitution of Part III of this Act for Part II of the 1984 Act (registration), including provision modifying the application of provisions of Part III in transitional cases.

#### **Commencement Information**

- II** [Sch. 14 para. 2](#) wholly in force at 1.3.2000; [Sch. 14 para. 2](#) in force for certain purposes at Royal Assent see [s. 75\(2\)\(i\)](#); [Sch. 14 para. 2](#) in force at 1.3.2000 insofar as not already in force by [S.I. 2000/183, art. 2\(1\)](#)

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