Status: Point in time view as at 19/08/2003. This version of this provision has been superseded.
Changes to legislation: Data Protection Act 1998, Section 54 is up to date with all changes known to be in force
on or before 29 May 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)

Data Protection Act 1998

1998 CHAPTER 29

PART VI

MISCELLANEOUS AND GENERAL

Functions of Commissioner

54   International co-operation.

(1) The Commissioner—
  (a)   shall continue to be the designated authority in the United Kingdom for the purposes of Article 13 of the Convention, and
  (b)   shall be the supervisory authority in the United Kingdom for the purposes of the Data Protection Directive.

(2) The [**F1** Secretary of State] may by order make provision as to the functions to be discharged by the Commissioner as the designated authority in the United Kingdom for the purposes of Article 13 of the Convention.

(3) The [**F1** Secretary of State] may by order make provision as to co-operation by the Commissioner with the European Commission and with supervisory authorities in other EEA States in connection with the performance of their respective duties and, in particular, as to—
  (a)   the exchange of information with supervisory authorities in other EEA States or with the European Commission, and
  (b)   the exercise within the United Kingdom at the request of a supervisory authority in another EEA State, in cases excluded by section 5 from the application of the other provisions of this Act, of functions of the Commissioner specified in the order.

(4) The Commissioner shall also carry out any data protection functions which the [**F1** Secretary of State] may by order direct him to carry out for the purpose of enabling Her Majesty's Government in the United Kingdom to give effect to any international obligations of the United Kingdom.

(5) The Commissioner shall, if so directed by the [**F1** Secretary of State] , provide any authority exercising data protection functions under the law of a colony specified in the direction with such assistance in connection with the discharge of those functions as the [**F1** Secretary of State] may direct or approve, on such terms (including terms as to payment) as the [**F1** Secretary of State] may direct or approve.

(6) Where the European Commission makes a decision for the purposes of Article 26(3) or (4) of the Data Protection Directive under the procedure provided for in Article 31(2) of the Directive, the Commissioner shall comply with that decision in exercising his functions under paragraph 9 of Schedule 4 or, as the case may be, paragraph 8 of that Schedule.

(7) The Commissioner shall inform the European Commission and the supervisory authorities in other EEA States—

    (a)   of any approvals granted for the purposes of paragraph 8 of Schedule 4, and

    (b)   of any authorisations granted for the purposes of paragraph 9 of that Schedule.

(8) In this section—

    "the Convention" means the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data which was opened for signature on 28th January 1981;

    "data protection functions" means functions relating to the protection of individuals with respect to the processing of personal information.

Textual Amendments

  F1   Words in s. 54 substituted (19.8.2003) by The Secretary of State for Constitutional Affairs Order 2003 (S.I. 2003/1887), art. 9, **Sch. 2 para. 9(1)(a)**

Commencement Information

  I1   S. 54 wholly in force at 1.3.2000; s. 54 in force for certain purposes at Royal Assent see s. 75(2)(i); s. 54 in force at 1.3.2000 insofar as not already in force by S.I. 2000/183, **art. 2(1)**

Status:
Point in time view as at 19/08/2003. This version of this provision has been superseded.

Changes to legislation:
Data Protection Act 1998, Section 54 is up to date with all changes known to be in force on or before 29 May 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.