

## SCHEDULE 2

### INQUIRIES BY THE COMMISSIONER

#### *Reports on inquiries*

- 8 (1) The Commissioner must prepare a report of his or her findings on any inquiry.
- (2) The report must not—
- (a) identify a failure to comply with a relevant requirement (within the meaning of Part 5) by a person who is, or may be, identified by virtue of the report, or
  - (b) otherwise refer to the activities of a person who is, or may be, identified by virtue of the report, unless the Commissioner thinks that the reference—
    - (i) will not cause the person harm, or
    - (ii) is necessary for the report to adequately reflect the results of the inquiry (having regard to its terms of reference).
- (3) The Commissioner must send a draft of the report to the Welsh Ministers.
- (4) If the terms of reference specify a particular person or category of person, the Commissioner must also send a draft of the report to each relevant person.
- (5) The Commissioner must—
- (a) give the Welsh Ministers, and any other person to whom a draft of a report is sent, an opportunity to make representations about the draft report, and
  - (b) consider any representations made.
- (6) After settling the report (having complied with sub-paragraph (5)), the Commissioner must publish it.
- (7) This paragraph does not affect the application of the Data Protection Act 1998 to the Commissioner.
- (8) In this paragraph “relevant person” has the same meaning as in paragraph 3.