*Data Protection Act 1998 (c. 29)*
*SCHEDULE 5 – The Data Protection Commissioner and the Data Protection Tribunal*
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# S C H E D U L E S

## SCHEDULE 5

### THE DATA PROTECTION COMMISSIONER AND THE DATA PROTECTION TRIBUNAL

### PART I

#### THE COMMISSIONER

#### *Tenure of office*

2    (1) Subject to the provisions of this paragraph, the Commissioner shall hold office for such term not exceeding five years as may be determined at the time of his appointment.

(2) The Commissioner may be relieved of his office by Her Majesty at his own request.

(3) The Commissioner may be removed from office by Her Majesty in pursuance of an Address from both Houses of Parliament.

(4) The Commissioner shall in any case vacate his office—

    (a) on completing the year of service in which he attains the age of sixty-five years, or

    (b) if earlier, on completing his fifteenth year of service.

(5) Subject to sub-paragraph (4), a person who ceases to be Commissioner on the expiration of his term of office shall be eligible for re-appointment, but a person may not be re-appointed for a third or subsequent term as Commissioner unless, by reason of special circumstances, the person's re-appointment for such a term is desirable in the public interest.

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**Modifications etc. (not altering text)**
   **C1**   Sch. 5 para. 2(4)(b) restricted (14.5.2001) by 2000 c. 36, **s. 18(7)**, (with ss. 7(1)(7), 56, 78); S.I. 2001/1637, **art. 2(a)**

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