

*Status: Point in time view as at 30/11/2002.*

*Changes to legislation: Data Protection Act 1998, Cross Heading: Constitution of Tribunal in other cases is up to date with all changes known to be in force on or before 06 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)*

## SCHEDULES

### SCHEDULE 6

#### APPEAL PROCEEDINGS

##### Modifications etc. (not altering text)

- C1** Sch. 6 applied (with modifications) (1.3.2000) by S.I. 1999/2093, **reg. 32(8)(a)**  
Sch. 6 applied (30.11.2002) by 2000 c. 36, ss. 61(2), 87(3) (with ss. 7(1)(7), 56, 78); S.I. 2002/2812, **art. 2**  
Sch. 6 applied (with modifications) (11.12.2003) by The Privacy and Electronic Communications (EC Directive) Regulations 2003 (S.I. 2003/2426), **reg. 28(8)(b)** (with regs. 4, 15(3), 28, 29)
- C1** Sch. 6 extended (with modifications) (11.12.2003) by the Privacy and Electronic Communications (EC Directive) Regulations (S.I. 2003/2426), {reg. 31}, Sch. 1 (with regs. 4, 15(3), 28, 29) (Sch. 1 amended (26.5.2011) by The Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2011 (S.I. 2011/1208), reg. {14})
- C1** Sch. 6 applied (6.4.2010) by The Data Protection (Monetary Penalties) Order 2010 (S.I. 2010/910), **art. 7**
- C1** Sch. 6 applied (with modifications) (26.5.2011) by The Privacy and Electronic Communications (EC Directive) Regulations 2003 (S.I. 2003/2426), reg. 31B, **Sch. 1** (reg. 31B being inserted and Sch. 1 amended (26.5.2011) by The Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2011 (S.I. 2011/1208), regs. {12}{14})

#### *Constitution of Tribunal in other cases*

- 4 (1) Subject to any rules made under paragraph 7, the Tribunal shall be duly constituted for an appeal under section 48(1), (2) or (4) if it consists of—
- the chairman or a deputy chairman (who shall preside), and
  - an equal number of the members appointed respectively in accordance with paragraphs (a) and (b) of section 6(6).
- [<sup>F1</sup>(1A) Subject to any rules made under paragraph 7, the Tribunal shall be duly constituted for an appeal under section 57(1) or (2) of the Freedom of Information Act 2000 if it consists of—
- the chairman or a deputy chairman (who shall preside), and
  - an equal number of the members appointed respectively in accordance with paragraphs (aa) and (bb) of section 6(6).]

(2) The members who are to constitute the Tribunal in accordance with sub-paragraph (1) [<sup>F2</sup>or (1A)] shall be nominated by the chairman or, if he is for any reason unable to act, by a deputy chairman.

##### Textual Amendments

- F1** Sch. 6 para. 4(1A) inserted (30.11.2002) by 2000 c. 36, ss. 61(1), 87(3), Sch. 4 para. 3(2) (with ss. 7(1)(7), 56, 78); S.I. 2002/2812, **art. 2**

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**F2** Words in Sch. 6 para. 4(2) inserted (30.11.2002) by 2000 c. 36, ss. 61(1), 87(3), Sch. 4 para. 3(3) (with ss. 7(1)(7), 56, 78); S.I. 2002/2812, **art. 2**

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