



# Data Protection Act 1998

## 1998 CHAPTER 29

### PART VI

#### MISCELLANEOUS AND GENERAL

##### *Functions of Commissioner*

#### [<sup>F1</sup>52C Alteration or replacement of data-sharing code

- (1) The Commissioner—
  - (a) must keep the data-sharing code under review, and
  - (b) may prepare an alteration to that code or a replacement code.
- (2) Where, by virtue of a review under subsection (1)(a) or otherwise, the Commissioner becomes aware that the terms of the code could result in the United Kingdom being in breach of any of its Community obligations or any other international obligation, the Commissioner must exercise the power under subsection (1)(b) with a view to remedying the situation.
- (3) Before an alteration or replacement code is prepared under subsection (1), the Commissioner must consult such of the following as the Commissioner considers appropriate—
  - (a) trade associations (within the meaning of section 51);
  - (b) data subjects;
  - (c) persons who appear to the Commissioner to represent the interests of data subjects.
- (4) Section 52B (other than subsection (6)) applies to an alteration or replacement code prepared under this section as it applies to the code as first prepared under section 52A.
- (5) In this section “the data-sharing code” means the code issued under section 52B(5) (as altered or replaced from time to time).]

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*Status: Point in time view as at 01/02/2010. This version of this provision has been superseded.*

*Changes to legislation: Data Protection Act 1998, Section 52C is up to date with all changes known to be in force on or before 18 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)*

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#### **Textual Amendments**

- F1** Ss. 52A-52E inserted (1.2.2010) by [Coroners and Justice Act 2009 \(c. 25\)](#), [ss. 174\(1\)](#), 175, 182 (with [s. 180](#)); [S.I. 2010/145](#), [art. 2](#), Sch. para. 16

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