

Changes to legislation: Data Protection Act 2018, Paragraph 11 is up to date with all changes known to be in force on or before 10 April 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) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 21

FURTHER TRANSITIONAL PROVISION ETC

Textual Amendments

- F1** Sch. 21 inserted (31.12.2020) by *The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019* (S.I. 2019/419), reg. 1(2), **Sch. 2 para. 102** (with reg. 5, Sch. 3 para. 111(6)) (as amended by S.I. 2020/1586, regs. 1(2), **5(4)**); 2020 c. 1, **Sch. 5 para. 1(1)**

PART 3

TRANSFERS TO THIRD COUNTRIES AND INTERNATIONAL ORGANISATIONS

- 11 (1) The following are specified for the purposes of paragraph 10(1)—
- (a) an EEA state;
 - (aa) Switzerland;
 - (b) Gibraltar;
 - (c) a third country, a territory or sector within a third country or an international organisation which is the subject of an adequacy decision made by the European Commission before IP completion day on the basis of Article 36(3) of the Law Enforcement Directive, other than a decision that, immediately before IP completion day, had been repealed or was suspended.
- (2) Where a decision described in sub-paragraph (1)(c) states that an adequate level of protection of personal data is ensured only for a transfer specified or described in the decision, only such a transfer may rely on that provision and that decision for the purposes of paragraph 10(1).
- (3) The reference to a decision in sub-paragraph (1)(c) is to the decision as it had effect in EU law immediately before IP completion day, subject to sub-paragraphs (4) and (5).
- (4) For the purposes of this paragraph, where a reference to legislation, a list or another document in a decision described in sub-paragraph (1)(c) is a reference to the legislation, list or document as it has effect from time to time, it is to be treated as a reference to the legislation, list or other document as it has effect at the time of the transfer.
- (5) For the purposes of this paragraph, where a decision described in sub-paragraph (1)(c) relates to—
- (a) transfers from the European Union (or the European Community) or the European Economic Area, or
 - (b) transfers to which the Law Enforcement Directive applies,

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it is to be treated as relating to equivalent transfers from the United Kingdom or transfers to which Part 3 of this Act applies (as appropriate).]

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)