

## **SCHEDULE 2**

**Regulation 13(1)**

### **MODIFICATIONS TO SECTIONS 10, 13, 14 AND 16 OF THE DATA PROTECTION ACT 1984 AND SCHEDULES 3 AND 4 THERETO AS EXTENDED BY REGULATION 13**

**1. In section 10—**

**(a) in subsection (1)—**

- (i) the word “registered” shall be omitted;**
- (ii) for the words “data protection principles” there shall be substituted the words “requirements of the Telecommunications (Data Protection and Privacy) (Direct Marketing) Regulations 1998 (in this section and section 16 below referred to as “a relevant requirement””, and**
- (iii) for the words “principle or principles” there shall be substituted the words “requirement or requirements”;**

**(b) in subsection (2), the words “or distress” shall be omitted;**

**(c) subsections (3) and (4) shall be omitted, and**

**(d) in subsection (5)(a), for the words “principle or principles” there shall be substituted the words “relevant requirement or requirements”.**

**2. In section 13—**

**(a) in subsection (1), for paragraphs (a) and (b) there shall be substituted the words “any enforcement notice with which that person has been served.”;**

**(b) subsection (2) shall be omitted, and**

**(c) in subsection (3), the words “paragraph (b) of” and the words “11(5) or 12(7)” shall be omitted.**

**3. In section 14—**

**(a) in subsection (1), the words “refusal or” (in both places where they occur), “decision or” and “made or” shall be omitted;**

**(b) in subsection (2), the words “refusal or” shall be omitted, and**

**(c) subsections (3) and (6) shall be omitted.**

**4. In section 16, for the words “data protection principles” there shall be substituted the words “relevant requirements”.**

**5. In paragraph 3 of Schedule 3, for the words “13(2) or (3)” there shall be substituted the words “13(3)”.**

**6. In paragraph 1 of Schedule 4, for sub-paragraph (b) there shall be substituted the following sub-paragraph—**

- “(b) that a person has contravened or is contravening any of the requirements of the Telecommunications (Data Protection and Privacy) (Direct Marketing) Regulations 1998 (in this Schedule referred to as “the 1998 Regulations”),”.**

**7. In paragraph 9 of Schedule 4—**

**(a) in sub-paragraph (1)(a), after the words “rights under” there shall be inserted the words “the 1998 Regulations or”, and**

**(b) in sub-paragraph (1)(b), after the words “arising out of” there shall be inserted the words “the 1998 Regulations or”.**