
STATUTORY INSTRUMENTS

2014 No. 3141

The Criminal Justice and Data Protection
(Protocol No. 36) Regulations 2014

PART 4

Data Protection in relation to Police and Judicial Cooperation in Criminal Matters

CHAPTER 2

Duties of competent authorities and rights of data subjects

Processing of personal data received from or made available by an authority in another Member State

38.—(1) A UK competent authority may only process personal data received from or made available by a non-UK competent authority for the purpose for which they were transmitted or made available, or for any of the following purposes—

- (a) the prevention, investigation, detection or prosecution of a criminal offence, or the execution of a criminal penalty, other than that for which the data were transmitted or made available;
- (b) other judicial and administrative proceedings directly linked to the prevention, investigation, detection or prosecution of a criminal offence or execution of a criminal penalty;
- (c) prevention of an immediate and serious threat to public security;
- (d) any other purpose only with the prior consent of the transmitting authority or the data subject's consent given in accordance with national law.

(2) A UK competent authority may undertake further processing of personal data for historical, statistical or scientific purposes if the relevant conditions are complied with.

(3) When undertaking further processing for historical, statistical or scientific purposes, consideration must be given to whether the purpose can be achieved by making the data anonymous.