

SCHEDULES

SCHEDULE 1

THE DATA PROTECTION PRINCIPLES

PART II

INTERPRETATION OF THE PRINCIPLES IN PART I

The eighth principle

- 15 (1) Where—
- (a) in any proceedings under this Act any question arises as to whether the requirement of the eighth principle as to an adequate level of protection is met in relation to the transfer of any personal data to a country or territory outside the European Economic Area, and
 - (b) a Community finding has been made in relation to transfers of the kind in question,
- that question is to be determined in accordance with that finding.
- (2) In sub-paragraph (1) “Community finding” means a finding of the European Commission, under the procedure provided for in Article 31(2) of the Data Protection Directive, that a country or territory outside the European Economic Area does, or does not, ensure an adequate level of protection within the meaning of Article 25(2) of the Directive.