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SCHEDULES

SCHEDULE 2

THE COMMISSIONER AND THE TRIBUNAL

PART I

PROVISION CONSEQUENTIAL ON S. 18(1) AND (2)

General

- 1 (1) Any reference in any enactment, instrument or document to the Data Protection Commissioner or the Data Protection Registrar shall be construed, in relation to any time after the commencement of section 18(1), as a reference to the Information Commissioner.
- (2) Any reference in any enactment, instrument or document to the Data Protection Tribunal shall be construed, in relation to any time after the commencement of section 18(2), as a reference to the Information Tribunal.

Commencement Information

- II** Sch. 2 para. 1 wholly in force at 14.5.2001; Sch. 2 para. 1(1) in force at 30.1.2001, see s. 87(2)(c)(3); Sch. 1 para. 1(2) in force at 14.5.2001 by S.I. 2001/1637, art. 2(b)

VALID FROM 01/04/2007

[^{F1}1A The Office for Standards in Education, Children's Services and Skills, in respect of information held for purposes other than those of the functions exercisable by Her Majesty's Chief Inspector of Education, Children's Services and Skills by virtue of section 5(1)(a)(iii) of the Care Standards Act 2000.]

Textual Amendments

- F1** Sch. 1 Pt. 1 para. 1A inserted (1.4.2007) by Education and Inspections Act 2006 (c. 40), ss. 157, 188, Sch. 14 para. 69(2)(b); S.I. 2007/935, art. 5(gg)

- 2 (1) Any reference in this Act or in any instrument under this Act to the Commissioner shall be construed, in relation to any time before the commencement of section 18(1), as a reference to the Data Protection Commissioner.

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- (2) Any reference in this Act or in any instrument under this Act to the Tribunal shall be construed, in relation to any time before the commencement of section 18(2), as a reference to the Data Protection Tribunal.

Public Records Act 1958 (c. 51)

- 3 (1) In Part II of the Table in paragraph 3 of Schedule 1 to the Public Records Act 1958 (definition of public records), the entry relating to the Data Protection Commissioner is omitted and there is inserted at the appropriate place—

“Information Commissioner.”

- (2) In paragraph 4(1) of that Schedule, for paragraph (nn) there is substituted—

“(nn) records of the Information Tribunal;”.

Commencement Information

- I2** Sch. 2 para. 3 wholly in force at 14.5.2001; Sch. 2 para. 3(1) in force at 30.1.2001, see s. 87(2)(c)(3); Sch. 2 para. 3(2) in force at 14.5.2001 by S.I. 2001/1637, art. 2(b)

Parliamentary Commissioner Act 1967 (c. 13)

- 4 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc. subject to investigation), the entry relating to the Data Protection Commissioner is omitted and there is inserted at the appropriate place—

“Information Commissioner”.

- 5 In Schedule 4 to that Act (tribunals exercising administrative functions), for the entry relating to the Data Protection Tribunal there is substituted—

“Information Tribunal constituted under section 6 of the Data Protection Act 1998.”

Superannuation Act 1972 (c. 11)

- 6 In Schedule 1 to the Superannuation Act 1972 (employment with superannuation scheme), for “Data Protection Commissioner” there is substituted “ Information Commissioner ”.

Consumer Credit Act 1974 (c. 39)

- 7 In section 159 of the Consumer Credit Act 1974 (correction of wrong information), in subsections (7) and (8)(b), for “Data Protection Commissioner”, in both places where it occurs, there is substituted “ Information Commissioner ”.

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House of Commons Disqualification Act 1975 (c. 24)

- 8 (1) In Part II of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies whose members are disqualified), the entry relating to the Data Protection Tribunal is omitted and there is inserted at the appropriate place—

“The Information Tribunal”.

- (2) In Part III of that Schedule (disqualifying offices), the entry relating to the Data Protection Commissioner is omitted and there is inserted at the appropriate place—

“The Information Commissioner”.

Commencement Information

- I3** Sch. 2 para. 8 wholly in force at 14.5.2001; Sch. 2 para. 8(2) in force at 30.1.2001, see s. 87(2)(c)(3); Sch. 2 para. 8(1) in force at 14.5.2001 by S.I. 2001/1637, art. 2(b)

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 9 (1) In Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies whose members are disqualified), the entry relating to the Data Protection Tribunal is omitted and there is inserted at the appropriate place—

“The Information Tribunal”.

- (2) In Part III of that Schedule (disqualifying offices), the entry relating to the Data Protection Commissioner is omitted and there is inserted at the appropriate place—

“The Information Commissioner”.

Commencement Information

- I4** Sch. 2 para. 9 wholly in force at 14.5.2001; Sch. 2 para. 9(2) in force at 30.1.2001, see s. 87(2)(c)(3); Sch. 2 para. 9(1) in force at 14.5.2001 by S.I. 2001/1637, art. 2(b)

Tribunals and Inquiries Act 1992 (c. 53)

- 10 In paragraph 14 of Part I of Schedule 1 to the Tribunals and Inquiries Act 1992 (tribunals under direct supervision of Council on Tribunals)—

(a) in sub-paragraph (a), for “The Data Protection Commissioner” there is substituted “The Information Commissioner”, and

(b) for sub-paragraph (b) there is substituted—

“(b) the Information Tribunal constituted under that section, in respect of its jurisdiction under—

(i) section 48 of that Act, and

(ii) section 57 of the Freedom of Information Act 2000.”

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Commencement Information

- I5** Sch. 2 para. 10 wholly in force at 30.11.2002; Sch. 2 para. 10(a) in force at 30.1.2001, see s. 87(2)(c)(3); Sch. 2 para. 10(b) in force at 30.11.2002 by S.I. 2002/2812, art. 2(h)

Judicial Pensions and Retirement Act 1993 (c. 8)

- 11 In Schedule 5 to the Judicial Pensions and Retirement Act 1993 (retirement provisions: the relevant offices), in the entry relating to the chairman and deputy chairman of the Data Protection Tribunal, for “the Data Protection Tribunal” there is substituted “ the Information Tribunal ”.
- 12 In Schedule 7 to that Act (retirement dates: transitional provisions), in paragraph 5(5)(xxvi) for “the Data Protection Tribunal” there is substituted “ the Information Tribunal ”.

Data Protection Act 1998 (c. 29)

- 13 (1) Section 6 of the Data Protection Act 1998 (the Data Protection Commissioner and the Data Protection Tribunal) is amended as follows.
- (2) For subsection (1) there is substituted—
- “(1) For the purposes of this Act and of the Freedom of Information Act 2000 there shall be an officer known as the Information Commissioner (in this Act referred to as “the Commissioner”).”
- (3) For subsection (3) there is substituted—
- “(3) For the purposes of this Act and of the Freedom of Information Act 2000 there shall be a tribunal known as the Information Tribunal (in this Act referred to as “the Tribunal”).”

Commencement Information

- I6** Sch. 2 para. 13 wholly in force at 14.5.2001; Sch. 2 para. 13(1)(2) in force at 30.1.2001, see s. 87(2)(c)(3); Sch. 2 para. 13(3) in force at 14.5.2001 by S.I. 2001/1637, art. 2(b)

- 14 In section 70(1) of that Act (supplementary definitions)—
- (a) in the definition of “the Commissioner”, for “the Data Protection Commissioner” there is substituted “ the Information Commissioner ”, and
- (b) in the definition of “the Tribunal”, for “the Data Protection Tribunal” there is substituted “ the Information Tribunal ”.

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Commencement Information

I7 Sch. 2 para. 14 wholly in force at 14.5.2001; Sch. 2 para. 14(a) in force at 30.1.2001, see s. 87(2)(c)(3); Sch. 2 para. 14(b) in force at 14.5.2001 by S.I. 2001/1637, art. 2(b)

15 (1) Schedule 5 to that Act (the Data Protection Commissioner and the Data Protection Tribunal) is amended as follows.

(2) In paragraph 1(1), for “Data Protection Commissioner” there is substituted “Information Commissioner”.

(3) Part III shall cease to have effect.

Commencement Information

I8 Sch. 2 para. 15 wholly in force at 14.5.2001; Sch. 2 para. 15(1)(2) in force at 30.1.2001, see s. 87(2)(c)(3); Sch. 2 para. 15(3) in force at 14.5.2001 by S.I. 2001/1637, art. 2(b)

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