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**Changes to legislation:** Data Protection Act 2018, Paragraph 10 is up to date with all changes known to be in force on or before 08 May 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](#)

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# SCHEDULES

## SCHEDULE 1

### SPECIAL CATEGORIES OF PERSONAL DATA AND CRIMINAL CONVICTIONS ETC DATA

#### PART 2

##### SUBSTANTIAL PUBLIC INTEREST CONDITIONS

###### *Preventing or detecting unlawful acts*

- 10 (1) This condition is met if the processing—
- (a) is necessary for the purposes of the prevention or detection of an unlawful act,
  - (b) must be carried out without the consent of the data subject so as not to prejudice those purposes, and
  - (c) is necessary for reasons of substantial public interest.
- (2) If the processing consists of the disclosure of personal data to a competent authority, or is carried out in preparation for such disclosure, the condition in sub-paragraph (1) is met even if, when the processing is carried out, the controller does not have an appropriate policy document in place (see paragraph 5 of this Schedule).
- (3) In this paragraph—
- “act” includes a failure to act;
  - “competent authority” has the same meaning as in Part 3 of this Act (see section 30).

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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):

- s. 204(1)(l) inserted by [S.I. 2024/374 Sch. 5 para. 7](#)
- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)