

## SCHEDULES

### SCHEDULE 14

#### CO-OPERATION AND MUTUAL ASSISTANCE

#### PART 2

#### DATA PROTECTION CONVENTION

##### *Co-operation between the Commissioner and foreign designated authorities*

- 6 (1) The Commissioner must, at the request of a foreign designated authority—
- (a) provide that authority with such information referred to in Article 13(3)(a) of the Data Protection Convention (information on law and administrative practice in the field of data protection) as is the subject of the request, and
  - (b) take appropriate measures in accordance with Article 13(3)(b) of the Data Protection Convention for providing that authority with information relating to the processing of personal data in the United Kingdom.
- (2) The Commissioner may ask a foreign designated authority—
- (a) to provide the Commissioner with information referred to in Article 13(3) of the Data Protection Convention, or
  - (b) to take appropriate measures to provide such information.

##### *Assisting persons resident outside the UK with requests under Article 14 of the Convention*

- 7 (1) This paragraph applies where a request for assistance in exercising any of the rights referred to in Article 8 of the Data Protection Convention in the United Kingdom is made by a person resident outside the United Kingdom, including where the request is forwarded to the Commissioner through the Secretary of State or a foreign designated authority.
- (2) The Commissioner must take appropriate measures to assist the person to exercise those rights.

##### *Assisting UK residents with requests under Article 8 of the Convention*

- 8 (1) This paragraph applies where a request for assistance in exercising any of the rights referred to in Article 8 of the Data Protection Convention in a country or territory (other than the United Kingdom) specified in the request is—
- (a) made by a person resident in the United Kingdom, and
  - (b) submitted through the Commissioner under Article 14(2) of the Convention.
- (2) If the Commissioner is satisfied that the request contains all necessary particulars referred to in Article 14(3) of the Data Protection Convention, the Commissioner

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must send the request to the foreign designated authority in the specified country or territory.

- (3) Otherwise, the Commissioner must, where practicable, notify the person making the request of the reasons why the Commissioner is not required to assist.

*Restrictions on use of information*

- 9       Where the Commissioner receives information from a foreign designated authority as a result of—
- (a) a request made by the Commissioner under paragraph 6(2), or
  - (b) a request received by the Commissioner under paragraph 6(1) or 7,
- the Commissioner may use the information only for the purposes specified in the request.

*Foreign designated authority*

- 10       In this Part of this Schedule, “foreign designated authority” means an authority designated for the purposes of Article 13 of the Data Protection Convention by a party, other than the United Kingdom, which is bound by that Data Protection Convention.