

## SCHEDULE 2

### Consequential amendments to primary legislation

#### **Data Protection Act 1998**

**31.** In Schedule 6 (appeal proceedings)—

(a) omit paragraphs 1 to 6; and

(b) in paragraph 7—

(i) for the heading substitute “Tribunal Procedure Rules”;

(ii) for sub-paragraphs (1) and (2) substitute—

“(1) Tribunal Procedure Rules may make provision for regulating the exercise of the rights of appeal conferred—

(a) by sections 28(4) and (6) and 48 of this Act, and

(b) by sections 47(1) and (2) and 60(1) and (4) of the Freedom of Information Act 2000.

(2) In the case of appeals under this Act and the Freedom of Information Act 2000, Tribunal Procedure Rules may make provision—

(a) for securing the production of material used for the processing of personal data;

(b) for the inspection, examination, operation and testing of any equipment or material used in connection with the processing of personal data;

(c) for hearing an appeal in the absence of the appellant or for determining an appeal without a hearing.”; and

(iii) omit sub-paragraph (3).