

*Status: Point in time view as at 25/05/2018.*

**Changes to legislation:** Data Protection Act 2018, Cross Heading: Enforcement notices is up to date with all changes known to be in force on or before 25 June 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)

## SCHEDULES

### SCHEDULE 20

#### TRANSITIONAL PROVISION ETC

#### PART 7

#### ENFORCEMENT ETC UNDER THE 1998 ACT

##### *Enforcement notices*

- 33 (1) The repeal of sections 40 and 41 of the 1998 Act (enforcement notices) does not affect the application of those sections after the relevant time in a case in which—
- (a) the Commissioner served a notice under section 40 of the 1998 Act before the relevant time (and did not cancel it before that time), or
  - (b) the Commissioner is satisfied, after that time, that a data controller —
    - (i) contravened the old data protection principles before that time, or
    - (ii) contravened the sixth data protection principle sections after that time.
- (2) In this paragraph, “the relevant time” means the time when the repeal of section 40 of the 1998 Act comes into force.

#### **Commencement Information**

**II** Sch. 20 para. 33 in force at 25.5.2018 by S.I. 2018/625, reg. 2(1)(g)

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