

Status: Point in time view as at 18/01/2010.

Changes to legislation: Data Protection Act 1998, SCHEDULE 6 is up to date with all changes known to be in force on or before 10 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 6

Sections 28(12), 48(5).

APPEAL PROCEEDINGS

Modifications etc. (not altering text)

- C1** Sch. 6 applied (with modifications) (1.3.2000) by S.I. 1999/2093, **reg. 32(8)(a)**
Sch. 6 applied (30.11.2002) by 2000 c. 36, ss. 61(2), 87(3) (with ss. 7(1)(7), 56, 78); S.I. 2002/2812, **art. 2**
Sch. 6 applied (with modifications) (11.12.2003) by The Privacy and Electronic Communications (EC Directive) Regulations 2003 (S.I. 2003/2426), **reg. 28(8)(b)** (with regs. 4, 15(3), 28, 29)
- C2** Sch. 6 extended (with modifications) (11.12.2003) by the Privacy and Electronic Communications (EC Directive) Regulations (S.I. 2003/2426), {reg. 31}, Sch. 1 (with regs. 4, 15(3), 28, 29) (Sch. 1 amended (26.5.2011) by The Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2011 (S.I. 2011/1208), reg. {14})
- C3** Sch. 6 applied (6.4.2010) by The Data Protection (Monetary Penalties) Order 2010 (S.I. 2010/910), **art. 7**
- C4** Sch. 6 applied (with modifications) (26.5.2011) by The Privacy and Electronic Communications (EC Directive) Regulations 2003 (S.I. 2003/2426), reg. 31B, **Sch. 1** (reg. 31B being inserted and Sch. 1 amended (26.5.2011) by The Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2011 (S.I. 2011/1208), regs. {12}{14})

Hearing of appeals

1 **F1**

Textual Amendments

- F1** Sch. 6 paras. 1-6 omitted (18.1.2010) by virtue of The Transfer of Tribunal Functions Order 2010 (S.I. 2010/22), arts. 1(1), 5(1), **Sch. 2 para. 31(a)**

Constitution of Tribunal in national security cases

2 **F2**

Textual Amendments

- F2** Sch. 6 paras. 1-6 omitted (18.1.2010) by virtue of The Transfer of Tribunal Functions Order 2010 (S.I. 2010/22), arts. 1(1), 5(1), **Sch. 2 para. 31(a)**

3 **F3**

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Textual Amendments

F3 Sch. 6 paras. 1-6 omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), **Sch. 2 para. 31(a)**

Constitution of Tribunal in other cases

4 **F4**

Textual Amendments

F4 Sch. 6 paras. 1-6 omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), **Sch. 2 para. 31(a)**

Determination of questions by full Tribunal

5 **F5**

Textual Amendments

F5 Sch. 6 paras. 1-6 omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), **Sch. 2 para. 31(a)**

Ex parte proceedings

6 **F6**

Textual Amendments

F6 Sch. 6 paras. 1-6 omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), **Sch. 2 para. 31(a)**

[^{F7}Tribunal Procedure Rules]

Textual Amendments

F7 Sch. 6 para. 7: heading substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), **Sch. 2 para. 31(b)(i)**

- 7 [^{F8}(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—

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- (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.]

(3) ^{F9}

Textual Amendments

- F8** Sch. 6 para. 7(1)(2) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), **Sch. 2 para. 31(b)(ii)**
- F9** Sch. 6 para. 7(3) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(1), **Sch. 2 para. 31(b)(iii)**

Commencement Information

- I1** Sch. 6 para. 7 wholly in force at 1.3.2000; Sch. 6 para. 7 in force for certain purposes at Royal Assent see s. 75(2)(i); Sch. 6 para. 7 in force at 1.3.2000 insofar as not already in force by [S.I. 2000/183](#), **art. 2(1)**

Obstruction etc.

- 8
- (1) If any person is guilty of any act or omission in relation to proceedings before the Tribunal which, if those proceedings were proceedings before a court having power to commit for contempt, would constitute contempt of court, the Tribunal may certify the offence to the High Court or, in Scotland, the Court of Session.
 - (2) Where an offence is so certified, the court may inquire into the matter and, after hearing any witness who may be produced against or on behalf of the person charged with the offence, and after hearing any statement that may be offered in defence, deal with him in any manner in which it could deal with him if he had committed the like offence in relation to the court.

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