
Changes to legislation: Data Protection Act 2018, Paragraph 6 is up to date with all changes known to be in force on or before 21 July 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

SCHEDULES

SCHEDULE 5

ACCREDITATION OF CERTIFICATION PROVIDERS: REVIEWS AND APPEALS

Decision following referral to appeal panel

- 6 (1) The appeal panel must, before the end of the period of 28 days beginning with the day on which the appeal panel is established in accordance with paragraph 4—
- (a) make a reasoned recommendation in writing to the accreditation authority, and
 - (b) give a copy of the recommendation to the applicant.
- (2) For the purposes of sub-paragraph (1), where there is an objection under paragraph 4(7), an appeal panel is not to be taken to be established in accordance with paragraph 4 until the replacement member is appointed (or, if there is more than one objection, until the last replacement member is appointed).
- (3) The accreditation authority must, before the end of the period of 3 working days beginning with the day on which the authority receives the recommendation—
- (a) make a reasoned final decision in writing, and
 - (b) give a copy of the decision to the applicant.
- (4) Where the accreditation authority is the [^{F1}UK national accreditation body], the recommendation must be given to, and the final decision must be made by, the chief executive of that body.

Textual Amendments

- F1** Words in Sch. 5 para. 6(4) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), Sch. 2 para. 95(c) (with reg. 5); 2020 c. 1, Sch. 5 para. 1(1)

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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. 13A inserted by [2024 c. 21 s. 31\(4\)](#)
- 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\(3\)](#)