



# Data Protection Act 2018

## 2018 CHAPTER 12

### PART 3

#### LAW ENFORCEMENT PROCESSING

### CHAPTER 4

#### CONTROLLER AND PROCESSOR

##### *General obligations*

#### **64 Data protection impact assessment**

- (1) Where a type of processing is likely to result in a high risk to the rights and freedoms of individuals, the controller must, prior to the processing, carry out a data protection impact assessment.
- (2) A data protection impact assessment is an assessment of the impact of the envisaged processing operations on the protection of personal data.
- (3) A data protection impact assessment must include the following—
  - (a) a general description of the envisaged processing operations;
  - (b) an assessment of the risks to the rights and freedoms of data subjects;
  - (c) the measures envisaged to address those risks;
  - (d) safeguards, security measures and mechanisms to ensure the protection of personal data and to demonstrate compliance with this Part, taking into account the rights and legitimate interests of the data subjects and other persons concerned.
- (4) In deciding whether a type of processing is likely to result in a high risk to the rights and freedoms of individuals, the controller must take into account the nature, scope, context and purposes of the processing.

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**Status:** Point in time view as at 25/05/2018.

**Changes to legislation:** Data Protection Act 2018, Section 64 is up to date with all changes known to be in force on or before 04 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)

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#### **Commencement Information**

**II** S. 64 in force at 25.5.2018 by S.I. 2018/625, reg. 2(1)(c)

**Status:**

Point in time view as at 25/05/2018.

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