
STATUTORY INSTRUMENTS

2014 No. 3141

The Criminal Justice and Data Protection
(Protocol No. 36) Regulations 2014

PART 4

Data Protection in relation to Police and Judicial Cooperation in Criminal Matters

CHAPTER 2

Duties of competent authorities and rights of data subjects

Prior consultation

48.—(1) A UK competent authority that wishes to process personal data in the circumstances described in paragraph (2) must consult the Commissioner before doing so.

(2) Those circumstances are that the processing of the data will form part of a new filing system to be created where—

- (a) sensitive personal data are to be processed; or
- (b) the type of processing, in particular using new technologies, mechanisms or procedures, holds otherwise specific risks for the fundamental rights and freedoms, and in particular the privacy, of the data subject.