



# House of Commons

Tuesday 15 May 2018

## CONSIDERATION OF LORDS MESSAGE

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*New Amendments handed in are marked thus ★*

### DATA PROTECTION BILL [*LORDS*]

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*On Consideration of Lords Message*

Lords Amendment No. **62B**

Secretary Matt Hancock

★ To move, That this House disagrees to Lords Amendment No. 62B proposed instead of the words left out of the Bill by Commons Amendment No. 62 but proposes amendment (a) to Clause (*Review of processing of personal data for the purposes of journalism*) inserted by Commons Amendment No. 109 and amendment (b) to the Bill in lieu of the Lords Amendment:—

Line 23, at end insert— (a)  
 “( ) Schedule (*Review of processing of personal data for the purposes of journalism*) makes further provision for the purposes of the review under this section.”

Page 203, line 16, at end insert the following new Schedule— (b)

“REVIEW OF PROCESSING OF PERSONAL DATA FOR THE PURPOSES OF JOURNALISM

#### *Interpretation*

- 1 In this Schedule—  
 “the review” means the review under section (*Review of processing of personal data for the purposes of journalism*);  
 “the relevant period” means the period of 18 months beginning when the Commissioner starts the review.

#### *Information notices*

- 2 (1) This paragraph applies where the Commissioner gives an information notice during the relevant period.  
 (2) If the information notice—

**Data Protection Bill [Lords], continued**

- (a) states that, in the Commissioner's opinion, the information is required for the purposes of the review, and
- (b) gives the Commissioner's reasons for reaching that opinion, subsections (5) and (6) of section 143 do not apply but the notice must not require the information to be provided before the end of the period of 24 hours beginning when the notice is given.

*Assessment notices*

- 3 (1) Sub-paragraph (2) applies where the Commissioner gives an assessment notice to a person during the relevant period.
- (2) If the assessment notice—
  - (a) states that, in the Commissioner's opinion, it is necessary for the controller or processor to comply with a requirement in the notice for the purposes of the review, and
  - (b) gives the Commissioner's reasons for reaching that opinion, subsections (6) and (7) of section 146 do not apply but the notice must not require the controller or processor to comply with the requirement before the end of the period of 7 days beginning when the notice is given.
- (3) During the relevant period, section 147 has effect as if for subsection (5) there were substituted—
  - “(5) The Commissioner may not give a controller or processor an assessment notice with respect to the processing of personal data for the special purposes unless a determination under section 174 with respect to the data or the processing has taken effect.”

*Applications in respect of urgent notices*

- 4 Section (*Applications in respect of urgent notices*) applies where an information notice or assessment notice contains a statement under paragraph 2(2)(a) or 3(2)(a) as it applies where such a notice contains a statement under section 143(7)(a) or 146(8)(a).”
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