

# Data Protection Bill [HL]

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## AMENDMENTS

### TO BE MOVED

#### IN COMMITTEE OF THE WHOLE HOUSE

*[Supplementary to the Revised Second Marshalled List]*

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#### **Schedule 6**

LORD STEVENSON OF BALMACARA  
LORD KENNEDY OF SOUTHWARK

Page 157, line 25, leave out paragraph 4

#### **Clause 24**

LORD STEVENSON OF BALMACARA  
LORD KENNEDY OF SOUTHWARK

Page 14, line 40, at end insert “where the provision is likely to prejudice the combat effectiveness of the armed forces.”

Page 14, line 40, at end insert –

“( ) Subsection (1)(b) does not include the processing of civilian personnel records by a body that has defence responsibilities.”

#### **Clause 25**

LORD STEVENSON OF BALMACARA  
LORD KENNEDY OF SOUTHWARK

Page 15, line 37, at end insert –

“( ) The Commissioner must be notified where a certificate is issued under subsection (1).”

Page 15, line 41, at end insert –

“( ) does not apply to the defence purposes exemption in section 24.”

Page 15, line 41, at end insert –

“( ) must be made publicly available where such a revelation does not affect national security.”

**Clause 26**

LORD STEVENSON OF BALMACARA  
LORD KENNEDY OF SOUTHWARK

Page 16, line 31, after “purposes” insert “where the prohibition is likely to prejudice the combat effectiveness of the armed forces”

**Clause 62**

BARONESS HAMWEE  
LORD PADDICK

Page 35, line 40, at end insert –

“( ) In subsection (4), reference to “nature” includes the use of new technologies, mechanisms and procedures in the processing of personal data.”

**Clause 66**

BARONESS HAMWEE  
LORD PADDICK

Page 38, line 10, leave out “has” and insert “had”

**Clause 71**

BARONESS HAMWEE  
LORD PADDICK

Page 41, line 34, leave out paragraph (b)

**Clause 80**

LORD STEVENSON OF BALMACARA  
LORD KENNEDY OF SOUTHWARK

Page 47, line 19, leave out lines 19 to 28 and insert –

“( ) This Part applies to processing undertaken for the purposes of safeguarding national security.”

**Schedule 10**

BARONESS HAMWEE  
LORD PADDICK

Page 172, line 26, at end insert –

“(2) In any case under this paragraph, the processing and the reasons for the processing must be reported to the Commissioner.”

**Clause 85**

BARONESS HAMWEE  
LORD PADDICK

Page 50, line 16, after “collected” insert “only”

**After Clause 90**

LORD STEVENSON OF BALMACARA  
LORD KENNEDY OF SOUTHWARK

Insert the following new Clause –

**“The rights of data subjects in non-sensitive roles**

- (1) The rights of data subjects set out in Chapter 3 of this Part apply only to data subjects carrying out roles considered to be sensitive.
- (2) Data subjects carrying out non-sensitive roles have the same rights in respect of their personal data as data subjects covered by Part 2 of this Act.
- (3) The Secretary of State may by regulations made by statutory instrument determine the roles considered to be sensitive for the purposes of subsection (1).
- (4) Regulations under subsection (3) are subject to the affirmative resolution procedure.”

**Clause 92**

LORD STEVENSON OF BALMACARA  
LORD KENNEDY OF SOUTHWARK

Page 52, line 19, at end insert –

“( ) the existence of the right to object to automated-decision making.”

Page 52, line 20, leave out subsections (3) and (4)

**Clause 94**

LORD STEVENSON OF BALMACARA  
LORD KENNEDY OF SOUTHWARK

Page 54, line 24, at end insert –

“( ) The controller must inform the data subject of their right not to be subject to automated decision-making.”

**Clause 108**

LORD STEVENSON OF BALMACARA  
LORD KENNEDY OF SOUTHWARK

Page 60, line 4, leave out paragraphs (c) to (e)

**Clause 109**

LORD STEVENSON OF BALMACARA  
LORD KENNEDY OF SOUTHWARK

Page 60, line 25, at end insert –

“( ) must be made publicly available where such a revelation does not affect national security.”

**Clause 109** - *continued*

Page 60, line 25, at end insert—

“( ) The Commissioner must be notified where a certificate is issued under subsection (1).”

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*8 November 2017*

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