

**DATA PROTECTION ACT 1998
(Section 54(6) and Schedule 4, paragraph 9)
AUTHORISATION**

The European Commission has adopted a decision on a set of standard contractual clauses for the transfer of personal data to third countries under Directive 95/46/EC¹ (the "Decision") which sets out model contract clauses intended to provide adequate safeguards for personal data transferred by data controllers established in the EU, from the EU to data processors established in countries outside the EU (the "model terms"). In addition the European Commission has repealed Decision 2002/16/EC with effect from 15 May 2010.

The Decision was made pursuant to Article 26(4) of Directive 95/46/EC, and therefore, under Section 54(6) of the Data Protection Act 1998 (the "Act"), I am obliged to comply with the Decision when exercising my functions under paragraph 9 of Schedule 4 to the Act. This latter provision of the Act provides that the Eighth Data Protection Principle does not apply where the transfer has been authorised by me as being made in such a manner as to ensure adequate safeguards for the rights and freedoms of data subjects.

Accordingly, pursuant to paragraph 9 of Schedule 4 to the Act, I hereby authorise transfers made using the model terms set out in the Decision as being made in a manner which ensures adequate safeguards for the rights and freedoms of data subjects.

In addition I withdraw the authorisation dated 18 March 2003 in relation to Decision 2002/16/EC for those contracts made pursuant to that Decision and concluded after 15 May 2010. Any contract concluded before that date shall remain in force and effect for as long as the transfers and data processing operations that are the subject matter of the contract remain unchanged and personal data covered by the Decision continue to be transferred between the parties.

This authorisation does not extend to the transfer of personal data by data controllers established in the EU to data controllers established outside the EU.

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¹ C(2010) 593 (5 February 2010)

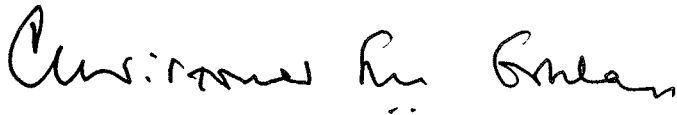
2.

The text of the Decision, including the model terms is available from the Commission's website at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:039:0005:0018:EN:PDF>

Dated 17th day of May 2010

Signed



CHRISTOPHER GRAHAM
Information Commissioner



Mixed Sources
Product group from well-managed
forests, controlled sources and
recycled wood or fiber

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