

SCHEDULES

SCHEDULE 1

THE DATA PROTECTION PRINCIPLES

PART II

INTERPRETATION OF THE PRINCIPLES IN PART I

The seventh principle

- 9 Having regard to the state of technological development and the cost of implementing any measures, the measures must ensure a level of security appropriate to—
- (a) the harm that might result from such unauthorised or unlawful processing or accidental loss, destruction or damage as are mentioned in the seventh principle, and
 - (b) the nature of the data to be protected.
- 10 The data controller must take reasonable steps to ensure the reliability of any employees of his who have access to the personal data.
- 11 Where processing of personal data is carried out by a data processor on behalf of a data controller, the data controller must in order to comply with the seventh principle—
- (a) choose a data processor providing sufficient guarantees in respect of the technical and organisational security measures governing the processing to be carried out, and
 - (b) take reasonable steps to ensure compliance with those measures.
- 12 Where processing of personal data is carried out by a data processor on behalf of a data controller, the data controller is not to be regarded as complying with the seventh principle unless—
- (a) the processing is carried out under a contract—
 - (i) which is made or evidenced in writing, and
 - (ii) under which the data processor is to act only on instructions from the data controller, and
 - (b) the contract requires the data processor to comply with obligations equivalent to those imposed on a data controller by the seventh principle.