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STATUTORY INSTRUMENTS

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**2000 No. 190**

**The Data Protection (International Co-operation) Order 2000**

**Requests from supervisory authorities in relation to certain data controllers**

**5.—(1)** This article applies in any case where a data controller is processing data in the United Kingdom—

- (a) in circumstances other than those described in section 5(1) of the Act, and
- (b) within the scope of the functions of a supervisory authority in another EEA State.

(2) The Commissioner may, at the request of a supervisory authority referred to in paragraph (1) (b), exercise his functions under Part V of the Act in relation to the processing referred to in paragraph (1) as if the data controller were processing those data in the circumstances described in section 5(1)(a) of the Act.

(3) Where the Commissioner has received a request from a supervisory authority under paragraph (2), he shall—

- (a) in any case where he decides to exercise his functions under Part V of the Act, send to the supervisory authority as soon as reasonably practicable after exercising those functions such statement of the extent of the action that he has taken as he thinks fit; and
- (b) in any case where he decides not to exercise those functions, send to the supervisory authority as soon as reasonably practicable after making the decision the reasons for that decision.