
STATUTORY INSTRUMENTS

2000 No. 206

The Data Protection Tribunal (National Security Appeals) Rules 2000

Application and interpretation

2.—(1) These Rules apply to appeals under section 28 of the Act, and the provisions of these Rules are to be construed accordingly.

(2) In these Rules, unless the context otherwise requires—

“the Act” means the Data Protection Act 1998;

“appeal” means an appeal under section 28 of the Act;

“appellant” means a person who brings or intends to bring an appeal under section 28 of the Act;

“costs”—

(a) except in Scotland, includes fees, charges, disbursements, expenses and remuneration;

(b) in Scotland means expenses, and includes fees, charges, disbursements and remuneration;

“disputed certification” means—

(a) in relation to an appeal under section 28(4) of the Act, the certificate against which the appeal is brought or intended to be brought, and

(b) in relation to an appeal under section 28(6) of the Act, the claim by the data controller, against which the appeal is brought or intended to be brought, that a certificate applies to any personal data;

“party” has the meaning given in paragraph (3) below;

“president” means the person designated by the Lord Chancellor under paragraph 3 of Schedule 6 to the Act to preside when the Tribunal is constituted under that paragraph;

“proper officer” in relation to a rule means an officer or member of staff provided to the Tribunal under paragraph 14 of Schedule 5 to the Act and appointed by the chairman to perform the duties of a proper officer under that rule;

“relevant Minister” means the Minister of the Crown who is responsible for the signing of the certificate under section 28(2) of the Act to which the appeal relates, and except where the context otherwise requires, references in these Rules to the relevant Minister include a person appointed under rule 21 below to represent his interests; and

“respondent data controller” in relation to an appeal under section 28(6) of the Act means the data controller making the claim which constitutes the disputed certification.

(3) In these Rules, except where the context otherwise requires, “party” means the appellant or—

(a) in relation to an appeal under section 28(4) of the Act, the relevant Minister, and

(b) in relation to an appeal under section 28(6) of the Act, the respondent data controller,

and, except where the context otherwise requires, references in these Rules to a party or to any such party include a person appointed under rule 21 below to represent his interests.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(4) In relation to proceedings before the Tribunal in Scotland, for the words “ on the trial of an action” in rules 15(6) and 26(2) below there is substituted “ in a proof”.