

## SCHEDULE 1

Modifications for the purposes of these Regulations to Part V of the Data Protection Act 1998 and Schedules 6 and 9 to that Act as extended by Regulation 31

**4.** In section 43—

(a) for subsections (1) and (2) there shall be substituted the following provisions—

“(1) If the Commissioner reasonably requires any information for the purpose of determining whether a person has complied or is complying with the relevant requirements, he may serve that person with a notice (in this Act referred to as “an information notice”) requiring him, within such time as is specified in the notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to compliance with the relevant requirements as is so specified.

(2) An information notice must contain a statement that the Commissioner regards the specified information as relevant for the purpose of determining whether the person has complied or is complying with the relevant requirements and his reason for regarding it as relevant for that purpose.”

(b) in subsection (6)(a), after the word “under” there shall be inserted the words “the Privacy and Electronic Communications (EC Directive) Regulations 2003 or”;

(c) in subsection (6)(b), after the words “arising out of” there shall be inserted the words “the said Regulations or”;

(d) subsection (10) shall be omitted.