

L.N. 108 of 2020

**DATA PROTECTION ACT
(CAP. 586)**

Data Protection (Processing of Personal Data by Competent Authorities for the Purposes of the Prevention, Investigation, Detection or Prosecution of Criminal Offences or the Execution of Criminal Penalties) (Amendment) Regulations, 2020

IN EXERCISE of the powers conferred by article 4(1) of the Data Protection Act, the Minister for Justice, Equality and Governance, after consultation with the Minister for Home Affairs, National Security and Law Enforcement and the Information and Data Protection Commissioner, has made the following regulations:-

1. The title of these regulations is the Data Protection (Processing of Personal Data by Competent Authorities for the Purposes of the Prevention, Investigation, Detection or Prosecution of Criminal Offences or the Execution of Criminal Penalties) (Amendment) Regulations, 2020, and these regulations shall be read and construed as one with the Data Protection (Processing of Personal Data by Competent Authorities for the Purposes of the Prevention, Investigation, Detection or Prosecution of Criminal Offences or the Execution of Criminal Penalties) Regulations, hereinafter referred to as the "principal regulations". Citation.
S.L. 586.08.
2. In regulation 2, in the definition of "Commissioner", the words "article 12" shall be substituted by the words "article 11". Amends
regulation 2 of
the principal
regulations.
3. Sub-regulation (1) of regulation 38 of the principal regulations shall be amended as follows: Amends
regulation 38 of
the principal
regulations.
 - (a) in paragraph (c) thereof, the words "relating to the purposes set out in regulation 3(1):" shall be substituted by the words "relating to the purposes set out in regulation 3(1)" and immediately thereafter, there shall be added the words "or resulting from, or otherwise relating to, a criminal offence:"; and
 - (b) in the proviso of paragraph (c) thereof, the words "necessitating the communication;" shall be substituted by the words "necessitating the communication:" and immediately thereafter, there shall be added the following new proviso:

"Provided further that the data communicated to

private parties shall be limited to what is strictly necessary to adequately identify the persons mentioned under regulation 6(a) in order to exercise his rights under this paragraph."

Amends
regulation 54 of
the principal
regulations.

4. In Regulation 54, the words "Article 32" shall be substituted by the words "Article 31".
