



STATUTORY INSTRUMENTS.

S.I. No. 337 of 2014



DATA PROTECTION ACT 1988 (COMMENCEMENT) ORDER 2014

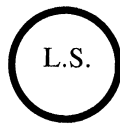
S.I. No. 337 of 2014

DATA PROTECTION ACT 1988 (COMMENCEMENT) ORDER 2014

I, FRANCES FITZGERALD, Minister for Justice and Equality, in exercise of the powers conferred on me by section 35(2) of the Data Protection Act 1988 (No. 25 of 1988) (as adapted by the Justice and Law Reform (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 138 of 2011)), hereby order as follows:

1. This Order may be cited as the Data Protection Act 1988 (Commencement) Order 2014.

2. The 18th day of July 2014 is fixed as the day on which the Data Protection Act 1988 (No. 25 of 1988), insofar as it is not already in operation, shall come into operation.



GIVEN under my Official Seal,
18 July 2014.

FRANCES FITZGERALD,
Minister for Justice and Equality.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 25th July, 2014.*

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This Order appoints 18th July, 2014 as the date on which the Data Protection Act 1988, insofar as it is not already in operation, comes into force.

The effect of this Order is to commence sections 6(2)(b) and 10(7)(b) of the Data Protection Act 1988 (as amended by sections 7(b) and 11(e) respectively of the Data Protection (Amendment) Act 2003).

Section 6 already provides that a data controller must rectify, block or erase personal data that are collected, processed or otherwise dealt with in contravention of the Data Protection Acts and to notify the data subject accordingly. Following its commencement, subsection (2)(b) will require the data controller to also notify any person to whom the personal data were disclosed during the preceding 12 months unless such notification proves impossible or involves a disproportionate effort.

Section 10 already provides that a data controller must notify the data subject where the controller blocks, rectifies, erases, destroys or adds a statement to personal data in compliance with an enforcement notice issued by the Data Protection Commissioner. Following its commencement, subsection (7)(b) will require the data controller to also notify any person to whom the personal data were disclosed during the preceding 12 months unless such notification proves impossible or involves a disproportionate effort.

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