



Information Commissioner's Office

## **The Information Commissioner's response to the consultation on the proposed amendments to Schedule 6 of the Gambling Act 2005**

The Information Commissioner has responsibility for promoting and enforcing the Data Protection Act 1998 (DPA), the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations (EIR) and the Privacy and Electronic Communications Regulations. He is independent from government and upholds information rights in the public interest, promoting openness by public bodies and data privacy for individuals. The Commissioner does this by providing guidance to individuals and organisations, solving problems where he can, and taking appropriate action where the law is broken.

The Information Commissioner's Office (ICO) welcomes the opportunity to comment on the proposed amendments to Schedule 6 of the Gambling Act 2005 and the opportunity to comment on the proposals.

We welcome your proposal to review and extend the powers available to the Gambling Commission. We are supportive of your plans to strengthen the ability of the International Olympic Committee to obtain and exchange information about any threats to betting integrity should these arise during the Olympic Games. While your consultation questions are not areas which the Information Commissioner's Office is able to directly comment upon, we are responding to express our support for your proposals.

One area for you to consider under the Data Protection Act Principle 8, is that some of your Bodies may be based outside of the EU and so you would need to be ensuring that adequate levels of protection is applied. In terms of assessing the adequacy of protection, there are various options available:

- Self assessment
- use contracts, including the European Commission approved model contractual clauses
- Binding Corporate Rules approved by the Information Commissioner; or
- rely on the Data Protection exceptions

Further principles will apply. The first principle (relating to fair and lawful processing) will in most cases require you to inform individuals about disclosures of their personal data to third parties overseas. The seventh

principle (concerning information security) will also be relevant to how the information is exchanged abroad.

We are pleased that these additional Bodies are proposed to be added so as to further improve international channels of communication and improve cross-border information sharing and intelligence.

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