



STATUTORY INSTRUMENTS.

**S.I. No. 354 of 2022**

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DATA PROTECTION ACT 1988 (SECTION 2B) REGULATIONS 2022

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WHEREAS the Government on 21 June 2022 approved the sharing of certain information by the Commissioner of the Garda Síochána, as the Commissioner considers appropriate having regard to the functions of the Garda Síochána set out in section 7 of the Garda Síochána Act 2005 (No. 20 of 2005) and the independence of the Garda Síochána in performing functions relating to the investigation of a specific offence or the prosecution of an offence and in accordance with the terms of the Directive issued by the Minister for Justice on 23 June 2022 to the Commissioner under section 25(1) of the Garda Síochána Act 2005, with the Glenanne Gang review being conducted under Operation Denton, in response to the *Barnard* judgment of the Northern Ireland Court of Appeal (NICA 38/2019);

AND WHEREAS sections 2 (amended by section 3 of the Data Protection (Amendment) Act 2003 (No. 6 of 2003)) and 2A (inserted by section 4 of the Data Protection (Amendment) Act 2003) of the Data Protection Act 1988 (No. 25 of 1988) have been complied with;

AND WHEREAS there are reasons of substantial public interest for the making of the following regulations;

NOW I, HELEN MCENTEE, Minister for Justice, in exercise of the powers conferred on me by subsection (1)(b)(xi) of section 2B (inserted by section 4 of the Data Protection (Amendment) Act 2003 (No. 6 of 2003)) of the Data Protection Act 1988 (No. 25 of 1988), hereby make the following regulations:

1. These Regulations may be cited as the Data Protection Act 1988 (Section 2B) Regulations 2022.

2. The processing is authorised of sensitive personal data by the Commissioner of the Garda Síochána, or a member of the Garda Síochána of any rank below Commissioner acting on behalf of the Commissioner, for the purpose of enabling the Commissioner to comply with the Directive issued by the Minister for Justice on 23 June 2022 to the Commissioner under section 25(1) of the Garda Síochána Act 2005 (No. 20 of 2005) relating to the Glenanne Gang review being conducted under Operation Denton, in response to the *Barnard* judgment of the Northern Ireland Court of Appeal (NICA 38/2019).

GIVEN under my Official Seal,  
12 July, 2022.

HELEN MCENTEE,  
Minister for Justice.



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