

EXCEPTIONS

11.1 EXCEPTIONS FROM THE PROCESSING OF DATA IN ACCORDANCE WITH THIS GUIDE

1. Exceptions to the processing of data in accordance with this guide should only be invoked if:
 - a. They are provided for expressly by law; and
 - b. Constitute a necessary and proportionate measure for the purpose of the protection of national security, defence, public safety, important economic and financial interests, impartiality and independence of the judiciary, the prevention, investigation and prosecution of criminal offences, the execution of criminal penalties, protection of essential objectives in the public interest, or protection of the rights and fundamental freedoms of others.
2. If an exception defined by national law providing specific safeguards is invoked by law enforcement authorities, it should be used for legitimate aims and only to the extent necessary and proportionate to achieve the aim for which it is being used. It should be limited to cases where not invoking such exceptions would endanger the law enforcement purpose of the processing of data.