



Digital Economy Act 2017

2017 CHAPTER 30

PART 5

DIGITAL GOVERNMENT

CHAPTER 5

SHARING FOR RESEARCH PURPOSES

64 Disclosure of information for research purposes

- (1) Information held by a public authority in connection with the authority's functions may be disclosed to another person for the purposes of research which is being or is to be carried out.
- (2) If the information is personal information it may not be disclosed under subsection (1) unless the following conditions are met.
- (3) The first condition is that, if the information identifies a particular person, it is processed before it is disclosed so that—
 - (a) the person's identity is not specified in the information, and
 - (b) it is not reasonably likely that the person's identity will be deduced from the information (whether by itself or taken together with other information).
- (4) For the purposes of the first condition the information may be processed by—
 - (a) the public authority,
 - (b) a person other than the public authority, or
 - (c) both the public authority and a person other than the public authority,(subject to the following provisions of this Chapter).
- (5) Personal information may be disclosed for the purpose of processing it for disclosure under subsection (1)—

Status: This is the original version (as it was originally enacted).

- (a) by a public authority to a person involved in processing the information for that purpose;
 - (b) subject to sections 67(5), 68(5) and 69(5) (information disclosed by revenue authorities), by one such person to another such person.
- (6) The second condition is that each person who is involved in processing the information for disclosure takes reasonable steps to—
- (a) minimise the risk of the accidental disclosure of information which identifies a particular person, and
 - (b) prevent the deliberate disclosure of such information (otherwise than in accordance with this Chapter).
- (7) The third condition is that the disclosure is made by the public authority or by a person, other than the public authority, who is involved in processing the information for disclosure under subsection (1).
- (8) The fourth condition is that the research for the purposes of which the information is disclosed is accredited under section 71.
- (9) The fifth condition is that the following are accredited under section 71—
- (a) any person (including the public authority) who is involved in processing the information for disclosure under subsection (1);
 - (b) any person to whom information is disclosed under subsection (1);
 - (c) any person by whom such information is used for research purposes.
- (10) The sixth condition is that each person who discloses the information or is involved in processing it for disclosure under subsection (1) has regard to the code of practice under section 70 in doing so.
- (11) For the purposes of this Chapter information is “personal information” if—
- (a) it relates to a particular person (including a body corporate), but
 - (b) it is not information about the internal administrative arrangements of a public authority.
- (12) For the purposes of this Chapter information identifies a particular person if the identity of that person—
- (a) is specified in the information,
 - (b) can be deduced from the information, or
 - (c) can be deduced from the information taken together with any other information.
- (13) This section is subject to section 65.