

2012 No. 215

OFFICIAL STATISTICS

**The Statistics and Registration Service Act 2007 (Disclosure of
Social Security Information) Regulations (Northern Ireland)
2012**

Made - - - - *23rd May 2012*

Affirmed by resolution of the Assembly on *19th June 2012*

Coming into force in accordance with regulation 1

The Department of Finance and Personnel makes these Regulations in exercise of the powers conferred by section 49(1) and (2), (5)(b) and (6)(b) of the Statistics and Registration Service Act 2007(a).

In accordance with section 49(7) of that Act these Regulations are made with the consent of the Minister for the Cabinet Office.

In accordance with section 49(8) of that Act the Department of Finance and Personnel and the Minister for the Cabinet Office are satisfied that the disclosure authorised by these Regulations is required by the Statistics Board(b) to enable it to carry out the functions in relation to which the disclosure is authorised, and is in the public interest.

Citation and commencement

1. These Regulations may be cited as the Statistics and Registration Service Act 2007 (Disclosure of Social Security Information) Regulations (Northern Ireland) 2012 and shall come into operation on the day after the day on which they are affirmed by a resolution of the Assembly.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to an Act of the Assembly.

(2) In these Regulations —

“the Act” means the Statistics and Registration Service Act 2007;

(a) 2007 c. 18

(b) The Statistics Board is established under section 1 of the Statistics and Registration Service Act 2007 (c.18).

(c) 1954 c. 33 (NI).

“benefit” means any benefit within the meaning of section 1(4) of the Social Security Administration (Northern Ireland) Act 1992(a);

“unique individual identifier” means the number which—

- (a) is assigned to an individual by the Department for Social Development, the Secretary of State or the Commissioners for Her Majesty’s Revenue and Customs; and
- (b) does not, without additional information, identify the individual.

Disclosure of social security information

3.—(1) The Department for Social Development may, for the purpose set out in paragraph (2), disclose to the Board the information set out in paragraphs (a) to (f) of regulation 4 in respect of an individual who received a benefit on or after 1st January 2001 and the information set out in paragraphs (g) to (i) of regulation 4 held in connection with that information.

(2) The purpose mentioned in paragraph (1) is to enable the Board to carry out its functions in connection with—

- (a) the production of population statistics under section 20 (production of statistics) of the Act;
- (b) the assessment of census returns under the Census Act (Northern Ireland) 1969(b).

4. The information referred to in regulation 3 is —

- (a) the individual’s—
 - (i) surname, and any former surname;
 - (ii) first name;
 - (iii) middle name, or if more than one, each middle name;
 - (iv) date of birth;
 - (v) date of death, if applicable;
 - (vi) gender; and
 - (vii) unique individual identifier;
- (b) if the individual is, or was, married or formed a civil partnership on or after 1st January 2001, that information;
- (c) in relation to each address in the United Kingdom at which the individual resides, or has resided at any time on or after 1 January 2001—
 - (i) that individual’s full address including postcode; and
 - (ii) the start and end dates for the period the individual is recorded as resident at that address;
- (d) if the individual is, or was, resident outside of the United Kingdom on or after 1st January 2001, that information, and the start and end dates for the period the individual is recorded as resident outside of the United Kingdom;
- (e) in relation to each benefit the individual has received—
 - (i) the type of benefit received; and
 - (ii) the date the individual started and ceased to receive that benefit;
- (f) in relation to any benefit the individual would have been entitled to but for receipt of a different type of benefit referred to in paragraph (e)—
 - (i) the type of other benefit the individual would have been entitled to; and

(a) 1992 c. 8(NI); section 1(4) was amended by paragraph 21 of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 (S.I. 1995/2705 (N.I. 15)), paragraph 2 of Schedule 1 to the State Pension Credit Act (Northern Ireland) 2002 (c. 14 (N.I.)) and paragraph 4(2) of Schedule 3 to the Welfare Reform Act (Northern Ireland) 2007 (c. 2 (N.I.))

(b) 1969 c.8.

- (ii) the dates the individual's entitlement to that other benefit would have started and ceased;
- (g) where the individual's entitlement to, or amount of, any type of benefit is, or was, dependent upon a relationship with another individual, that other individual's —
 - (i) surname, and any former surname;
 - (ii) first name;
 - (iii) middle name or, if more than one, each middle name;
 - (iv) date of birth;
 - (v) date of death, if applicable;
 - (vi) gender;
 - (vii) unique individual identifier; and
 - (viii) full address including postcode for each address in the United Kingdom at which the other individual resides, or has resided, on or after 1st January 2001;
- (h) the nature of the relationship between the individual entitled to the type of benefit ,and the other individual referred to in paragraph (g); and
- (i) the dates the dependency on the other individual referred to in paragraph (g) for the individual's entitlement to, or amount of, the type of benefit started and ceased.

Further disclosure of personal information by the Board

5.—(1) In the application of section 39 (confidentiality of personal information) of the Act to personal information which is disclosed to the Board under regulations 3 and 4, subsection (4)(c) of that section applies to the extent that the Board may disclose such personal information to the persons specified in regulation 6.

(2) Information may only be disclosed under paragraph (1) for the purpose of enabling or assisting the Board to produce population statistics under section 20 (production of statistics) of the Act.

6. The persons referred to in regulation 5 (1) are—

- (a) the Northern Ireland Statistics and Research Agency(a) but only in respect of individuals whose place of residence is, or was at any time on or after 1st January 2001, Northern Ireland; and
- (b) the National Records of Scotland(b) but only in respect of individuals whose place of residence is, or was at any time on or after 1st January 2001, Scotland.

(a) The Northern Ireland Statistics and Research Agency is an Executive Agency within the Department of Finance and Personnel.

(b) The National Records of Scotland was formed on 1st April 2011 by a merger of the General Register Office of Scotland and the National Archives for Scotland and is a Non-Ministerial Department of the Scottish Administration.

Sealed with the Official Seal of the Department of Finance and Personnel on 23rd May 2012

23rd May 2012

I consent

23rd May 2012

N Caven
A senior officer of the
Department of Finance and Personnel

Francis Maude
Minister for the
Cabinet Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide that the Department for Social Development may disclose to the Statistics Board information in respect of individuals in connection with certain benefit payments received on or after 1st January 2001 for the purpose of enabling that Board to carry out its functions in connection with the production of population statistics and the assessment of census returns (regulations 3 and 4).

Regulations 5 and 6 authorise further disclosure by the Statistics Board of personal information which is disclosed under regulations 3 and 4 in certain circumstances which would otherwise be prohibited by section 49 (4) of the Statistics and Registration Services Act 2007 (“the Act”).

Regulation 5 and 6 only permit the Statistics Board to disclose such information to the Northern Ireland Statistics and Research Agency and the National Records of Scotland and only for the purpose of assisting the Statistics Board to produce population statistics.

A regulatory impact assessment has not been produced for this rule as no impact on the private or voluntary sectors is foreseen.

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