



Freedom of Information Act 2000

2000 CHAPTER 36

PART VII

AMENDMENTS OF DATA PROTECTION ACT 1998

Amendments relating to personal information held by public authorities

68 Extension of meaning of “data”.

- (1) Section 1 of the ^{M1}Data Protection Act 1998 (basic interpretative provisions) is amended in accordance with subsections (2) and (3).
- (2) In subsection (1)—
 - (a) in the definition of “data”, the word “or” at the end of paragraph (c) is omitted and after paragraph (d) there is inserted “or
 - (e) is recorded information held by a public authority and does not fall within any of paragraphs (a) to (d);”,
 - and
 - (b) after the definition of “processing” there is inserted—

““public authority” has the same meaning as in the Freedom of Information Act 2000;”.
- (3) After subsection (4) there is inserted—
 - (5) In paragraph (e) of the definition of “data” in subsection (1), the reference to information “held” by a public authority shall be construed in accordance with section 3(2) of the Freedom of Information Act 2000.
 - (6) Where section 7 of the Freedom of Information Act 2000 prevents Parts I to V of that Act from applying to certain information held by a public authority, that information is not to be treated for the purposes of paragraph (e) of the definition of “data” in subsection (1) as held by a public authority.”

Status: Point in time view as at 30/11/2005.

Changes to legislation: Freedom of Information Act 2000, Section 68 is up to date with all changes known to be in force on or before 06 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(4) In section 56 of that Act (prohibition of requirement as to production of certain records), after subsection (6) there is inserted—

“(6A) A record is not a relevant record to the extent that it relates, or is to relate, only to personal data falling within paragraph (e) of the definition of “data” in section 1(1).”

(5) In the Table in section 71 of that Act (index of defined expressions) after the entry relating to processing there is inserted—

“public authority

section 1(1).”.

Commencement Information

II S. 68 wholly in force at 1.1.2005; s. 68 not in force at Royal Assent, see s. 87(3); s. 68 in force for certain purposes at 1.1.2005 by S.I. 2002/1909, art. 2 and otherwise in force at 1.1.2005 by S.I. 2004/3122, art. 2

Marginal Citations

M1 1998 c. 29.

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